

Assembly Bill No. 2848

CHAPTER 696

An act to add and repeal Section 11160.1 of the Penal Code, relating to abuse reporting.

[Approved by Governor September 21, 1996. Filed
with Secretary of State September 23, 1996.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2848, Speier. Abuse reporting: pilot project.

Existing law requires specified persons to report physical injury as a result of assaultive or abusive behavior, including elder abuse or dependent adult abuse, to local law enforcement. Existing law also requires specified persons to report child abuse to a child protective agency.

This bill, operative until January 1, 2002, would authorize the County of San Mateo to establish a pilot project, upon adoption of a resolution by the board of supervisors, to create and adopt a standardized form for reporting violence and abuse of elders or dependent adults. The bill would require the standardized form to be adopted after consultation with the Department of Justice. The bill would also permit any person required to report under the requirements described above to use the reporting form developed by the pilot project to make those reports in San Mateo County. The bill would require the Department of Justice to evaluate the pilot project and submit a report to the Legislature on or before January 1, 2002.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares that the San Mateo County Hospital Consortium and the Kaiser Permanente facilities in San Mateo County adopted a Uniform Abuse and Violence Policy in 1995 to avoid unnecessary confusion, duplication, and warehousing of multiple protocols for the reporting of domestic violence, child abuse, elder and dependent adult abuse, and physical violence.

It is the intent of the Legislature to authorize San Mateo County to design and adopt a model violence reporting form, with general demographic questions in a standard format, to allow for countywide collection of violence abuse data with subsequent portions to go to the legally designated authorities. Under existing law, San Mateo County is precluded from developing and adopting a standardized form because each kind of violence that is required by law to be



reported is governed by different statutes mandating different forms. It is the intent of the Legislature to authorize San Mateo County to simplify reporting requirements by developing one standardized form to report physical violence and to collect statistical data on violence against children, adults, dependent adults, and elders.

SEC. 2. Section 11160.1 is added to the Penal Code, to read:

11160.1. (a) Upon adoption of a resolution by the board of supervisors, the County of San Mateo may establish a pilot project to create and adopt a standardized form for reporting violence and abuse of elders or dependent adults in compliance with the requirements of Sections 11160 and 11166 of this code and Chapter 11 (commencing with Section 15600) of Part 3 of Division 9 of the Welfare and Institutions Code. The standardized form shall be adopted by the county after consultation with the Department of Justice.

(b) Any person required to report under Sections 11160 and 11166 of this code and Chapter 11 (commencing with Section 15600) of Part 3 of Division 9 of the Welfare and Institutions Code may use the reporting form developed pursuant to this section to make all required reports in San Mateo County.

(c) The Department of Justice shall evaluate the pilot project conducted pursuant to this section and submit a report on the evaluation to the Legislature on or before January 1, 2002.

(d) This section shall remain in effect only until January 1, 2002, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2002, deletes or extends that date.

