

Mandatory Reporting Requirements: The Elderly Puerto Rico

Last Updated: March 2020

Question	Answer
Who is required to report?	<ul style="list-style-type: none"> • Any person, including: <ul style="list-style-type: none"> • Professionals or public officials, public or private and privatized entities that in their professional capacity and in the discharge of their functions learn or suspect that an elderly person is, has been, or is at risk of being a victim of abuse, institutional abuse, abuse by negligence and/or abuse by institutional negligence; • Health, education, social work and law enforcement professionals; and • Persons engaged in directing or working in care institutions or establishments that offer care services during a 24-hour day or part thereof.
When is a report required and where does it go?	<p>When is a report required?</p> <ul style="list-style-type: none"> • Knowledge or suspicion that an elderly person is a victim of abuse, institutional abuse, abuse by negligence and/or abuse by institutional negligence. <p>Where does it go?</p> <ul style="list-style-type: none"> • The report is to be made through the “Golden Hotline” (Adult Protective Services at 787-725-9788 or 787-721-8225) or the Puerto Rico Police and/or the Office of Elderly Affairs at 787-721-5710.
What definitions are important to know?	<ul style="list-style-type: none"> • “Care Establishment” means any institution, day or night care center, substitute home, or day care home, as defined in §§ 351 et seq. of this title, which offers care to elderly persons outside of their home during the entire day, or part thereof. • “Coercion” means physical or psychological force or violence exerted on a person to compel said person to say or do something. • “Elderly Person” means a person who is 60 years of age or older. • “Financial Exploitation” means the improper use of an adult’s funds, property or resources by another individual including, but not limited to, fraud, false pretenses, embezzlement, conspiracy, forgery, falsifying records, coercion, property transfers or denial of access to assets. • “Harassment” means words, gestures or actions addressed to molest, persecute or disturb an elderly person. • “Intimidation” means any action or word whose purpose is to exert moral pressure on the will of an elderly person, who, for fear of suffering physical or emotional harm on his/her person, or property or another person, is compelled to perform an act against his/her will. • “Mental or Physical Abuse” means any act or conduct which may bring dishonor, discredit or create contempt for personal values, unreasonable limitation of access and management of goods

	<p>or chattels, isolation, lack of access to proper sustenance or rest, threats, or destruction of objects dear to the person.</p> <ul style="list-style-type: none"> • “Physical Abuse” means any injury or condition which provokes or creates a substantial risk which may cause the disfigurement or temporary or permanent disability of any bodily part or function, or other forms of bodily harm or injury. • “Residential Establishment” means any home or institution as defined in §§ 351 et seq. of this title, which renders care for 24 hours a day and for a prolonged period of time.
What timing and procedural requirements apply to reports?	<ul style="list-style-type: none"> • Not specified.
What information must a report include?	<ul style="list-style-type: none"> • Not specified.
Anything else I should know?	<ul style="list-style-type: none"> • The information provided in a report, as well as the identity of the person who furnished the information, shall be kept in strict confidentiality.
Statutory citation(s):	8 L.P.R.A. §§ 342; 346j; 346k.