



## SMAA Volunteer Elder Abuse & Mandated Reporting Guide

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### Elder Abuse & Mandated Reporting

The Maine Legislature, in enacting the Adult Protective Services Act (APS), officially recognized that some adults, because of incapacitation, dependency, and/or inability to manage finances may be unable to protect themselves from abuse, neglect, or exploitation. Under Maine law, many adults are required by statute to report knowledge or reasonable suspicion of elder abuse, neglect, or exploitation. These individuals are called “mandated reporters” and they include many people working in professional capacities that regularly or sometimes interact with the elderly.

APS defines **abuse** as “the infliction of injury, unreasonable confinement, intimidation, or cruel punishment that causes or is likely to cause physical harm or pain or mental anguish; sexual abuse or sexual exploitation; financial exploitation; or the intentional, knowing, or reckless deprivation of essential needs.” The definition of abuse includes acts and omissions.

APS defines **neglect** as “a threat to an adult's health or welfare by physical or mental injury or impairment, deprivation of essential needs, or lack of protection from these.”

APS defines **exploitation** as “the illegal or improper use of an incapacitated or dependent adult or that adult's resources for another's profit or advantage.”

#### Are SMAA volunteers mandated reporters?

Volunteer drivers are officially classified as mandated reporters, as well as “Any person who has assumed full, intermittent or occasional responsibility for the care or custody of the incapacitated or dependent adult.”

While this definition leaves some room for interpretation, as a volunteer, it is a good idea to think of yourself as a mandated reporter if you:

- Help friends or neighbors with disabilities
- Check in on older community members
- Assist people who need support with daily tasks
- Drive friends or neighbors to appointments or help with shopping
- Volunteer to offer programming for older community members



**...and these are all things that SMAA volunteers do!** If you notice signs of abuse or neglect speak up and report it – you play a key role in our community and have a responsibility to keep our older neighbors safe. Remember, being a mandated reporter isn't a burden—it's part of caring and looking out for our neighbors.

**Please note that SMAA staff are mandated reporters. Any concerns you share with SMAA staff, should staff feel the concern warrants an Adult Protective Services (APS) report, will be reported.**

If you see or suspect abuse, here is what you should do as a SMAA volunteer:

- Tell your Volunteer Program Supervisor or Volunteer Services Staff right away if you witness or suspect any kind of abuse. They'll help ensure the right follow-up steps are taken.
- You can also directly contact Adult Protective Services (APS). Reporting is confidential, and you do not need proof! You can call: 1-800-624-8404 (available 24/7) or complete the APS online reporting form at <https://www.maine.gov/dhhs/oads/get-support/aps>. If appropriate, APS will assign a case manager to provide support to the individual or family.
- If someone is in immediate danger, call 911.

As a volunteer, your Volunteer Program Supervisor or Volunteer Services Staff can help you through this process! Your Volunteer Program Supervisor is here to support you in all aspects of your service, including protecting your clients from elder abuse. Once you share your concerns with your Volunteer Program Supervisor, together, you will come up with a plan on how to make the APS report that feels comfortable to you, such as:

- Calling APS together
- Filling out APS online form together
- Providing you with guidance and context so that you feel confident and empowered to make the call or fill out the online form independently
- How best (if at all) to follow up with the client

The Volunteer Program Supervisor will also document your concerns and the report in the client's file for internal use.

Volunteers are also expected to cooperate in any investigation related to abuse, neglect, or exploitation.