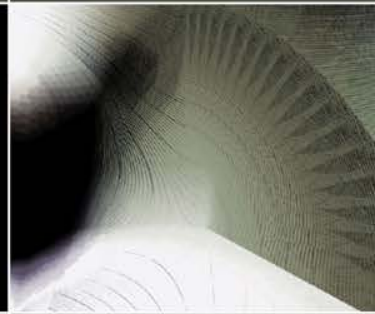




Elder and Dependent Adult Abuse

Adult Protective Services
Contra Costa County



Objectives

As a result of this training, participants will be able to:

- Define elder and dependent adult abuse
- Define the responsibilities of mandated reporters
- Understanding of the process of filing a report, from start to finish



Definition of an Elder

“...any person residing in this state, 65 years of age or older.”

WIC 15610.27

Definition of a Dependent Adult

- (a) "...any person between the ages of 18 and 64 years... who has physical or mental limitations ..., persons who have physical or developmental disabilities, or whose physical or mental abilities have diminished because of age."
- (b) "...any person between the ages of 18 and 64 who is admitted as an inpatient to a 24-hour health facility..."

WIC 15610.23

Indications of a Dependent Adult

- Activities of Daily Living
 - Bathing
 - Grooming
 - Meal Preparation
 - Shopping
- Instruments of Daily Living
 - Can they drive?
 - Can they pay bills?
- A physically disabled adult is not always a dependent adult

Penal Code - Elder Abuse

Infliction of physical pain or mental suffering on an elder or dependent adult; theft or embezzlement by caretaker is punishable by imprisonment in the county jail not exceeding one year, or in state prison for two, three or four years.

Section 368

The Facts of Abuse

- CA's elderly population will nearly double in the next 20 years, from 3.7 to 6.4 million
- More than 2 million elders are abused each year
- In CA and nationwide, only one in 14 elder abuse incidents are reported
- Most victims are women aged 75 years and older
- Victims usually live with or depend on their abuser for care
- Substance abuse is the most cited risk factor with both victims and perpetrators

<http://safestate.org/index.cfm?navid=58&showPrintable=1>

The Numbers

Confirmed Elder Perpetrator Abuse Contra Costa County

	2006-2007		2007-2008	
Psychological/Mental	31 %	137	28 %	131
Physical	19 %	88	17 %	80
Abduction	0 %	0	0 %	2
Isolation	4 %	18	4 %	17
Abandonment	0 %	2	1 %	5
Neglect	20 %	92	17 %	80
Sexual	1 %	6	0 %	3
Financial	25 %	112	33 %	157
Total Confirmed Investigations		455		475

Information obtained from SOC242.

Why the increase in reports?

- Broader awareness
- Wider scope of mandated reporters
- Penal Code enhancement solely for Elder Abuse
- Population is aging and people are living longer
- Increasing life stressors

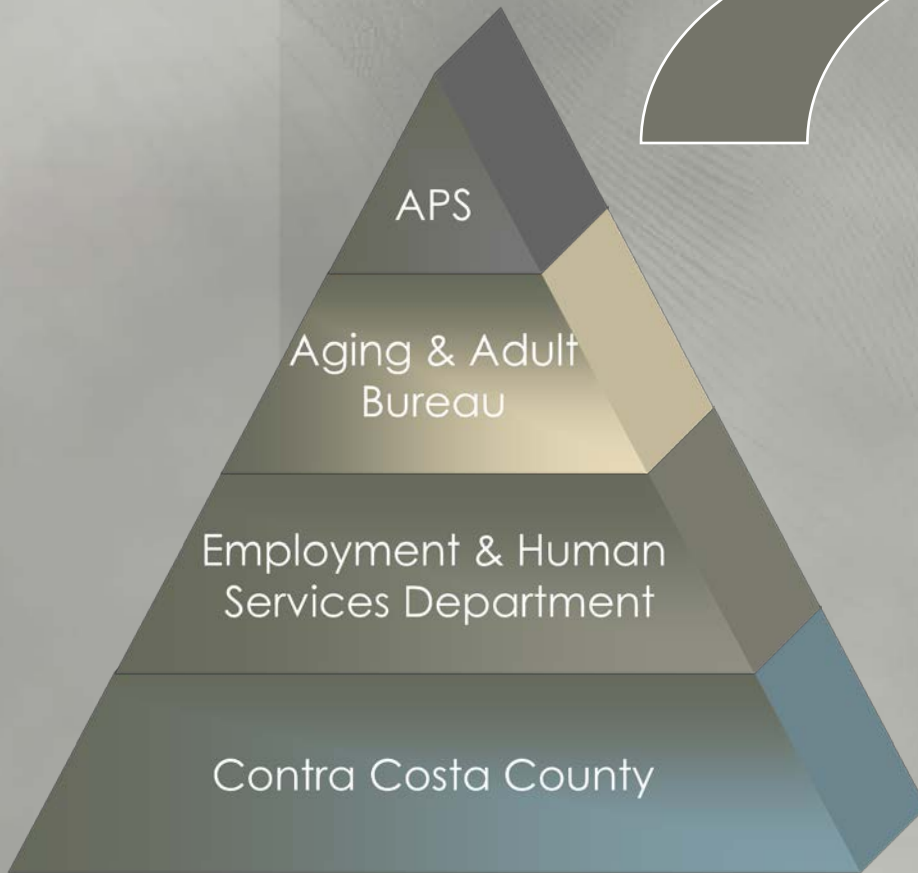




Primary Risk Factors

- Family Dysfunction
- Isolation
- Substance Abuse
- Chronic mental illness
- Medical problems
- Diminished capacity

Contra Costa County



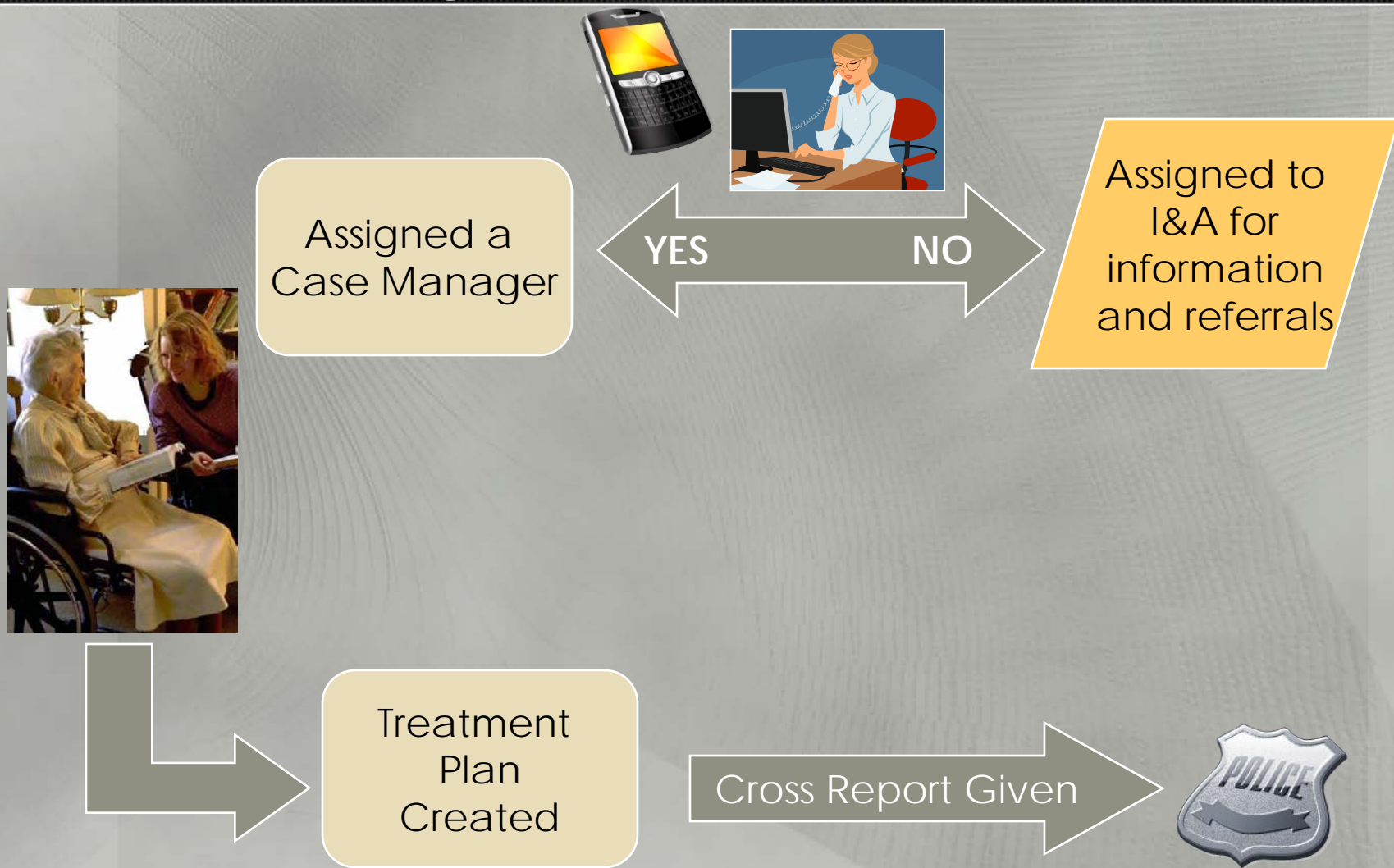
Ombudsman
(925) 465-1065



Investigate Licensed Residential Care Homes & Skilled Nursing Facilities

To make a report, please call 1-877-839-4347.

Once you call APS....



To make a report, please call 1-877-839-4347.

Cross Reporting

Suspicion of criminal activity, APS shall immediately report by telephone to a law enforcement agency and follow up with a written report within 36 hours of receiving the information.



Cross Report Given





The Role of APS

- Accept reports
- Investigate
- Establish linkages with community
- Provide emergency services
- Provide case management

APS Does Not.....

- Impose their will on others if they are making a conscious choice
- Take someone into 'protective custody'
- Make adults follow the case plan



Principles of APS Intervention

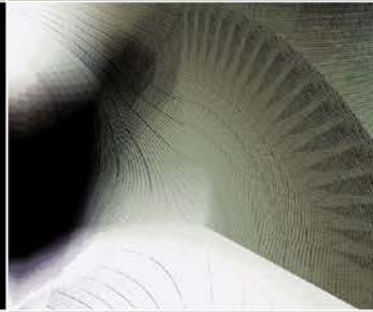
- Respect for Self-Determination
 - Refusal/Withdrawal of Consent
 - Petition for temporary conservatorship
- Least Restrictive Services

APS Emergency Services

- Crisis intervention
- Emergency shelter
- Emergency transportation
- Food
- Medication
- Clothing
- In-home care



Mandated Reporting





Who is mandated to report?

- Licensed practitioners
- Law enforcement
- Government agency employees
- In-home supportive services providers
- Care custodians
- Clergy
- Financial Institutions (SB 1018)
- Animal Control

Am I a Mandated Reporter when I'm not at work?

No

*But, you are encouraged
to report.*

When should you report?

- Abuse is observed
 - Witnessed event
 - “Stand alone” physical finding
- Knowledge of a “reasonably suspicious” event
- Direct report from a victim



Reporting

By telephone immediately or as soon as practically possible and by **written report within 48 hours**

- SOC 341 Report of Suspected Dependent Adult/Elder Abuse form
- Immediately contact:
 - **APS**
 - **Ombudsman**
 - **Local law enforcement**
- Report to be sent/faxed within two working days

All are
available 24
hours a day!

If you don't report...

- Up to 6 months in jail and/or
- Fine up to \$1000

A case involving great bodily injury or death

- Up to 1 year in county jail and/or
- Fine up to \$5000

What happens if . . .

You do report and you're wrong?

**No consequences, as long as the
report was made in good faith**

Confidentiality issues

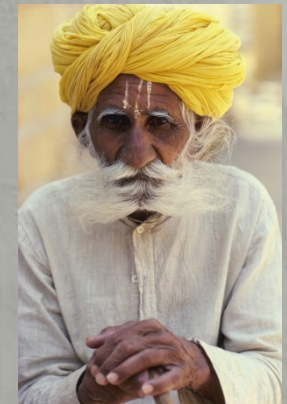
Reports are confidential and disclosed only to:

- Multidisciplinary team
- Ombudsman
- A licensing agency
- Local law enforcement
- DA
- Public Guardian
- Probate Court
- Bureau of Medi-Cal Fraud and Elder Abuse
- The Department of Consumer Affairs - Division of Investigation,
- Counsel representing APS, by court order, when the reporting party waives confidentiality

Mandated reporters shall be neither civilly or criminally liable for any report made under the reporting requirements.

Cultural Considerations

- Knowledge of cultural background
- How do they view elders?
- Understand their view
- Understand your view
- No matter the culture, abuse is abuse



What must be reported?

- Physical Abuse
- Sexual Abuse
- Financial Abuse
- Neglect
- Self-Neglect
- Abandonment
- Abduction



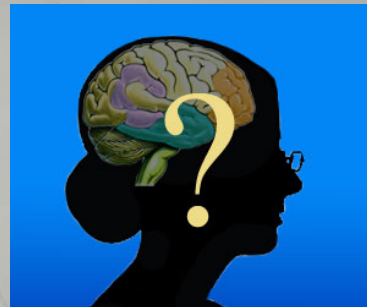
Physical / Sexual Abuse Indicators

- Improper care of injury
- Injury inconsistent with explanation
- Bruises, welts, discoloration
- Unexplained bruises/welts in different stages of healing
- Unexplained dehydration
- 3rd stage bedsores
- Bruises, swelling or bleeding in external genitalia, vagina or anal areas



Psychological Abuse Indicators

- Fear of caregiver
- Resignation
- Confusion
- Disorientation
- Hopelessness
- Anger
- Denial
- Reluctance to talk
- Habit disorder – sucking, biting, rocking
- Hysteria



Financial Abuse

Situation in which any person who has care or custody of an elder, who stands in a position of trust, or who enters into a contractual agreement with an elder or dependent adult, then takes, secretes, or appropriates their money or property, for any use or purpose, NOT in the due and lawful execution of his or her trust or contract

Sec 15610.30

Financial Abuse Indicators

- Title changes
- Suspicious withdrawals
- Unusual account activities
- Isolation and undue influence and control of decision-making
- Forgery and signature
- Spending Changes
- Unpaid bills





Self-Neglect/Inability to Manage Indicators

1. Food and water, shelter, clothing, safety, and personal hygiene
2. Environmental Hazards
3. Intellectual Functioning

Caretaker Neglect

Failure....to exercise that degree of care which a reasonable person in a like position would exercise





Caretaker Neglect Indicators

- Personal hygiene, food, clothing or shelter
- Medical care
- Malnutrition
- Physical, chemical restraint or psychotropic medication for punishment, or beyond ordered by a doctor

Abandonment

- *The desertion or willful forsaking of an elder or dependent adult...*
- *Failure to assist in personal hygiene, or in the provision of food, clothing or shelter*

Sec 15610.05

Abduction

Removing any elder or dependent adult from their home when they lack capacity to consent to the removal across state lines.

Isolation

Intentionally isolating a person from social contacts such as:



- *Preventing receipt of mail or telephone calls*
- *Preventing access to visitors, friends and family*
- *False imprisonment*

Sec 15610.43

For More Information....

- A Citizen's Guide to Preventing & Reporting Elder Abuse (booklet)
http://safestate.org/documents/citizens_guide.pdf
- Safe State (CA Attorney General's Website)
<http://safestate.org/index.cfm?navId=11>
- California Department of Aging
<http://www.aging.ca.gov/>
- National Committee for the Prevention of Elder Abuse
<http://www.preventelderabuse.org/>

Resources

- **Information & Assistance (I&A)**
800-510-2020
- **Senior Peer Counseling**
CCC Health Services
925-335-8741
- **Contra Costa County Senior Legal Services**
925-609-7900

Call 1-877-839-4347

- To make an APS referral
- When you are uncertain about making an APS report
- When you have general questions
- When you have questions about a client referral

Contra Costa County Adult Protective Services



To make a report, please call 1-877-839-4347.