

## ABUSER REGISTRY ANNUAL NOTICE

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The Ohio Department of Mental Retardation and Developmental Disabilities (“Department”) maintains an Abuser Registry which is a list of MR/DD employees who the Department has determined have abused, neglected, had sexual contact with, stolen property from, or did not report the abuse or neglect of an individual with MR/DD. If your name is placed on the Abuser Registry you are barred from employment as an MR/DD employee in this state for a minimum of 5 years.

- **Employees whose names may be placed on the Abuser Registry.** The name of any “MR/DD employee” may be placed on the Abuser Registry. MR/DD employee includes any Department employee, any employee of a county board of MR/DD, and any employee providing specialized services to an individual with MR/DD. A specialized service is a program or service designed to primarily serve individuals with MR/DD including services by an entity licensed or certified by the Department.
- **Abuser Registry Offenses.** The Department may place the name of an MR/DD employee on the Abuser Registry if it determines that the employee has committed any of the below offenses against an individual with MR/DD.
  - **Abuse**
    - Abuse includes the use of any physical force that could reasonably be expected to result in physical harm.
    - Abuse includes unlawful sexual conduct (unprivileged intercourse or other sexual penetration) and unlawful sexual contact (unprivileged touching of another’s erogenous zone).
    - Abuse includes verbal abuse. Verbal abuse means purposely using words to threaten, coerce, intimidate, harass or humiliate an individual.
  - **Sexual Contact.** Sexual contact means the touching of an erogenous zone for sexual gratification, whether or not consensual, by an MR/DD employee of an individual in the employee’s care who is not the employee’s spouse.
  - **Neglect.** Neglect means, when there is a duty to do so, failing to provide an individual with any treatment, care, goods or services necessary to maintain the health or safety of the individual.
  - **Misappropriation (theft).** This means obtaining the property of an individual or individuals, without consent, with an aggregate (combined) value of at least \$100. Theft of any check, credit card, ATM card and the like are also Abuser Registry offenses.
  - **Failure to Report Abuse, Neglect or Misappropriation.** An MR/DD employee may be placed on the Abuser Registry if the employee unreasonably does not report abuse, neglect or misappropriation of the property of an individual with MR/DD, or the substantial risk to such an individual of abuse, neglect or misappropriation, when the employee should know that his/her non-reporting will result in a substantial risk of harm to such individual.

***ORC 5123.542 requires the Department, each county MR/DD board, each entity providing specialized services under contract with an MR/DD board, and each owner, operator or administrator of a residential facility as defined in ORC 5123.19 or of a program certified by the Department to provide supported living***

**services to annually provide written notice to each of its MR/DD employees explaining the conduct for which an MR/DD employee may be placed on the Abuser Registry. More information about the Abuser Registry is on the Department's website at <http://odmrdd.state.oh.us/CountyBoardsDoc/BoardsInfo.htm> or may be obtained by calling (614) 995-3810.**