
10. MEDICAL CARE STANDARDS

N. Mandatory Domestic Violence Reporting

APPLIES TO:

- A. This policy applies to all Mandated Reporters who treat or have contact with IEHP Covered Members.

POLICY:

- A. Any Mandated Reporter who, in his or her professional capacity, or within the scope of his/her employment, has observed or has knowledge of an incident that reasonably appears to be abuse, is required by law to report directly to appropriate county agencies by telephone immediately or as soon as practicably possible.
- B. Primary Care Providers (PCPs) are responsible for the overall health care of assigned Members including reporting incidents of known or suspected domestic violence cases.
- C. PCPs and Health Care Providers who provide medical services are Mandated Reporters and as such they are responsible for directly informing the local law enforcement agency, within their respective county, of incidents of known or suspected domestic violence cases.¹

DEFINITIONS:

- A. Mandated Reporters, as it pertains to this policy, are health care Providers who are:
1. Acting in their professional capacities or within the scope of their employment; and
 2. Provide medical services for a physical condition to a patient whom they know or reasonably suspect to have been abused.²
- B. Domestic Violence - means abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship.³

PROCEDURES:

1. For the complete definition of “assaultive or abuse conduct,” see CA Penal Code Section 11160(d). Behavioral Health (BH) professionals must comply with their own licensing board requirements regarding reporting domestic violence, which may be different from PCPs and other medical health care Providers.

Identification of domestic violence cases:

1. In an office visit, the presence of behavioral or emotional signs pointing toward possible domestic violence. These may include excessive hostility between a Member and his/her partner or spouse; excessively avoidant, sullen, fearful, submissive, or anxious behaviors on the part of the Member; and/or unexplained physical injuries that may be consistent

¹ California Penal Code § 11160

² Ibid.

³ California Penal Code § 13700

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with assault and battery.

Reporting Responsibilities and Time Frames

- A. Mandated Reporters, who meet the criteria above, are responsible for telephoning reports of domestic violence with the appropriate law enforcement agency and filing an additional written report.⁴
1. The telephone report shall be made immediately or as soon as practically possible to the local law enforcement agency. The telephone report shall include the following:⁵
 - a. Name, title, and daytime number of reporting party, agency name and address, and date of report.
 - b. Name and present location of the injured person.
 - c. The character and extent of the person's injuries.
 - d. The identity of the person who allegedly inflicted the injury.
 2. The written report will be faxed to the appropriate law enforcement agency within two (2) business days.⁶ The report consists of the Suspicious Injury Report (Form CalEMA-920).⁷

Riverside

Riverside Sheriff's Dept.
(951) 955-2526 or Call 911

San Bernardino

San Bernardino Sheriff's Dept.
(909) 884-0156 or Call 911

Other Related Responsibilities

- A. IEHP is responsible for educating their contracted PCPs of the procedures for reporting domestic violence cases.
- B. If the Mandated Reporter suspects that minors were present during the domestic violence incident(s), a suspected child abuse report must be made. See Policy 5M, "Mandatory Child Abuse and Neglect Reporting."

⁴ CA Penal Code § 11160

⁵ Ibid.

⁶ Ibid.

⁷ <https://www.caloes.ca.gov/office-of-the-director/policy-administration/finance-administration/grants-management/victim-services/forms/>

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INLAND EMPIRE HEALTH PLAN		
Regulatory/ Accreditation Agencies:	<input type="checkbox"/> DHCS	<input type="checkbox"/> CMS
	<input type="checkbox"/> DMHC	<input type="checkbox"/> NCQA
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