

Failure to Report Sample Training Curriculum

Failure to Report: Your Responsibility to Report Abuse, Neglect, and Exploitation

P.L. 2025, c.280

Core message

If you have reasonable cause to believe abuse, neglect, or exploitation occurred, report it immediately. You do not need proof. You do not investigate first. You do not wait for someone else to decide.

Course Description

Public Law 2025, Chapter 280 authorizes the Department of Human Services to impose a \$350 a day fine for the failure to report suspected abuse, neglect or exploitation. This fine is charged to the individual, not the agency. This training explains the responsibility of staff (a person employed or volunteering in a program, facility, community care residence, or living arrangement licensed or funded by the department, or a person providing community-based services with indirect State funding to a person with a developmental disability) to report suspected abuse, neglect, or exploitation involving individuals with developmental disabilities. It focuses on when a report is required, what reasonable cause means, what information should be reported, what not to do, and the consequences of failing to report.

Learning Objectives

1. Explain the responsibility to report suspected abuse, neglect, or exploitation.
2. Understand the difference between reasonable cause, which is the standard for reporting, and proof.
3. Identify common examples of abuse, neglect, and exploitation.
4. Explain why reporting must happen immediately.
5. Understand that telling a supervisor or coworker does not automatically replace the reporting responsibility.
6. Identify what information should be included in a report.
7. Understand the consequences of failing to report.

Section 1: Why This Training Matters

People with developmental disabilities have the right to be safe, respected, and protected from abuse, neglect, and exploitation.

Direct Support Professionals (DSP) and other direct care workers and caregivers are often the first people to see, hear, or notice when something is wrong. DSPs play a critical role in protecting individuals and making sure concerns are reported quickly.

New Jersey law requires certain concerns to be reported. P.L. 2025, c.280 strengthens accountability when abuse, neglect, or exploitation is not reported.

Failure to report abuse, neglect or exploitation shall result in a \$350 fine per day for each day that the suspected incident goes unreported.

Section 2: Your Responsibility to Report

As a DSP, direct care worker or caretaker, you are required to report suspected abuse, neglect, or exploitation involving an individual with a developmental disability.

This responsibility applies when you work in or provide support through programs, services, living arrangements, or community-based supports involving individuals with developmental disabilities.

For this training, remember this rule: if you support individuals with developmental disabilities, assume you have a responsibility to report suspected abuse, neglect, or exploitation. Reporting is not only the agency's responsibility. It is also your responsibility.

Section 3: What Must Be Reported

You must report when you have reasonable cause to believe that abuse, neglect, or exploitation may have occurred. Below are some examples, but are not all-inclusive.

Abuse

- Hitting, slapping, pushing, grabbing, dragging, tripping, scratching or rough handling
- Threatening, humiliating, or intimidating an individual
- Using restraints improperly
- Engaging in any type of sexual contact involving an individual
- Making sexual comments to an individual; lewdness
- Yelling at an individual in a threatening or degrading way
- Punishing an individual by withholding food, care, personal items or support
- Using any object in a threatening or harmful manner

Neglect

- Failing to supervise an individual when supervision is required
- Failing to provide food, water, medication, hygiene, or medical care
- Ignoring known health or safety risks
- Failing to follow a support plan or supervision requirement
- Leaving an individual in unsafe conditions
- Not responding to injuries, illness, or urgent needs

Exploitation

- Taking money from an individual
- Using an individual's benefits, debit card, EBT card, or personal funds without permission
- Benefiting from a rewards program when assisting an individual making a purchase
- Pressuring an individual to buy something for staff
- Borrowing money from an individual
- Using an individual's property for personal reasons
- Making an individual perform tasks for someone else's benefit
- Taking unauthorized photos or videos of an individual
- Posting an individual's identifiable information on social media

Section 4: What Reasonable Cause Means

Reasonable cause means you have information that would cause a reasonable person to suspect that abuse, neglect, or exploitation may have occurred. For example, another caretaker is alone with a service recipient in another room when you hear a strange sound. When they leave the room, the service recipient is crying and has a red mark on the side of his face.

- Reasonable cause does not mean you have proof.
- Reasonable cause does not mean you personally witnessed the incident.

- Reasonable cause does not mean you know every detail.
- Reasonable cause does not mean a supervisor agrees with you.

You may have reasonable cause based on something you saw, heard, or were told; an injury or condition you observed; a pattern of repeated concerns; missing money, property, medication, or belongings; or a situation that appears unsafe or unexplained.

Your role

Your responsibility is to report the concern. It is not your responsibility to prove whether it happened.

Section 5: What To Do

Step 1: Ensure Immediate Safety

Make sure the individual is safe. If there is an emergency, get emergency help immediately.

Step 2: Report Immediately

Follow your agency's required reporting process. Do not wait until the end of your shift, the next business day, or until something happens again.

Step 3: Notify Your Supervisor According to Agency Procedure

You may also need to notify a supervisor under agency policy. However, telling a supervisor does not automatically replace your responsibility to make sure the concern is reported through your agency's required process.

Step 4: Document Facts Only

Document what you saw, heard, or were told. Do not guess what may have happened. Do not add opinions. Do not decide whether someone is guilty or not guilty.

Step 5: Cooperate With Follow-Up

You may be asked for additional information from a supervisor, administrator, law enforcement, or the State after the report is made. Answer honestly and provide only factual information.

Section 6: What Not To Do

- Do not investigate before reporting.
- Do not decide the allegation is not serious enough to report.
- Do not wait for proof.
- Do not wait for a supervisor to agree.
- Do not assume another staff member reported it.
- Do not ask leading questions to the person you believe is the victim. This may cause them to become confused.
- Do not confront the person accused.
- Do not change records.
- Do not clean up or alter information to protect someone.
- Do not discourage anyone from reporting.
- Do not retaliate against anyone who reports.

Safest rule

When in doubt, report.

Section 7: What Information Should Be Reported

You may not have every detail when you make a report. That is okay. Report what you know.

- Name of the individual
- Location of the incident or concern
- Date and time, if known
- What happened or what was observed
- What the individual said, if anything
- Names of staff or caregivers involved, if known
- Names of witnesses, if known
- Injuries or safety concerns
- Immediate steps taken to keep the individual safe
- Any other important facts

Do not delay reporting because some information is missing.

Section 8: Consequences for Failure to Report

Failure to report is serious. Delayed reporting can leave a person unsafe and can prevent the State, provider, or other responsible parties from responding quickly.

Under P.L. 2025, c.280, a person who fails to comply with reporting obligations may be subject to a civil penalty of **\$350 for each day** that the abuse, neglect, or exploitation was not reported.

Depending on the facts and the person's role, there may also be other consequences under law, regulation, agency policy, or employment rules.

Bottom line

Reporting is required. Delaying a report can have serious consequences.

Section 9: Scenario Practice

Scenario 1: Disclosure Without Injury

An individual tells you that another staff member grabbed their arm and yelled at them. You do not see a bruise or injury.

Correct response

Report it. You do not need to see an injury to have reasonable cause. The individual's disclosure is enough to trigger concern.

Scenario 2: Unexplained Bruising

You notice several bruises on an individual's upper arm. The individual says they "fell," but the explanation does not seem to match the injury.

Correct response

Report it. You do not need to know exactly what happened. An unexplained or concerning injury may create reasonable cause.

Scenario 3: Coworker Says They Already Reported It

A coworker tells you that an individual disclosed abuse earlier in the day. The coworker says, “Don’t worry, I told someone.”

Correct response

Follow the reporting process and make sure the concern is reported. Do not assume that “I told someone” means the required report was made.

Scenario 4: Supervisor Says Wait

You report a concern to your supervisor. The supervisor says, “Let’s wait until tomorrow and see if anything else happens.”

Correct response

Report immediately. A supervisor cannot tell you to delay reporting when you have reasonable cause. Follow your agency’s reporting policy.

Scenario 5: Missing Money

An individual returns from a community outing and says their money is missing. Another staff person was helping them make purchases.

Correct response

Report the concern. Missing money may involve exploitation. You do not need to prove that someone stole it.

Scenario 6: Unsafe Supervision

You arrive for your shift and find individuals alone in the home. The staff person assigned to the shift is outside in their car.

Correct response

Make sure the individuals are safe and report the concern. Leaving individuals unsupervised when supervision is required may be neglect.

Scenario 7: Staff Tells Individual Not To Tell

You hear a staff person tell an individual, “If you tell anyone what happened, you’ll be sorry.”

Correct response

Report it. Threatening or intimidating an individual may be abuse and may also interfere with reporting.

Scenario 8: Family Reports a Concern

A family member tells you they noticed bruises and believe something happened at the program. You did not see the incident.

Correct response

Report the concern. You do not need to witness the incident yourself.

Section 10: Knowledge Check

Question 1

True or false: You must have proof before reporting suspected abuse, neglect, or exploitation.

Correct answer: False.

Explanation: You do not need proof. You must report when you have reasonable cause to believe abuse, neglect, or exploitation may have occurred.

Question 2

An individual tells you that a staff person hit them, but there is no visible injury. What should you do?

- A. Wait to see if a bruise appears
- B. Ask other staff whether they believe the individual
- C. Report the concern
- D. Do nothing unless the individual repeats it

Correct answer: C. Report the concern.

Explanation: A disclosure from an individual can create reasonable cause. You should report.

Question 3

A supervisor tells you not to report yet because the agency wants to look into it first. What should you do?

- A. Wait for the supervisor's decision
- B. Report immediately
- C. Ask the accused staff person what happened
- D. Wait until the next business day

Correct answer: B. Report immediately.

Explanation: You should not delay reporting while someone investigates or decides whether the concern is valid.

Question 4

Reasonable cause means:

- A. You personally saw the incident happen
- B. You have proof that abuse, neglect, or exploitation occurred
- C. You have information that would cause a reasonable person to suspect abuse, neglect, or exploitation may have occurred
- D. A supervisor confirmed the incident

Correct answer: C. You have information that would cause a reasonable person to suspect abuse, neglect, or exploitation may have occurred.

Explanation: Reasonable cause is based on suspicion supported by information. It does not require proof.

Question 5

True or false: Telling a coworker is the same as making a required report.

Correct answer: False.

Explanation: Telling a coworker does not automatically satisfy your reporting responsibility.

Question 6

Which of the following may be exploitation?

- A. Borrowing money from an individual
- B. Using an individual's debit card for staff purchases
- C. Pressuring an individual to buy something
- D. All of the above

Correct answer: D. All of the above.

Explanation: All of these may be examples of exploitation.

Question 7

You are missing some details, including the exact time of the incident. What should you do?

- A. Wait until you have all details
- B. Report what you know
- C. Ask several staff to investigate first
- D. Do not report unless the exact time is known

Correct answer: B. Report what you know.

Explanation: Do not delay reporting because some details are missing.

Question 8

Under P.L. 2025, c.280, failure to comply with reporting obligations may result in a civil penalty of:

- A. \$50 per incident
- B. \$100 per month
- C. \$350 for each day the abuse, neglect, or exploitation was not reported
- D. No penalty unless the allegation is proven

Correct answer: C. \$350 for each day the abuse, neglect, or exploitation was not reported.

Explanation: The law allows a \$350-per-day civil penalty when reporting obligations are not followed.

Question 9

True or false: Your job is to determine whether the allegation is true before reporting.

Correct answer: False.

Explanation: Your job is to report the concern. It is not your job to prove whether it happened.

Question 10

What is the safest rule when you are unsure whether something should be reported?

- A. Wait
- B. Ask the accused person
- C. Report
- D. Ignore it unless it happens again

Correct answer: C. Report.

Explanation: When in doubt, report.

Optional Supervisor Addendum

Supervisors should understand that they must not delay, discourage, screen out, or interfere with required reporting.

Supervisors should reinforce the following expectations with staff:

- Report immediately.
- Do not investigate first.
- Do not wait for permission.
- Do not assume someone else reported.
- Document facts only.
- Follow agency and State reporting procedures.

Supervisors should also ensure that staff know the correct reporting method, including after-hours procedures.

Attestation

- I understand that I am responsible for reporting suspected abuse, neglect, or exploitation when I have reasonable cause to believe it may have occurred.
- I understand that I do not need proof before reporting.
- I understand that I should not investigate before reporting.
- I understand that telling a coworker or supervisor does not automatically replace my responsibility to make sure the concern is reported through the required reporting process.
- I understand that failure to comply with reporting obligations may result in penalties, including a civil penalty of \$350 for each day the abuse, neglect, or exploitation was not reported.
- I understand that I must follow required reporting procedures immediately.

Notes for Trainers

Include a review of your agency's reporting policies to this curriculum.

You may also consider a refresher Abuse and Neglect Training.

This curriculum will be included in the College of Direct Supports Training Curriculum, in the meantime, it is suggested you use this sample curriculum.

A Failure to Report Poster is included, please post in every program site.

Suggested Closing Screen

Thank you for completing this training.

Remember

If you have reasonable cause to believe abuse, neglect, or exploitation occurred, report it immediately. You do not need proof. You do not investigate first. You do not wait for someone else to decide.

Report Abuse 1-800-832-9173

SAMPLE



FAILURE TO REPORT
\$350 PER DAY
 Assessed until reported or DHS becomes aware.



FAILURE TO REPORT

Suspected Abuse, Neglect or Exploitation



REPORT IMMEDIATELY

If you suspect abuse, neglect, or exploitation, report right away.



REPORT ABUSE
 Call **1-800-832-9173**



WHO MUST REPORT

- Provider staff and contracted personnel
- Employees and volunteers in DHS-funded or licensed programs
- Support Coordinators and Supervisors (case managers under law)



WHAT TO REPORT

- Any reasonable suspicion of abuse, neglect, or exploitation
- Proof is not required



WHAT "IMMEDIATELY" MEANS

- Do not wait to investigate or confirm facts
- Do not delay to consult internally
- Report as soon as you suspect



WHAT IS FAILURE TO REPORT

- No report made
- Delayed report
- Waiting for internal verification



HOW VIOLATIONS ARE IDENTIFIED

- Incident reviews and investigations
- Monitoring and documentation
- Timeline of awareness vs reporting



WHY THIS MATTERS

- Delays increase risk of harm
- Immediate reporting enables intervention
- Required to protect individuals



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