

# Tennessee Department of Health

Elderly or Vulnerable  
Persons Abuse Registry



# WHAT IS THE ABUSE REGISTRY?

- Tennessee Law requires the Department of Health to establish and maintain a registry containing the names of any persons who have been determined to have abused, neglected or misappropriated the property of vulnerable individuals.
- See Tennessee Code Annotated 68-11-1001(a)

# WHO IS VULNERABLE?

- A vulnerable person is anyone who is under eighteen (18) years of age, or who, by reason of advanced age or other physical or mental condition, is vulnerable to or who has been determined to have suffered from abuse, neglect or misappropriation of property, and who was, at the time of the commission of an alleged offense, receiving protective services from a state agency pursuant to law, or in the care of either a state agency, or entity that is licensed or regulated by a state agency, or an entity providing services under the provisions of a contract between that entity and a state agency.
- See Tennessee Code Annotated 68-11-1004(3).

# HOW IS ONE PLACED ON THE ABUSE REGISTRY?

- The Department of Health shall include the name of an individual on the registry when it receives notification from an agency of Tennessee state government that the individual has been found by that agency, pursuant to that agency's procedures and definitions, to have committed abuse, neglect or misappropriation of the property of a vulnerable person.
- See Tennessee Code Annotated 68-11-1004(3)(b)(2).

# WHAT IS THE FACILITY'S RESPONSIBILITY?

- Any state agency, entity licensed by or under the provisions of a contract with a state agency that has in its care any individual who meets the definitions of a vulnerable person shall, before hiring any employee to provide care to such vulnerable person, or before allowing a volunteer to do so, determine whether the prospective employee or volunteer is listed on the registry. No employee or volunteer who is listed on the registry may be hired or otherwise permitted to provide such care where prohibited by federal certification requirements applicable to that entity or state agency.
- See Tennessee Code Annotated 68-11-1006.

# HOW DOES THIS AFFECT ME AS A HEALTH CARE PROVIDER AND AS AN INDIVIDUAL?

- Any individual, regardless of title or profession, can be placed on the abuse registry if they commit an offense against a vulnerable person as defined by Tennessee Code Annotated.
- Placement is permanent and can seriously affect many aspects of your future. Placement cannot be expunged or removed after a period of time or by acts of rehabilitation.

# HOW IS SOMEONE PLACED ON THE ABUSE REGISTRY?

- Any person who is accused of abuse is afforded due process in accordance with the Uniform Administrative Procedures Act. They are advised of intent to place, offered an opportunity for a hearing before an administrative law judge and can appeal into chancery court if they choose.

# HOW DO I REPORT ABUSE?

- Health Care Facilities Complaint Hotline: 1-877-287-0010
- Adult Protective Services: 1-888-277-8366
- Local Law Enforcement
- Tennessee Bureau of Investigation

# WHAT ARE THE DEFINITIONS OF ABUSE?

- Abuse (Physical): The willful infliction of injury, unreasonable confinement, intimidation or punishment with resulting physical harm, pain or mental anguish.
- Misappropriation of resident property: The deliberate misplacement, exploitation or wrongful, temporary or permanent use of a resident's belongings or money without the resident's consent.
- Neglect: The failure to provide goods and services necessary to avoid physical harm, mental anguish or mental illness.

# YOUR OBLIGATION

- The sad truth is, the elderly and persons with disabilities are often abused by those they know and love and trust. But you can stop it. If you suspect physical or sexual abuse, neglect or even financial exploitation, it's your obligation to report it.