

# What to do if you suspect abuse or neglect by a caregiver

- Call the DPPC (Disabled Persons Protection Commission) 24-Hour hotline at 1-800-426-9009.
- The DPPC's mission is: "To protect adults with disabilities from the abusive acts or omissions of their caregivers through investigation oversight, public awareness and prevention."
- The standard for reporting suspected abuse and neglect to the DPPC is "reasonable cause to believe," which means that mandated reporters (legally responsible) need only "suspect" that abuse or neglect was committed against a person with a disability to report this incident.  
Mandated reporters must report suspected abuse and neglect; and, if they fail to do so, they are subject to a legal penalty. Most persons employed to work with individuals with disabilities are mandated reporters.  
Non-mandated reporters, including individuals, family members, friends etc., who believe an abuse or neglect has been committed against an individual with disabilities, are also encouraged to report suspected abuse and neglect.

You, your family and friends or anyone may call the DPPC hotline or file their complaint by filling out a DPPC abuse and neglect complaint form (located at [www.mass.gov/dppc](http://www.mass.gov/dppc)).

## What happens next?

Once the DPPC receives the call or report, they decide if the information given meets their legal criteria to either screen the case "IN" or "OUT." To screen it IN, the information provided must suggest "**an act or omission of a caretaker resulting in serious physical or emotional injury, including consensual sexual activity**" has occurred.

- The State Police review each case to see if the allegation may be considered criminal conduct; if so, they refer it to the local District Attorney for review and possible criminal investigation.
- When a case is "Screened IN" & State Police have referred it criminally, DPPC staff may conduct an investigation under DPPC's statutory jurisdiction; or the DPPC may assign the case to DDS' Investigation Unit, where DDS investigators will pursue an investigation, but use the DPPC investigation standard. The DPPC standard is: "*the suspected abuse must involve a person with a disability who has sustained a serious physical injury and/or serious emotional injury as the result of an act or omission by their caretaker(s.)*"
- If a case is "Screened OUT", it indicates the DPPC has determined that the information given does not meet DPPC's statutory jurisdiction for a DPPC investigation.
- If "Screened OUT", the DPPC will forward the case to DDS' Investigations Unit, which has different criteria for their investigations. The DDS standard for investigation is: "*Any complaint outside the jurisdiction of the DPPC alleging abuse, abuse per se, assault, sexual abuse, or financial exploitation of an individual.*" This standard does not require that there was serious physical or emotional injury.
- If the case meets these criteria, the DDS Investigations Unit will conduct their own investigation.
- If the allegation does not meet the standard for investigation but still might be considered Mistreatment per 115 CMR 5.05 then the Investigations Unit will refer the case to the Regional Office for a **DDS Administrative Review**.

- If the allegation does not meet the standard for an investigation or an administration review the case may be referred directly to the Complaint Resolution Team for review and identification of any needed remedial services.

Following notice that an allegation has been received; the Provider Agency ***may need to take immediate action*** to protect the health and well-being of the alleged victim, while waiting for the outcome of either the investigation or administrative review.

<https://malegislature.gov/Laws/GeneralLaws/PartI/Title19/Chapter19C> This link to Mass General Law chapter 19c, provides the legislative basis for the D.P.P.C. Section 4b, stating that the DPPC may refer cases to the DDS for investigation.

#### **The Outcome of an Investigation or Administrative Review:**

- **A copy of a Decision Letter regarding the investigation's outcome** will be sent to Individuals and/or their Guardians, along with the instructions for appealing that outcome of an investigation, or requesting reconsideration in the case of an administrative review.
- **The provider agency's human rights committee also receives a copy of the Decision Letter.**

#### **What if you have called in a complaint to the DPPC and have not heard back from them or from DDS?**

- **Call them.** If the case has been referred to DDS investigations unit or another body, call them. An investigation may take some time to complete, and they may not call you with updates. You can make the call to find out the status of the investigation so that you know your concerns are being followed up on.

**DPPC is called  
800-426-9009**

DPPC determines if protective action is needed.

If yes

DPPC works with DDS and others to insure immediate safety of the person

DPPC determines if the case falls within their jurisdiction

If yes

DPPC conducts investigation

If no

Call is screened by State Police to see if a crime may have been committed

If yes

Case is referred to law enforcement

Criminal investigation is completed before DPPC or DDS investigate

DPPC may ask DDS to conduct the investigation under the DPPC 19c regulations

DDS investigations unit determines if the case meets their criteria for investigation

If yes

If no

Disposition of case is reached, decision letter is issued

Case is referred for DDS administrative review

Individual, guardian, or human rights committee can file an appeal of decision

Findings are made, decision letter is issued

Administrative Review is conducted

Action Plan is issued. Individual or guardian, and the Alleged Abuser may be able to file an appeal of the Findings or Action Plan.

Administrative review is completed

Or

Case is referred back to investigations unit

Complaint resolution team reviews matter.

Resolution letter is issued

Individual or guardian can file a request for reconsideration with the Regional Director