

## BROADCAST 8023

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TO: Local Social Services Directors, Local Adult Services/Adult Protective Services Supervisors and Workers; Regional Directors

FROM: Margaret Ross Schultze, Commissioner  
Gail Nardi, Director, Adult Protective Services Division, DARS

SUBJECT: Revised Guidance Concerning Rights of Alleged Perpetrators in a Substantiated Cases of Adult Abuse, Neglect or Exploitation

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This broadcast provides revised guidance on due process for alleged perpetrators in substantiated cases of adult abuse, neglect or exploitation. The information contained in the broadcast supersedes guidance in Broadcast # 7913.

During APS investigations, local department of social services (LDSS) are required to refer any appropriate matter and all relevant documentation to the appropriate licensing, regulatory, or legal authority for administrative action or criminal investigation pursuant to [§ 63.2-1605 C](#) of the Code of Virginia.

When the LDSS has provided information on the alleged perpetrator to licensing, regulatory, or legal authorities, the LDSS shall notify the alleged perpetrator that he or she has been identified as the alleged perpetrator in a substantiated case of adult abuse, neglect or exploitation and provide him with an opportunity to be heard. The circumstances of some investigations may require consultation with law enforcement prior to notifying the alleged perpetrator. Guidance on those circumstances will be included in the revisions to Chapter 8 of the Adult Protective Services Manual.

When the circumstances of the investigation do not require a referral pursuant to [§ 63.2-1605 C](#), the LDSS may provide notification to the alleged perpetrator at its discretion.

The information contained in this broadcast is effective immediately. Chapter 8 (Right to Review) of the Adult Protective Services guidance manual is being revised and will be posted as soon as possible.