

DHS
Seniors and
People with
Disabilities

STATE-OPERATED COMMUNITY PROGRAMS *June 1, 2002*
24-HOUR RESIDENTIAL POLICIES AND PROCEDURES **#2.005**

PROGRAM MANAGEMENT: Non-Retaliation

OAR 309-049-0210(2)

POLICY:

The program shall not purposely or knowingly retaliate or discriminate against any person (individual, staff or other) who makes a good faith abuse report to state or county authorities or participates in an abuse investigation or proceeding.

A community program or service provider shall not retaliate against any staff who reports in good faith suspected abuse or retaliate against the adult with respect to any report. An alleged perpetrator cannot self-report solely for the purpose of claiming retaliation.

Any community facility, community program or person that retaliates against any person shall be subject to a penalty up to \$1,000.00, notwithstanding any other remedy provided by law.

Any adverse action is evidence of retaliation if taken within 90 days of a report of abuse. For purposes of this subsection, "adverse action" means any action taken by a community facility, community program or person involved in a report against the person making the report or against the adult because of the report and includes but is not limited to:

- Discharge or transfer from the community program, except for clinical reasons;
- Discharge from or termination of employment;
- Demotion or reduction in remuneration for services; or
- Restriction or prohibition of access to the community program or the individuals served by the program.

Approved by: _____ Date: _____
Jon Cooper, Director