

Quick Reference: Reporting Elder Abuse

Several state and federal laws require reporting related to suspected abuse, neglect, and exploitation of older adults. This reference guide is designed to provide a high-level overview of these laws. The guide has three parts:

- Table 1 includes summaries of the reporting requirements.
- Table 2 includes contact phone numbers for all 100 county social services agencies.
- Table 3 lists some of the crimes that are subject to the specific reporting requirement applicable to employees and volunteers in mental health, developmental disability, and substance abuse facilities.

For more information about each type of reporting obligation, refer to *The Legal Framework for North Carolina's Elder Protection System*.

Table 1. Summary of Mandatory Reporting Obligations

Who Reports?	Where to Report?	When to Report?
<p>Almost everyone</p>	<p>County DSS</p>	<ul style="list-style-type: none"> ■ Any person (with one limited exception described below) who has <ul style="list-style-type: none"> ○ reasonable cause to believe ○ that a <i>disabled</i>^a adult is in need of services to protect the adult from abuse, neglect, or exploitation <p>must file a report with the county department of social services (DSS).^b</p> ■ Reports must be made to the social services agency in the county where the adult either (1) resides or (2) is present. See Table 2, below, for contact information for each county’s agency. ■ The only exception to this reporting requirement applies to the regional staff working with the State Long-Term Care Ombudsman Program, which provides advocacy for long-term care facility residents. They may report abuse, neglect, or exploitation to DSS with the consent of either (1) the affected resident or (2) the State Ombudsman.
<p>County DSS</p>	<p>District attorney</p>	<ul style="list-style-type: none"> ■ If, in the course of an adult protective services evaluation, DSS finds evidence that an adult has been abused, neglected, or exploited, DSS must notify the district attorney. ■ The notice must be in writing and must include the specific findings from the evaluation.^c

a. The term “disabled adult” is defined to mean “any person 18 years of age or over or any lawfully emancipated minor who is present in the State of North Carolina and who is physically or mentally incapacitated due to an intellectual disability, cerebral palsy, epilepsy or autism; organic brain damage caused by advanced age or other physical degeneration in connection therewith; or due to conditions incurred at any age which are the result of accident, organic brain damage, mental or physical illness, or continued consumption or absorption of substances.” Chapter 108A, Section 101(d) of the North Carolina General Statutes (hereinafter G.S.).

b. G.S. 108A-102; -115(a)(3).

c. G.S. 108A-109; Title 10A, Chapter 71A, Section .0906 of the North Carolina Administrative Code (hereinafter N.C.A.C.); 10A N.C.A.C. 71A, § .0901.

Table 1, cont'd

Who Reports?	Where to Report?	When to Report?
Financial institution (1 of 3)	Trusted person	<ul style="list-style-type: none"> ■ Under state law, financial institutions are encouraged to offer disabled adults and older adults an opportunity to submit to the institutions a list of “trusted persons” and to update the lists periodically. ■ If the institution has <ul style="list-style-type: none"> ○ reasonable cause to believe ○ that the adult is the victim or target of financial exploitation, it must report the suspicion to any “trusted person” identified by the customer, <i>unless</i> the institution “suspects that [the trusted person is] financially exploiting the disabled adult or older adult.”^d
Financial institution (2 of 3)	FinCEN	<ul style="list-style-type: none"> ■ If a financial institution knows, suspects, or has reason to suspect that a transaction conducted or attempted by, at, or through the institution <ul style="list-style-type: none"> ○ involves funds derived from illegal activity or attempts to disguise funds derived from illegal activity, ○ is designed to evade regulations promulgated under the Bank Secrecy Act (BSA), ○ lacks a business or apparent lawful purpose, or ○ involves the use of the financial institution to facilitate a criminal activity, the institution may be required to submit a suspicious activity report (SAR) to the federal government. SARs are submitted electronically to the Financial Crimes Enforcement Network (FinCEN) within the U.S. Department of the Treasury.^e

d. G.S. 108A-114; -115(a)(1).

e. 31 C.F.R. §§ 1020.320, 1021.320, 1022.320, 1023.320, 1024.320, 1025.320, 1026.320, 1029.320, and 1030.320. Reports are filed through the BSA E-Filing System, which is accessible at <https://bsaeiling.fincen.treas.gov/main.html>.

Table 1, cont'd

Who Reports?	Where to Report?	When to Report?
Financial Institution (3 of 3)	Local law enforcement	<ul style="list-style-type: none"> ■ If a financial institution (including officers and employees) has <ul style="list-style-type: none"> ○ reasonable cause to believe ○ that a disabled adult or older adult (aged 65 years and older) ○ is the victim or target of financial exploitation, the institution must make a report to local law enforcement. ■ Note that if the adult is disabled, the financial institution must make two reports in this situation: one to law enforcement and one to the county DSS (see above).
Employees and volunteers at MH/DD/SA treatment facilities^f (1 of 2)	Authorized personnel	<ul style="list-style-type: none"> ■ If an employee or volunteer at an MH/DD/SA facility witnesses <ul style="list-style-type: none"> ○ another employee or volunteer ○ knowingly causing pain or injury to a client (other than as a part of generally accepted medical or therapeutic procedure) ■ the witness must report the incident to authorized personnel designated by the facility.^g The facility should have policies and procedures in place to identify the person or position authorized to receive these reports. ■ Note that if the adult is disabled, the employee or volunteer must make two reports in this situation: one to the authorized personnel and one to the county DSS (see above).^h If DSS determines that the case does not involve a disabled adult or abuse, neglect, or exploitation, as those terms are defined in G.S. 108A-101, DSS may screen out the report.

f. Refers to a mental health, developmental disability, or substance abuse treatment facility. See G.S. 122C-3(14) (definition of “facility”); -66 (reporting requirements).

g. G.S. 122C-66(b).

h. G.S. 122C-66(e).

Table 1, cont'd

Who Reports?	Where to Report?	When to Report?
<p>Employees and volunteers at MH/DD/SA treatment facilities (2 of 2)</p>	<p>County DSS, law enforcement, or district attorney</p>	<ul style="list-style-type: none"> ■ If an employee or volunteer at an MH/DD/SA facility witnesses a client becoming a victim of one of many specific crimes, most of which involve sexual violence or abuse, he or she must make a report within twenty-four hours.ⁱ Reports may be made to <ul style="list-style-type: none"> ○ the county DSS, ○ law enforcement, or ○ the district attorney. ■ Note that if the adult is disabled, the employee must make a report to the county DSS (see above).^j This report would satisfy both reporting obligations (the general reporting duty and the MH/DD/SA specific reporting duty). If DSS determines that the case does not involve a disabled adult or abuse, neglect, or exploitation, as those terms are defined in G.S. 108A-101, DSS may screen out the report.
<p>Physicians, hospitals, and other medical facilities^k</p>	<p>Law enforcement</p>	<ul style="list-style-type: none"> ■ Reporting is required when a health care provider treats a person who has <ul style="list-style-type: none"> ○ a wound, injury, or illness that arises from or is caused by the discharge of a gun or firearm (or appears to have so arisen from or been caused by); ○ an illness that is apparently caused by poisoning; ○ a wound or injury that is caused by or apparently caused by a knife or sharp or pointed instrument if it appears to the provider that a criminal act was involved; or ○ any wound, injury, or illness in which there is grave bodily harm or grave illness if it appears to the provider, that it resulted from a criminal act of violence. ■ The report must be made as soon as practicable to local law enforcement police within a municipality or sheriff if not within a municipality).

i. G.S. 122C-66(b1). Subsection (b1) refers to G.S. Chapter 14, Article 7A; all of the statutes in that Article were recodified into Article 7B, which lists rape and other sexual offenses.

j. G.S. 122C-66(e).

k. G.S. 90-21.20.

Getting in Touch with a County Social Services Agency

The North Carolina Department of Health and Human Services regularly updates the contact information for the county departments of social services. The listing below is current as of January 9, 2020. For the most recent directory, visit <https://www.ncdhhs.gov/divisions/social-services/local-dss-directory>.

Table 2. Phone Numbers for County Social Services Agencies

The N.C. Department of Health and Human Services regularly updates the contact information for the county departments of social services. The listing below is current as of January 9, 2020. For the most recent directory, visit: <https://www.ncdhhs.gov/divisions/social-services/local-dss-directory>

County	Phone Number	County	Phone Number
Alamance	Main: 336-570-6532 APS: 336-229-2909 Emergency: 336-229-2912	Burke	Main: 828-764-9600
Alexander	Main: 828-632-1080 APS: 828-352-7670 Emergency (Sheriff): 828-632-4658	Cabarrus	Main: 704-920-1400
Alleghany	Main: 336-372-2411 APS: 336-372-1445	Caldwell	Main: 828-426-8200 APS: 828-426-8288
Anson	Main: 704-694-9351	Camden	Main: 252-331-4787 Emergency: 252-331-1500
Ashe	Main: 336-846-5719 APS: 336-846-5644 Emergency: 336-846-5600	Carteret	Main: 252-728-3181
Avery	Main: 828-733-8230	Caswell	Main: 336-694-4141 APS: 336-694-2008
Beaufort	Main: 252-975-5500 APS: 252-940-6042	Catawba	Main: 828-695-5600 APS: 828-695-5609
Bertie	Main: 252-794-5320 APS: 252-794-5330 Emergency: 252-794-5300	Chatham	Main: 919-542-2759 Emergency: 919-542-2911
Bladen	Main: 910-862-6800 APS: 910-862-6893	Cherokee	Main: 828-835-3144
Brunswick	Main: 910-253-2077 APS: 910-253-2415	Chowan	Main: 252-482-7441
Buncombe	Main: 828-250-5500 APS: 828-250-5800	Clay	Main: 828-389-6301
		Cleveland	Main: 704-487-0661
		Columbus	Main: 910-642-2800 APS: 910-641-3227
		Craven	Main: 252-636-4900 APS: 252-633-2357
		Cumberland	Main: 910-323-1540 APS: 910-677-2389 Emergency: 910-323-1500

Table 2, cont'd

County	Phone Number
Currituck	Main: 252-232-3083
Dare	Main: 252-475-5500 Emergency: 252-473-3444
Davidson	Main: 336-242-2500 Emergency: 336-249-0131
Davie	Main: 336-753-6250
Duplin	Main: 910-296-2200 Emergency: 910-271-4985
Durham	Main: 919-560-8000 APS: 919-560-8588
Edgecombe	Main (Tarboro): 252-641-7611 APS: 252-641-7668 Rocky Mount: 252-985-4101
Forsyth	Main: 336-703-3800 APS: 336-703-3503
Franklin	Main: 919-496-5721
Gaston	Main: 704-862-7500 APS: 704-862-7575
Gates	Main: 252-357-0075 Emergency: 252-357-0210
Graham	Main: 828-479-7911
Granville	Main: 919-693-1511
Greene	Main: 252-747-5932 Emergency: 252-747-7553
Guilford	Main: 336-641-3447 APS: 336-641-3137 Emergency: 800-378-5315
Halifax	Main: 252-536-2511 APS: 252-536-6536
Harnett	Main: 910-893-7500 APS: 910-814-6640
Haywood	Main: 828-452-6620 APS: 828-452-6620, option 1 Emergency: 828-452-6600
Henderson	Main: 828-697-5500
Hertford	Main: 252-358-7830

County	Phone Number
Hoke	Main: 910-875-8725 APS: 910-878-1988
Hyde	Main: 252-926-4199
Iredell	Main: 704-873-5631
Jackson	Main: 828-586-5546 Emergency: 828-586-1911
Johnston	Main: 919-989-5300
Jones	Main: 252-448-2581 Emergency: 252-559-6118
Lee	Main: 919-718-4690 Emergency (Sheriff): 919-718-4560
Lenoir	Main: 252-559-6400 Emergency: 252-559-8331 Nights/Weekends: 252-559-6118
Lincoln	Main: 704-732-0738 APS: 704-732-1969
Macon	Main: 828-349-2124 Emergency: 828-524-2811
Madison	Main: 828-649-2711 Emergency: 828-649-2721
Martin	Main: 252-789-4400 APS: 252-789-4460
McDowell	Main: 828-652-3355 Emergency: 828-652-4000
Mecklenburg	Main: 704-336-3000 APS: 704-336-2273
Mitchell	Main: 828-688-2175 APS: 828-688-2175, ext. 1544 Emergency: 828-688-9110 or 828-688-9974
Montgomery	Main: 910-576-6531 Emergency: 910-572-1313
Moore	Main: 910-947-2436 APS: 910-947-5683
Nash	Main: 252-459-9818 APS: 252-462-2711

Table 2, cont'd

County	Phone Number
New Hanover	Main: 910-798-3400 APS: 910-798-3420
Northampton	Main: 252-534-5811 Emergency: 252-534-1773 or 252-534-1246
Onslow	Main: 910-455-4145 APS: 910-989-0230 Emergency: 910-455-3113
Orange	Main: 919-245-2800 Emergency: 919-732-8181
Pamlico	Main: 252-745-4086
Pasquotank	Main: 252-338-2126
Pender	Main: 910-259-1240 Emergency: 910-259-1212
Perquimans	Main: 252-426-7373
Person	Main: 336-599-8361 Emergency: 336-597-0500
Pitt	Main: 252-902-1110 APS: 252-902-1111 Emergency: 252-830-4141
Polk	Main: 828-894-2100 Emergency: 828-894-3001
Randolph	Main: 336-683-8101 APS: 336-683-8028
Richmond	Main: 910-997-8480 APS: 910-997-8450 Emergency: 910-997-8283
Robeson	Main: 910-671-3500 APS: 910-671-3168
Rockingham	Main: 336-342-1394 APS: 336-342-1394, ext. 7168 Emergency: 336-342-8100
Rowan	Main: 704-216-8330
Rutherford	Main: 828-287-6165 Emergency: 828-229-7205
Sampson	Main: 910-592-7131

County	Phone Number
Scotland	Main: 910-277-2500 APS: 910-277-2525, ext. 3366
Stanly	Main: 704-982-6100 Emergency: 704-986-3700
Stokes	Main: 336-593-2861
Surry	Main: 336-401-8700 APS: 336-401-8800 Emergency: 336-374-3000
Swain	Main: 828-488-6921 Emergency: 828-488-4844
Transylvania	Main: 828-884-3174
Tyrrell	Main: 252-796-3421 Emergency: 252-796-2251
Union	Main: 704-296-4300 Emergency: 704-289-1591
Vance	Main: 252-492-5001
Wake	Main: 919-212-7000 APS: 919-212-7264 Emergency: 919-212-7990
Warren	Main: 252-257-5000
Washington	Main: 252-793-4041
Watauga	Main: 828-265-8100
Wayne	Main: 919-580-4034
Wilkes	Main: 336-651-7400
Wilson	Main: 252-206-4000 Emergency: 252-237-8300
Yadkin	Main: 336-679-4210 APS: 336-849-7910
Yancey	Main: 828-682-6148 Emergency: 828-682-2124

Table 3. Selected Crimes Subject to the Specific Reporting Requirement Applicable to MH/DD/SA Employees and Volunteers*

Crime	Statutory Citation (G.S.)
Forcible Rape	14-27.21 (First-degree) 14-27.22 (Second-degree)
Forcible Sexual Offense	14-27.26 (First-degree) 14-27.27 (Second-degree)
Sexual Battery	14-27.33
Crime Against Nature	14-177
Incest	14-178
Fornication and Adultery	14-184
Obscene Literature and Exhibitions	14-190.1
Coercing Acceptance of Obscene Articles or Publications	14-190.4
Preparation of Obscene Photographs, Slides and Motion Pictures	14-190.5
Disclosure of Private Images	14-190.5A
Indecent Exposure	14-190.9
Using Profane, Indecent or Threatening Language to Any Person Over Telephone; Annoying or Harassing by Repeated Telephoning or Making False Statements over Telephone	14-196
Cyberstalking	14-196.3
Secretly Peeping into Room Occupied by Another Person	14-202

* Because this resource is focused on older adults, Table 3 does not include several crimes subject to the reporting requirement because they involve child victims (statutory rape, for example). However, MH/DD/SA employees and volunteers are required to report those crimes as well.