

Adult Protective Services

Chapter 5.B Central Registry Findings:

A. Central Registry Findings

1. Court-Substantiated

- a. When a court of competent jurisdiction has validated finding of abuse, neglect, or exploitation of a vulnerable adult or has entered a judgment of guilty against the subject of the report of the abuse, neglect, or exploitation. An allegation with this finding will list the perpetrator on the Central Registry.

2. Agency Substantiated

- a. When the CFS Specialist determines through the investigation and the preponderance of evidence supports the allegation of abuse, neglect, or exploitation and the victim is a vulnerable adult and court intervention doesn't occur. An allegation with this finding will list the perpetrator on the Central Registry.
- b. There are two necessary components to indicate that the case status determination should be Agency Substantiated:
 - i. The allegation must meet the definition of abuse, neglect, or exploitation as defined in statute. For purposes of the Adult Protective Services Act, unless the context otherwise requires, the definitions found in sections 28-351 to 28-371 shall be used.
 - ii. There must be credible evidence that meets the standard of preponderance to support the determination.
 - 1) Credible evidence can include witness statements documented in the narrative or police reports of interviews with the vulnerable adult, family members, school or medical personnel or others who have observed the family. It also includes physical evidence, written medical reports, and photographs of injuries, diagrams or other supporting information. (The CFS Specialist may not use the Law enforcement report as the only information when completing an investigation.)
 - 2) Preponderance means more likely than not that abuse of a vulnerable adult occurred. The weight of the evidence must be 51% or more. If all three of the criteria are met, and no court action occurs, the correct case status determination is Agency Substantiated.
- c. Not all situations will be clearly defined, so staff must use their training, experience and professional judgment in consultation with supervisory staff to decide if the facts of a particular situation fall within the definitions.

B. Changing Case Status Determination: If the Case Status Determination was originally determined:

- a. Agency Substantiated – The CFS Supervisor can update the Case Status determination to reflect the correct status of Court Substantiated. Notice of the change will be sent to the alleged perpetrator through certified mail with the return receipt filed in the case record.
- b. Unfounded – NO ONE can change this status. A new intake with allegations must be created and investigated.