



INITIAL NOTIFICATION OF AN ALLEGATION OF SEXUAL ABUSE TOWARDS A PATIENT

Name of patient: _____ Gender: _____ Age: _____

Facility: _____ Location: _____ Date: _____ Time: _____

Person filling out this form : _____ Date/Time Allegation Received: _____ Name and location of person alleged to have committed the sexual harassment or abuse: _____

Relationship of alleged perpetrator to patient:

Briefly describe incident, including names of any witnesses:

Type of sexual abuse (see back of this form): _____

Form Sent to CEO/Designee by: _____ Date: _____ Time: _____

CEO/Designee:

Notifications by CEO/Designee:

Law Enforcement: Date/time _____

DRM MH unit: mhreports@disabilityrightsmd.org Date/time: _____
OHCQ: https://app.smartsheet.com/b/form/1795e582be944f6483810449e7d10c32 Date/time: _____

[The facility is expected to follow up and provide any police reports or other investigation reports to OHCQ within 30 calendar days or upon the completion of investigation.]

Treatment Team of Alleged Victim: Date/time: _____

Treatment Team of Alleged Perpetrator (if applicable): Date/time: _____

Additional Notifications, if needed:

CPS (if patient is a minor): Date/Time: _____

Other: _____ Date/Time: _____

Hospital/Medical Facility, if patient sent for SAFE or other exam/treatment: _____

Contact information:

OHCQ: ohcq.sexualassaults@maryland.gov P: 410-402-8002 F: 410-402-8234

Disability Rights Maryland: mhreports@disabilityrightsmd.org P: 410-727-6352 F: 410-727-6389

Child Protective Services (if required): Report to local department of social services and law enforcement

Link to CPS Reporting Form: <http://dhr.maryland.gov/child-protective-services/reporting-suspected-child-abuse-or-neglect/mandated-reporters/>

This form must be completed and forwarded to the CEO/Designee immediately upon facility staff's receipt of an allegation of sexual abuse by a patient. The CEO/Designee must make the required notifications within 24 hours of the patient's report of an allegation of sexual abuse to staff.

Definitions (Health Gen. 10-101)

"Abuse" means cruel or inhumane treatment that causes:

- 1. Any physical injury; or
- 2. Any of the following kinds of sexual abuse:
 - A. A sexual act, as defined in § 3–301 of the Criminal Law Article;
 - B. Sexual contact, as defined in § 3–301 of the Criminal Law Article; or
 - C. Vaginal intercourse, as defined in § 3–301 of the Criminal Law Article.

"Abuse" does not include:

- 1. The performance of an accepted medical procedure that a physician orders in a manner that is consistent with the provisions of this subtitle; or
- 2. An action taken by an employee that complies with applicable State and federal laws and applicable Department policies on the use of physical intervention.

"Sexual harassment" means intimidation, bullying, or coercion of a sexual nature or unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that tends to create a hostile or offensive environment.