

POLICY

TITLE: Zero Tolerance Policy

POLICY NO. A-6

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PURPOSE: Kern Regional Center will enforce a zero tolerance policy to address client abuse or neglect.

DEFINITION: abuse includes physical abuse, neglect, financial abuse, abandonment, isolation, abduction or other treatment which results in physical harm, pain or mental suffering; or deprivation, by a person providing care and supervision of goods and services which are necessary to avoid physical harm or mental suffering.

- **Physical Abuse:** means the use or attempt to use force on the person of another, unreasonable physical constraint or prolonged or continual deprivation of food, water, or sexual abuse. It also means the use of isolation, physical or chemical restraint, or psychotropic medication without medical authorization for punishment.
- **Mental Suffering:** is defined as fear, agitation confusion, severe depression or other forms of emotional distress that is brought about by threats, harassment or other forms of intimidating behavior.
- **Neglect:** is defined as the negligent failure of a person(s) having care or custody of a client to exercise a reasonable degree of care including, but not limited to, a failure to assist in personal hygiene and the provision of food, clothing and shelter or failure to provide medical care or protect the client from health and safety hazards.

POLICY: Client abuse committed by Kern Regional Center employees or employees of service providers or long term care facilities will not be tolerated. All such abuse or allegations of such abuse will be thoroughly investigated. Any Kern Regional Center employee found to have engaged in abuse against a client will be subject to severe discipline, up to and including discharge. Any abuse found to have been committed by a service provider or long term care facility employee will be referred to the appropriate authorities and the service provider may also be subject to sanctions up to and including removal from the list of those authorized to provide service for regional center clients.

All Kern Regional Center employees who are “mandated reporters” pursuant to the California Penal Code and all employees of service providers and long-term health care facilities who are mandated reporters shall strictly comply with the reporting laws at all times. A mandated reporter must (unless exempt under law) report all client abuse to the applicable governmental authorities immediately or as soon as practicable after his or her discovery or reasonable belief that client abuse has occurred.

Kern Regional Center and all Kern Regional Center service providers and long term health care facilities serving Kern Regional Center clients shall ensure their employees are fully informed upon hire and annually thereafter regarding Kern Regional Center’s Policy on Client Abuse and Neglect and

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the mandatory abuse and neglect reporting laws. Each employee must be knowledgeable of their responsibility to protect clients from abuse and neglect, the signs of abuse and neglect, the process for reporting suspected abuse or neglect, and the consequences of failing to follow the law and enforce this policy.

If Kern Regional Center or a Kern Regional Center service provider or long-term health care facility becomes aware of client abuse, it shall take immediate action to the extent permitted by law, to ensure the health and safety of the affected client and all other clients receiving services and supports from Kern Regional Center. This obligation is in addition to those obligations required of mandated reporters to report client abuse under the reporting laws.

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