



Oregon
Family Support
Network

Mandatory Reporting for Family Support Specialists

in BRIEF

Briefs are provided as a best practice reference or topic example to support communities in developing the family partner role.

In this technical assistance brief we will discuss the legal requirements, ethical standards, and best practices in mandatory reporting for Family Support Specialists (FSS). We will explore how the FSS professional standards of conduct align with the competencies of the practice to engage the family in their own self-determination while adhering to agency, state, and federal mandatory reporting laws.

It is within the unique role of the FSS that we balance these legal requirements with the ethical standards and core competencies of the peer practice. Part of this role is adhering to the elevation of the family voice, encouraging open communication and transparency, as well as creating collaborative partnerships with family members at all levels of peer services provided, including mandatory reporting.

ENGAGEMENT WITH THE FAMILY

- During the initial engagement process the FSS clearly and comfortably discusses with the family their role as mandatory reporters, and how the FSS must make a report to either law enforcement or the Oregon Child Abuse Hotline when suspected child mistreatment or abuse occurs.
- The FSS has a conversation with the family about how the peer practice is a trauma informed service, and in that we seek to make “...every effort to involve the individuals in planning for services and ensuring that no further harm is done to family members as a result of reporting”.
- The FSS will discuss their limitations in confidentiality upfront during engagement, especially as it relates to agency policy and procedures of documenting any abuse or neglect report that is made. The FSS is clear and transparent around what they can, and cannot, keep confidential within the relationship between the FSS and the family.
- FSS validates that if a report were to be made that it would occur with the full knowledge and participation of the family. This is done in an effort to continue to uphold the peer support standards of trust, mutuality, transparency, and relationship building.
- FSS will also acknowledge with the family the limitations on making a mandatory report with the family’s knowledge and participation if the FSS suspects that such a collaboration would put anyone in imminent threat of emotional or physical harm/danger.

MAKING A MANDATORY REPORT

- Speak to the family in a private, safe, comfortable location for them
- Present yourself as calm and confident to the family
- Clearly and honestly discuss the reason for the need to report without judgement, bias, or shaming
- Listen to, and validate, the family concerns or fears about the mandatory report process
- Discuss the reporting process and role of each agency who receive these reports in an open and concise manner
- Discuss with the caregiver that you can speak to the hotline staff with them present, or they can choose to speak to the hotline staff person directly with your support. Decide on the method preferred before making the call
- If safe for all family members, call the Oregon Child Abuse Hotline with the caregiver present. Advise the hotline staff person that the caregiver is present and participating in the reporting process
- If the caregiver has chosen to also speak the FSS is to be present, supportive, and silent as the caregiver discusses the abuse report with the hotline staff person

- Speak to the hotline staff person after all information has been given, and clearly discuss with the hotline staff person what the next steps of the process will be for the family
 - What tier category this report will be filed under
 - Who will/can be contacted with the determination of the report's outcome?
 - Any resources for the family that may be available and accessible after the reporting process is complete
- When the reporting process is complete, take time to speak to the family about any concerns, feelings, questions, support needs, or desire for processing. Do not rush this conversation.
- If notes were taken during the reporting process, be sure to offer the family a copy of these notes
- Set a day and time for follow up to check in with the family around any concerns or questions that came up after the conversation.

WHO IS A MANDATORY REPORTER:

- All persons certified by the State of Oregon as Traditional Health Workers (THW) under the designation of Family Support Specialist (FSS) are legally required to be mandatory reporters of abuse and neglect under OAR 410-180-0340.
- FSS are mandatory reporters every hour of every day. The legal obligation is not reserved solely for working hours, nor only for the families we serve.

WHAT WE REPORT:

- Abuse and neglect of the elderly (over 65) and disabled adult persons.
- Abuse and neglect of persons (adult) with a mental illness or developmental disabilities.
- Abuse and neglect of any persons under 18 years of age.
 - Mental injury, Sexual abuse or exploitation, Failure to provide necessities, Exposure to controlled substances, Buying and selling children, Threatening to harm.
- FSS must report any suspected abuse and neglect to the appropriate authority. The witnessing of abuse and/or the certainty of abuse by the FSS is not required for reporting.

HOW TO REPORT:

- FSS must notify law enforcement or the appropriate Department of Human Services office when suspicion of abuse occurs.
 - 911 if abuse is happening right now, or if someone is in immediate danger or harm.
 - Oregon Child Abuse Hotline (ORCAH) at 1-855-503-7233 (SAFE) for 24/7 response in all Oregon districts.

PEER SUPERVISION FOR FSS MAKING A REPORT:

Peer Supervision is essential for Family Support Specialists. Peer supervisors are also family members who have worked as Family Partners/Family Support Specialists and have in depth knowledge of the family support peer practice. This mutual understanding and support is important as it relates to possible vicarious trauma for the FSS when they have made a mandatory report with a family. Family Support Specialists, and peers in general, may have this shared lived experience and therefore can be at a higher risk of becoming re-activated around their own trauma as well as past crises. The FSS Peer Supervisor plays an important role, observing and managing the impact of secondary trauma for FSS's in addition to providing ongoing support and supervision in maintaining the peer practice.

