

**MASSACHUSETTS SEXUAL ASSAULT NURSE EXAMINER PROGRAM  
PROTOCOL FOR ADULT/ADOLESCENT SANEs and EMERGENCY  
DEPARTMENT CLINICIANS**

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**SECTION III**

**MANDATORY REPORTING**

As licensed health care professionals in Massachusetts, Sexual Assault Nurse Examiners (SANE) and Emergency Department Clinicians are mandated by law to report a number of adverse events to designated state agencies. Mandated reporters must report any concerns for abuse/neglect of vulnerable people such as children, the elderly, the physically and/or intellectually disabled, and those who have been the victims of violent crimes. SANEs are required by law to file a report to appropriate agencies within the Commonwealth when abuse is observed or suspected for any of these populations. In Massachusetts a victim of sexual assault is **not** required to file a police report of the incident as a condition of treatment by a SANE or other medical provider.

**Mandated Reporting for MA SANEs**

- **Department of Children and Families (DCF 51A report) - All patients < 18 years**
  1. Call Child At Risk Hotline at (800-922-2275)
  2. Notify screener of MSAECK # or MA Pedi SANE #, or include on electronic form
  3. Notify of concerns for Commercial Sexual Exploitation of Children (CSEC) if appropriate.  
**AND**
  4. Submit completed 51 form to appropriate DCF Office, located on DCF website, via fax, mail or on-line [Report child abuse or neglect as a mandated reporter](#)
  
- **Elder Protective Services (EPS) – All patients 60 years and older**
  1. Call EPS at 800 922-2275  
**AND**
  2. Mail completed Elder Abuse Form to appropriate EPS Office, as directed by screener
  
- **Disabled Persons Protection Commission – All persons with disabilities 18 – 59 years**
  1. Verbal report 800 426-9009
  
- **Executive Office of Public Safety and Security (EOPSS) Provider Sexual Crime Report (PSCR)**
  1. File this anonymous report for all patients, regardless of police reporting status
  2. Fax completed PSCR to (617) 725-0260

**Reporting the Abuse or Neglect of Children (51A Report)**

SANEs are required to report the abuse or neglect of children under the age of 18 to the **Department of Children and Families (DCF)** regardless of the relationship between the patient and the assailant. Health care providers must have a “reasonable cause to believe” that a child is suffering from physical or emotional injury which causes harm or a substantial risk of harm to the child’s health and welfare.

1. Physical or emotional injury includes sexual abuse. This involves a two-step process:
  - a. Immediate call to the DCF Child At Risk Hotline **800-792-5200**
  - b. Submission of a completed 51A Form to appropriate DCF Office.
2. The SANE should review the 51A before calling DCF to ensure that all required information is available.
3. The SANE should ensure that the MA Sexual Assault Evidence Collection Kit (MSAECK) or MA Pediatric Sexual Assault Evidence Collection Kit (MA PEDI Kit) # is provided in the appropriate field on the 51A form, and verbally reported to the DCF Hotline staff receiving the verbal report.
4. SANEs should communicate to DCF, verbally and in writing, if there are any concerns that the child is a victim of trafficking or Child Sexual Exploitation (CSEC)

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5. The SANE should file a 51A even if hospital staff will also be filing.

## **Reporting the Abuse of Persons with Disabilities (Ages 18–59)**

The Disabled Persons Protection Commission (DPPC) receives reports regarding persons who are physically and/or intellectually disabled and as a result of the disability is wholly or partially dependent on others to meet his or her daily needs. Abuse is defined as a caretaker's act or failure to act which results in serious physical or emotional injury to a disabled person. Serious physical or emotional injury includes unconsented sexual activity.

1. SANEs must file an oral report by calling (800) 426-9009. DPPC will investigate the report within 24 hours if it is determined that the disabled person's health or safety is in immediate danger from further abuse.

## **Reporting the Abuse of Persons 60 Years and Older**

As licensed health care professionals in MA, SANEs are among the reporters mandated by law to make a verbal report of information when there is "reasonable cause to believe" that an elderly person is suffering from or has died as a result of abuse. This includes reports or concerns for sexual abuse/assault.

1. The SANE must make verbal reports to the **Elder Protective Services** by calling (800) 922-2275
2. Mail completed Elder Abuse Form to appropriate EPS Office, as directed by screener. An elder person who has the capacity to make decisions can refuse an investigation, however this does not affect the legal requirement to file a report.

## **Provider Sexual Crime Report (PSCR)**

1. SANEs must submit a PSCR (also known as Form 2A) to the Executive Office of Public Safety and Security (EOPSS) when a sexual assault patient is treated in a hospital. The report should **not** include the patient's name, address, or any other identifying information.
2. The anonymous PSCR must be completed on all sexual assault victims whether or not:
  - a. They report to police
  - b. Have evidence collected
3. The PSCR must include a general description of the area where the assault occurred.
4. SANEs **must** fax the PSCR to EOPSS at (617) 725-0260 **and** to the local police department in the city or town where the assault took place.

## **Health Care Quality Reporting**

The Massachusetts Department of Public Health's Division of Health Care Facility Licensure and Certification (DHCLC) investigates complaints against health care facilities, including hospitals. Reports of this nature are not ordinarily within the scope of SANE services, but are completed by hospital personnel.

## **Weapons Related Injury Surveillance System (WRISS)**

The Massachusetts Department of Public Health has established a data collection system known as the Weapon Related Injury Surveillance System (WRISS). WRISS captures injuries caused by violence that are treated within Massachusetts Acute Care Hospital Emergency Departments. WRISS reports are filed by the physician who medically clears the patient, admits the patient to ICU, or sends the patient to the OR. It is not the responsibility of the SANE to file a WRISS report.