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Policy Title: Reporting and Investigating Alleged Abuse or Neglect

Rule Reference: 0940-05-38-.06(1)(j)

Effective Date: November 21, 2024

Revised: September 18, 2025

Approved by: Tonya Reagan

Purpose: To ensure a safe environment for all clients, Affordable Assist Private Care is committed to immediate reporting, thorough investigation, and appropriate resolution of any allegations of abuse or neglect in compliance with state law and licensure requirements.

Definitions

- Abuse: Intentional harm, including physical, emotional, sexual, or financial mistreatment.
- Neglect: Failure to provide necessary care, supervision, or services.
- Exploitation: Unauthorized use of a client's resources for personal gain.
- Mistreatment: Any action or inaction that compromises a client's safety, dignity, or rights.

1. Chain of Command

- All allegations must be reported immediately to the supervisor on duty or the designated compliance lead, Marcie Thomas.
- The compliance lead will oversee the investigation and reporting process.

2. Reporting Protocol

- **Internal Reporting:** Any employee witnessing or suspecting abuse or neglect must report the incident verbally and in writing to their supervisor within 24 hours.
- **External Reporting to APS:** Reports must be made to the Tennessee Department of Human Services - Adult Protective Services at 1-888-277-8366 within 24 hours as required by state law.
- **External Reporting to Licensure:** In accordance with Rule 0940-05-38-.06(1)(j), all suspected or alleged incidents of abuse, neglect, mistreatment, misappropriation, exploitation of a service recipient, or other critical incidents must be reported to the Tennessee Department of Mental Health and Substance Abuse Services (TDMHSAS) Office of Licensure. Reports should be made promptly and must include:
 - i. Full names of all individuals involved
 - ii. Date and time of the incident
 - iii. Exact location of the occurrence
 - iv. A comprehensive and factual account of the incident

This reporting requirement applies regardless of whether the allegation has been substantiated. Timely and complete documentation ensures regulatory compliance and protects the safety and dignity of those we serve.

3. Investigation Process: The compliance lead will initiate an investigation within 48 hours of receiving a report.

- All parties will be interviewed, and evidence will be gathered.
- The investigation will be completed within 7 business days unless circumstances require additional time.
- Findings will be documented and retained for a minimum of 5 years.

4. Agency Responsibilities and Regulatory Cooperation

- Affordable Assist Private Care will cooperate fully with the Tennessee Department of Mental Health and Substance Abuse Services (TDMHSAS) and any authorized regulatory body when investigating any case of alleged abuse, neglect, mistreatment, misappropriation, or exploitation of a service recipient.
- This cooperation includes providing timely access to personal support services workers, relevant documentation, and any other information necessary to facilitate a thorough investigation.

4. Zero Tolerance Policy

- Abuse, neglect, or any form of wrongdoing is strictly prohibited.
- Credible allegations will be reported to local authorities and licensing bodies.
- Employees who report in good faith are protected from retaliation under state law and agency policy.

5. Corrective Actions & Client Safety

- Employees found in violation may face disciplinary actions, including termination.
- Immediate steps, such as reassigning caregivers, will be taken to protect clients during an investigation.
- Clients and/or legal representatives will be notified of substantiated findings when appropriate.

6. Training and Documentation

- All employees receive training on this policy during onboarding and annually thereafter.
- Employees must sign an acknowledgment of this policy.
- All reports, witness statements, investigation notes, and resolution outcomes will be securely stored and made available to licensing authorities upon request.