County of Orange Social Services Agency
Family Self-Sufficiency & Adult Services Division

Program/Area:	**Adult Services/Adult Protective Services**		
Title:	**Response and Investigation Policy**		
Number:	**902**	**Status:**	Revised
Effective Date:	**8/4/2009**	**Revision Date:**	10/28/2026
Approved:	**Signature on file**		

PURPOSE

To provide Adult Protective Services (APS) staff information regarding response and investigation regulations.

BOOKMARKS

- Response and Investigation
- References
- Attachments

DEFINITIONS

Refer to the Adult Protective Services (APS) Glossary.

RESPONSE AND INVESTIGATION

1) When a report of known or suspected abuse or neglect of an elder or dependent adult is determined to be within the jurisdiction of the adult protective services agency, documentation of an allegation of abuse or neglect shall be made on the Report of Suspected Dependent Adult/Elder Abuse (SOC 341) provided by the Department. The adult protective services worker shall:

    a) If there is a report of an immediate life threat, imminent danger, or a crisis in an existing case, attempt to immediately make in-person contact with the elder or dependent adult for purposes of intake or intervention.
        i) Provide an immediate in-person response when the local law enforcement agency requests it
    b) Respond to all other reports of danger of abuse or neglect as soon as necessary to protect the elder or dependent adult, but in no case will the response be more than 10 calendar days from the initial report
    c) Investigate all incidents of known or suspected abuse or neglect of an elder or dependent adult when a violation of the Penal Code has been alleged

2) An in-person response is not required under the following circumstances:
    a) Adult protective services worker has made repeated attempts to locate the elder or dependent adult or their family, but has been unsuccessful.
    b) Elder or dependent adult has moved out-of-state or out-of-county. The adult protective services worker must report the alleged abuse or neglect to the appropriate county or out-of state adult protective services agency.

c) Elder or dependent adult is deceased and there is no indication that another elder or dependent adult is at risk.
d) The report of known or suspected abuse or neglect is of a past occurrence without new allegations of abuse or neglect and there are no present risks to the elder or dependent adult. The adult protective services worker may confirm that there are no present risks to the elder or dependent adult through contacts with other agencies.
    i) An immediate or 10-day in-person response is not required when the county, based upon an evaluation of risk determines, and documents, that the elder or dependent adult is not in imminent danger and that an immediate or 10-day in-person response is not necessary to protect the health or safety of the elder or dependent adult.
    ii) Until criteria and standards are developed to implement paragraph 2.a.i (above), the county's evaluation shall include and document all of the following:
        (1) Factors that led to the county's decision that an in-person response was not required
        (2) Level of risk to the elder or dependent adult, including collateral contacts
        (3) A review of previous referrals and other relevant information as indicated
        (4) Need for intervention at the time
        (5) Need for protective services

3) When the adult protective services worker does not provide an in-person response, the following information shall be documented in the case record.
    a) The adult protective services worker shall document in the case record all facts justifying not making an in-person response.
    b) The adult protective services supervisor must document in the case file approval of not making an in-person response.

4) In investigating a report of alleged abuse or neglect, the adult protective services worker shall:
    a) Attempt to obtain the consent of the elder or dependent adult to enter their residence to meet privately without the presence of the person's caretaker, attendant, family, or household members.
    b) If the elder or dependent adult does not give consent for a private meeting at their residence, the adult protective services worker shall:
        i) Make attempts to meet with the elder or dependent adult privately at some other convenient place, **or**
        ii) Make attempts to meet with the elder or dependent adult in the presence of a person of the elder's or dependent adult's choice.

5) The adult protective services worker shall request the assistance of law enforcement in attempting to enter the elder's or dependent adult's residence if:

a) The adult protective services worker has been denied access to the elder's or dependent adult's residence by someone other than the elder or dependent adult, **and**
b) If the adult protective services worker has reason to believe the elder or dependent adult is subject to abuse or neglect

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REFERENCES

Adult Protective Services Program Manual of Policies and Procedures

- 33-130 (i)(1)
- 33-130 (i)(2)
- 33-130 (i)(3)
- 33-405.1
- 33-510.1 through .24
- 33-510.251
- 33-510.3 through .5

All County Letter (ACL) 99-53 Elder Abuse and Dependent Adult Civil Protection Act Adult Protective Services (APS)

All County Letter (ACL) 01-23 Senate Bill (SB) 1003, Vasconcellos, Chapter 670, Statutes of 1999

Welfare and Institution Codes

- 10553
- 10554
- 15610.07
- 15610.40
- 15610.45
- 15610.57
- 15650
- 15636(a)
- 15750
- 15755
- 15760
- 15762
- 15763

ATTACHMENTS Report of Suspected Dependent Adult/Elder Abuse (SOC 341)
