RESPONSES TO ELDER ABUSE

Understanding Services and Systems
Who Can I Call?

- Prosecutors
- Aging Services Network
- Domestic violence or sexual assault Advocate
- Long Term Care Ombudsman
- Adult Protective Services (APS)
- Law Enforcement
You Will Be Better Able To:

• Recognize the various organizations and systems that respond to elder abuse
• Describe the roles of key agencies and systems
When People Seek Help for Elder Abuse
“No Wrong Doors”

- Informal networks and existing relationships
- Investigators
- Community services and advocacy
Informal Networks/Existing Relationships

- Friends, family and concerned others
- Faith leaders and community
- Health care providers
- Mental health and substance abuse providers
- Ombudsman or other care facility staff
- Aging services network staff
- Others
Investigators

- APS
- Law Enforcement
- Prosecution Agencies
- Corrections
- Medicaid Fraud Control Units (MFCU)
- Regulatory/Licensing Agencies
Adult Protective Services (APS)

- Provides investigatory, protective, and social services to abused, neglected, or exploited older and/or vulnerable or at-risk adults
- Typically administered by state or county human services or aging services network
APS — Reporting

• Anyone can voluntarily report to APS
• In most states, some professionals are mandated to report elder/vulnerable adult abuse, neglect or exploitation to APS
• In other states, everyone is a mandated reporter
• It is important to know your state, tribal and territorial requirements
Goals of APS

- Investigate allegations of abuse, neglect and exploitation
- Offer options and services to enhance safety
  - Services are voluntary—an older or vulnerable adult can refuse services
  - Use the least restrictive alternative
  - In most states, APS does not have authority to involuntarily remove older people from their homes
Add Local APS Information

Note to facilitator:

• On this slide, add local information such as hours of operation, phone number, eligibility information, etc.
• You may want to add a slide(s) on mandatory reporting laws in your area
• If you are conducting a statewide or national training, you can delete the local slides.
Law Enforcement Agencies

• Prevention, detection, and investigation of crimes
• Apprehension and detention of individuals suspected of law violations
Law Enforcement Officers

• Critical partners in:
  • Developing effective intervention strategies to end abuse of older adults
  • Holding perpetrators accountable
  • Preventing further harm
Law Enforcement: Operate on Local, State, Federal and Tribal levels

- **Local**
  - Sheriff and police
  - County corrections including probation

- **Tribal**
  - Police
  - Bureau of Indian Affairs
  - FBI

- **Federal**
  - FBI, Secret Service, ATF, SEC

- **State**
  - Attorney General (MFCU, Criminal Investigators)
  - Highway Patrol, State Police
  - State Corrections - Parole
  - Licensing and regulatory agencies
Add Local LE Information

Note to facilitator:

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Prosecution

- Local, state, tribal, or federal agency responsible for prosecuting criminal acts and holding offenders accountable in their jurisdiction
Prosecutors May Also:

• Conduct investigations

• Handle civil actions such as:
  • Environmental violations
  • Public corruption
  • Consumer fraud
  • Improper business practices
  • Abatement of public nuisances
Add Local Prosecutor Information

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Prosecution: Local, State, Tribal, Federal Authority

- Local
  - City Attorney
  - District Attorney
  - Commonwealth’s Attorney
- State
  - Attorney General

- Tribal
  - Tribal Prosecutors

- Federal
  - US Attorney General, United States Attorney’s Office
Corrections

• Local, state, and federal agencies who:
  • Protect the community
  • Hold offenders accountable
  • Restore what has been taken from the victim
  • Rehabilitate and reintegrating offenders into the local community
Corrections: Typical Services

• Typical services provided in residential and nonresidential settings
  • Individual and group counseling
  • Substance abuse and mental health counseling
  • Life skills training, completion of high school, or job skills
  • Financial planning and management, and
  • Crisis intervention
Corrections: Probation

• Court-ordered community-based supervision with specific terms

• Conditions may include:
  • Counseling
  • Payment of restitution for persons convicted of crimes
  • Requirement of regular visits with the probation officer
Corrections: Parole

- Post-prison supervision program where the terms and conditions of parole are set by the parole officer or agency.
- The offender is supervised in the community by the parole officer or agency under specific conditions.
Add Local Corrections Information

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Medicaid Fraud Control Units (MFCU)

- Conducts statewide investigations and prosecutions of health care providers that defraud the Medicaid program
- MFCUs may review complaints of abuse or neglect of nursing home residents
  - May review complaints of the misappropriation of patients’ private funds in these facilities
Location of Medicaid Fraud Control Units (MFCU)

• Entity of state government, typically in State Attorney General’s Office

• Annually certified by the U.S. Department of Health and Human Services
Add Local MFCU Information

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Regulatory and Licensing Agencies

• Federal, state and local governmental agencies responsible for protecting and improving the health, safety and welfare of older and vulnerable adults living in facilities
  • “Facilities” may include long-term-care, medical, assisted living, health facilities, and other facilities.
• May also license and investigate complaints against licensed health care professionals
Role of Regulatory and Licensing Agencies

- License, certify and regulate care facilities
- Receive complaints regarding licensed facilities and professionals
- Conduct inspections in facilities
- Primary focus is on compliance with regulations and licensing rules, which is typically not criminal conduct
Add Local Licensing Information

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Victim Services and Other Remedies

- Community-based domestic violence programs
- Community-based sexual assault programs
- Systems-based advocates
- Civil attorneys
- Courts
- Aging services network
- Ombudsman
- Animal welfare organizations
Community-Based Domestic Violence Programs

- Generally nonprofit organizations that may offer:
  - Individual and peer counseling
  - Support groups
  - Emergency and transitional housing
  - Economic and legal advocacy
  - Medical and court accompaniment
- Ordinarily have a confidential relationship with the client
Add Local Domestic Violence Program Information

Note to facilitator:

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Community-Based Sexual Assault Programs

- Generally nonprofit organizations that may offer:
  - Individual and peer counseling
  - Support groups
  - Economic and legal advocacy
  - Medical and court accompaniment
- Ordinarily have a confidential relationship with the client
Add Local Sexual Assault Program Information

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Systems-Based Advocacy Program

- Victim advocates that work in a prosecutor’s office or within another system and help victims navigate the criminal justice system by providing:
  - Information and referrals
  - Assistance with victim compensation
- Ordinarily do not have a confidential relationship with the client
Add Local Systems-based Program Information

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Civil Legal Services

• Offer civil remedies such as:
  • Protection orders
  • Wills
  • Guardianships
  • Powers of attorney

• Some communities offer low cost or no-cost legal services to low-income older adults
Add Local Civil Legal Services Information

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Courts

- Conduct legal proceedings in criminal and civil cases
- Determine admissibility of evidence
- Determine punishment for abusers
- Provide relief to an older victim who has sought assistance from a court
- Decide petitions for guardianship and conservatorship
Add Courts Local Information

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Aging Services Network

- Provide support and services to older adults
- Services may include, but are not limited to:
  - Transportation assistance
  - In-home care
  - Nutrition services
  - Health, prevention, and wellness programs
- May witness injuries or hear descriptions or allegations of abuse, neglect, exploitation or fear
Add Local Aging Services Network Information

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Long-Term Care Ombudsman

- Advocate for residents of nursing homes, board and care homes, and assisted living facilities
- Address or investigate individuals’ complaints and advocate for improvements in the long-term care system
- Work often performed by volunteers
- Cannot report abuse disclosed to them without client consent
Add Local Resource Information

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Animal Welfare Organizations

- Include humane societies and foster pet care organizations
- May offer temporary shelter for pets of elder abuse victims
- Some animal welfare organizations have police investigative and arrest powers to investigate allegations of pet/animal abuse by an abuser
Add Local Animal Welfare Information

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Opening One Door Should Lead to Other Doors/Services
Understand Each Other’s Roles

- Build relationships
- Cross-train
- Create operational agreements or protocols
- Participate in local multidisciplinary teams
Resources

• National Center on Elder Abuse (NCEA): www.ncea.aoa.gov
• National Clearinghouse on Abuse in Later Life (NCALL): www.ncall.us
• National Adult Protective Services Association (NAPSA): www.napsa-now.org
• National Long-Term Care Ombudsman Resource Center (NORC): www.ltcombudsman.org
Add Local Resources
For more information, visit us!

ncsea.aoa.gov
Also on Facebook, Twitter, YouTube

centeronelderabuse.org
Also on Facebook, YouTube
Thank you!

www.ncea.aoa.gov

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