

# DISABILITY JUSTICE

## **Stop Abuse, Neglect and Poor-Quality Services**

People with disabilities have the right to be safe from abuse and neglect and to get quality services from providers. Depending on where you live, there are different ways to get help. Different settings this fact sheet discusses include:

- In a home by yourself or with family
- In a host home
- In a nursing home or assisted living residence

You can also experience abuse, neglect, and poor-quality services in places like mental health facilities, jails, and prisons.

## **Frequently Asked Questions**

### **▶ What is abuse?**

Abuse can include:

- Physical abuse (hitting, pushing, kicking)
- Emotional abuse (yelling, threatening, being mean)
- Sexual abuse (forcing or tricking someone into sexual acts)
- Financial abuse (taking money or belongings)
- Isolation (stopping someone from talking to others or getting help)

### **▶ What is neglect?**

Neglect means not giving someone the care they need, such as:

- Not taking them to the doctor when sick
- Not giving enough food
- Not following health care or safety plans
- Leaving someone alone when they need support
- Not protecting someone from abuse by others

## ➤ What are poor-quality services?

When someone gets services from a home help provider, community provider, or nursing home, they have a right to help plan what their services will be. They also have a right to get the services that are in their plan. They have a right to have their basic rights and needs met. Examples of poor-quality services are:

- Not respecting privacy
- Not helping someone work on their goals
- Not helping people buy needed items
- Not allowing friendships or relationships

## ➤ When should I report it?

If you are a victim of abuse or neglect, or if you have knowledge of an incident, it is important to report it as soon as possible. It's OK to report even if you just suspect something is wrong as long as you make the report in good faith. Good faith means you really think there might be something happening.

## ➤ Where do I report abuse and neglect?

You can always call the police or local law enforcement. It does not matter where the abuse or neglect takes place.

## ➤ What information should I share when reporting?

You want to be able to provide this information:

- Name of the person causing harm
- Name of the victim
- Details of what happened
- If the victim is in immediate danger
- Names/contact info of witnesses

Writing down this information ahead of time may help you remember important details when making the report. Even if you don't know all the answers, you should still make a report.

## ➤ How do I report problems at a personal or family home?

To report abuse and neglect:

1. Contact the police or local law enforcement.
2. Contact [Adult Protective Services](#) (APS). APS looks into complaints of abuse and neglect against people with disabilities and older adults who live in an unlicensed facility, alone at home, with family, with a support worker or caregiver, or with others.

It is best to call the county's APS where the person is experiencing abuse or neglect. If you don't know the county, call (844) 264-5437.

In Colorado, APS report and case information is confidential and, except in limited circumstances, cannot be shared without a court order for good cause (a good reason).

To report poor-quality services:

If the problem is for home services received through the Department of Health Care Policy and Financing (HCPF), there are a few places to call for help with poor-quality services. Contact:

1. Your case manager and ask for help. The case manager works at a Case Management Agency (CMA). This is the person/agency that helped you get community services. The case manager should help fix problems with a provider. You can search for the contact information for your CMA by [name](#) or by [county](#).
2. Your case manager's supervisor at your CMA.
3. HCPF. You can submit a [complaint form on their website](#), send them an [email](#), or call 1-800-221-3943.

If you receive poor-quality services from providers that are not through HCPF:

1. Call the business about the issue.
2. If that doesn't fix the problem, call your local [Center for Independent Living](#) (CIL). A CIL is a nonprofit run by and for people with disabilities to help them get what they need to live in the community.

## **How do I report problems at a host home?**

To report abuse and neglect, contact:

1. The police or local law enforcement.
2. Your [Program Approved Service Agency](#) (PASA). The PASA is the agency that manages your host home. Follow your PASA's grievance procedure. Keep a copy of your complaint for your records.
3. [Adult Protective Services](#) (APS). APS looks into complaints of abuse and neglect against people with disabilities and older adults who live in the community.

It is best to call the [county's APS](#) where the person is experiencing abuse or neglect. If you don't know the county, call (844) 264-5437.

To report poor quality services, contact:

1. Your [PASA](#). The PASA is the agency that manages your host home. Follow your PASA's grievance procedure. Keep a copy of your complaint for your records.
2. Your case manager. The case manager works at a Case Management Agency (CMA). This is the person/agency that helped you get community services. The case manager should help fix problems with a provider. You can search for the contact information for your CMA by [name](#) or by [county](#).
3. Your case manager's supervisor at your CMA.
4. The Department of Health Care Policy and Financing (HCPF). HCPF is the lead oversight agency for host homes. You can submit a complaint to HCPF. You can complete a [form on their website](#), send them an [email](#), or call 1-800-221-3943.
5. When someone gets poor-quality services from a community provider that works with people with mental illness, submit a complaint with the Colorado Behavioral Health Administration through their [online form](#), by [email](#), or call 303-866-7191. Make sure to tell what happened including who, what, where, when, and why.

## ► How do I report problems in a nursing home or assisted living?

To report abuse and neglect, contact:

1. The [Long-Term Care Ombudsman Program](#). This program advocates for residents of long-term care facilities and can help address problems. [Find your local Ombudsman](#) ("Ombuds") or call 303-862-3524.
2. The Colorado Department of Public Health and Environment (CDPHE). The CDPHE oversees nursing home licensing and can be contacted to report concerns. You can [file a complaint online](#). You can submit your online complaint anonymously. If you do, be sure to provide enough information to allow CDPHE to effectively look into the complaint, since they can't contact you for more information. To report over the phone, call 303-692-2442 for nursing homes and 303-691-4045 for assisted living residences.
3. File a written grievance with the nursing home or assisted living residence. Ask the facility for a grievance form or write a letter to them. Detail the abuse or neglect and request a thorough investigation. Keep a copy for your records.

If the person that did the abuse or neglect does not work for the nursing home, and instead is a guardian, power of attorney or someone else in the community, you should call the local county's [Adult Protective Services](#) (APS) number or the general hotline at 1-844-264-5437. APS will visit the victim and may talk to other people and agencies. If

APS thinks that abuse or neglect happened, it will work with the victim and others to help create a plan that can include services to help stop future abuse and neglect.

To report poor-quality services, contact:

1. Call the [Ombudsman or “Ombuds” program](#). This program advocates for residents of long-term care facilities and can help address problems. [Find your local Ombudsman](#) or call 303-862-3524.
2. File a written grievance with the nursing home or assisted living residence. Ask the facility for a grievance form or write a letter to them. Describe the problem. Keep a copy for your records.

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