Confidentiality and Reporting Requirements

Abuse can affect anyone—from the very young to the very old; from the physically or mentally frail to those in good health. If a person who has been abused is unable to make, or act on, appropriate decisions to ensure his or her health and safety, or the safety of the community, the law may require you to report the abuse.

This guide is intended to help you determine in which situations you should report abuse and to whom. There is immunity from legal action for anyone who makes a report in good faith. Know that even when a report is not required, you can refer the person for help in the community.

To report abuse of children or vulnerable adults, call 1-800-332-6347 to contact Child Protective Services or Adult Protective Services in your area. In an emergency call 911.

For referrals, counseling or other services, call a helpline.

Child Abuse Prevention
1-800-243-7337

Department of Aging
1-800-243-3425

Maryland Coalition Against Sexual Assault
1-800-983-RAPE (7273)

Maryland Network Against Domestic Violence
1-800-MD-HELPS (634-3577)

This brochure is available from the Maryland Health Care Coalition Against Domestic Violence, 1211 Cathedral Street, Baltimore, MD 21201 410-539-0872

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**Child Abuse**

By law, reportable child abuse is abuse committed by a parent, guardian, other person with permanent or temporary care or custody, or family or household member. Reports are confidential.

ANYONE who suspects the physical or sexual abuse of a child (up to age 18) is required to report to Child Protective Services (CPS) within the local Department of Social Services or law enforcement. CPS will also investigate neglect.

**Intimate Partner Abuse and Sexual Assault**

To protect patient confidentiality, *Maryland does not have mandatory reporting laws for domestic violence or sexual assault*. You may not report suspected or confirmed domestic violence or sexual assault unless the adult victim consents or if disclosure is required or authorized by state law as follows:

- The case involves abuse of a child or vulnerable adult, report to CPS, APS or law enforcement.
- A health care provider must report to law enforcement if he or she treats a person for an injury that was caused by:
  1) an auto accident or a lethal weapon (only in the following counties: Allegany, Anne Arundel, Charles, Kent, Montgomery, Prince George’s, Somerset, Talbot and Wicomico) or
  2) a gunshot or moving vessel of any type.

**Abuse of Vulnerable Adults**

A ‘vulnerable adult’ is defined as an adult who lacks the physical or mental capacity to provide for the adult’s daily needs. NOTE: not all elder adults are vulnerable adults; not all vulnerable adults are elderly.

Health care professionals, police and human service workers who have reason to believe there is abuse, neglect, self-abuse or exploitation of a vulnerable adult in the community must report it to Adult Protective Services. All persons are permitted to make reports.

**Teen Dating Violence**

If someone under the age of 18 is being abused by a dating partner, CPS will not generally become involved unless it involves minors who are family or household members. But, since the abuse may be a crime, the teen should be encouraged to seek assistance.

**Domestic Violence and Older Adults**

If an older victim is being abused by a spouse or an intimate partner, do not report unless the victim gives consent, is a vulnerable adult or reporting is required by law (see center panel), even if the victim has a mild disability.