

Aetna Better Health of Kansas

Identifying & Reporting Abuse, Neglect & Exploitation of a Member

Aetna Better Health policy is to promote the education of network providers including long term care facilities on the identification and reporting of actual and suspected abuse, neglect, and exploitation of our members.

Definitions

Neglect means intentional or unintentional failure to fulfill a caregiver's obligation or duty to a member. "Self-neglect" can also occur when a member is unable or unwilling to make provision for proper care for them-selves.

Abuse constitutes the intentional infliction of physical harm, causing injury as a result of negligent acts or omissions, unreasonable confinement, sexual abuse, or sexual assault of an individual 18 years of age or older who is unable to protect himself or herself from abuse, neglect or exploitation by others because of a physical or mental impairment.

Aggravating circumstances (such as cruelty, recklessness, and malice in causing injury to others) are often considered by the courts in imposing a more severe sentence than is typical for similar offenses.

Bodily harm means physical pain or injury, illness, or any impairment of physical condition.

Imminent danger is a condition which could cause serious or life-threatening injury or death.

Financial exploitation is when someone uses coercion, harassment, or deception to misuse or steal a person's money or property.

Mandated reporters are professionals who, in the ordinary course of their work and because they have regular contact with children, disabled persons, senior citizens, or other identified vulnerable populations, are required to report (or cause a report to be made) whenever financial, physical, sexual or other types of

abuse have been observed or are suspected, or when there is evidence of neglect.

Major unusual incidents are defined as any alleged, suspected, or actual occurrence of an incident that adversely affects the health and safety of an individual.

Neglect

Types of neglect:

- The intentional withholding of basic necessities and care
- Not providing basic necessities and care because of lack of experience, information, or ability

Signs of neglect:

- Malnutrition or dehydration
- Unkempt appearance; dirty or inadequate
- Untreated medical condition
- Unattended for long periods or having physical movements unduly restricted

Examples of neglect:

- Inadequate provision of food, clothing, or shelter
- Failure to attend health and personal care responsibilities, such as washing, dressing, and bodily functions

Abuse

Examples of abuse:

- Bruises (old and new)
- Burns or bites
- Pressure ulcers (bed sores)
- Missing teeth
- Broken bones/sprains
- Spotty balding from pulled hair
- Marks from restraints

Behaviors of abusers (caregiver and/or family member):

- Refusal to follow directions
- Speaks for the patient

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- Unwelcoming or uncooperative attitude
- Working under the influence
- Aggressive behavior

Financial exploitation

Examples of financial exploitation:

- Caregiver, family member, or professional expresses excessive interest in the amount of money being spent on the member
- Forcing member to give away property or possessions
- Forcing member to change a will or sign over control of assets

Reporting

The Kansas Department for Children and Families (DCF), Prevention and Protection Services website provides resource information about how abuse, neglect and exploitation can be reported online, tips on making a report and also includes information on who is a mandated reporter and their responsibilities. Please visit their website at:

- <http://www.dcf.ks.gov/services/PPS/Pages/KIPS/KIPSWebIntake.aspx>

Providers must report all adverse incidents involving individuals receiving services by agencies licensed or funded by KDADS online through the Adverse Incident Reporting (AIR) system, which is located on the KDADS website, within 24 hours of becoming aware of the incident. To make a report through the open face AIR system, click on the below link and scroll down "Quick Links" and locate the Adverse Incident Reporting (AIR) link.

- www.kdads.ks.gov

Children

If the child is in immediate danger, call 911 as well as the following, as applicable:

- Kansas Protection and Report Center at 1-800-922-5330

Vulnerable Adults

Report to one of the following state agencies:

- Kansas Protection and Report Center at 1-800-922-5330
- The National Domestic Violence Hotline at 1-800-799-SAFE (7233)
- The local county Police or Sheriff's Department

For members age 60 or older, providers may report verbally or in writing to the:

- Elder Abuse must be reported to the Kansas Department of Children and Families Adult Protective Services at 1-800-922-5330
- Nursing Homes, Hospitals, Home Health Agency Abuse and Neglect: Report abuse to the Kansas Department of Aging and Disability Services at 1-800-842-0078

Aetna Better Health of Kansas Compliance Hotline

After reporting the incident, concern, issue, or complaint to the appropriate agency, the provider office must notify Aetna Better Health at 1-800-338-6361.

Additional Resources

- www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertificationGenInfo/downloads/scletter11_30.pdf



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