ELDER ABUSE INTERVENTIONS
Overview

- Project summary - Elder Abuse Survivors’ Case Management
- Adult Protective Services
- Elder abuse definitions and signs of potential abuse
- Involving the police
- When is mistreatment a crime
- Common denominators of issues in recent abuse cases
- The CARE assessment and service plan
- Paid providers
- Scenario discussion -
The Team

- Jeff Quigley: Subject Matter Expert, Adult Protective Services, Region 2, Everett Office
- Nadia Fiorini, Seattle Police Department Detective
- Suzanne Moore, Seattle Police Department Detective
- Karen Heeney, Aging and Disability Services Case Management Supervisor
- Kathi Church, Aging and Disability Services Case Manager
Broad Scope of the Problem

- ONE in TEN Americans age 60+ experiences abuse each year, and many experience it in multiple forms.
- Nearly ONE in TWO people with dementia experiences some form of abuse by others.
- Elders who experience mistreatment face a greater risk of dying sooner.
Project Overview

- 3 year Department of Justice – Office of Violence against Women grant to educate law enforcement, prosecutors, judges and social services on elder abuse. First two years were creating a coordinated community response team and providing training.

- Funding was provided for direct services to survivors in the third year of the grant.

- In February 2012, ADS received funding for one social work FTE to work with individuals who are currently in an abusive situation.
Who we have served

- Source of referrals: Seattle Police Department’s Domestic Violence/Elder Crimes Unit, Adult Protective Services, King County Prosecutors Office and Senior Services.

- The project received 85 referrals since February 2012, 49 regarding financial exploitation; 7 concerning neglect, 27 concerning domestic violence and 2 sexual assault situation.

- Eighty five (57 persons) percentage of the client were females. The clients range in age from 56 to 108.

- All of the alleged perpetrators of the abuse have been considered trusted others of the clients, most often an adult child or grandson or household member.
Caseload of 25-35 clients who are in an active abusive situation Age 60 and older

The case manager conducts a face-to-face CARE assessment, and safety assessment.

The case manager and client collaborate to develop a safe plan of care.

Full range of case management services provided modeled after our discretionary case management program with added emphasis on abuse, neglect and exploitation resources/referrals.
Partnership Work

- Collaborative work with law enforcement, fire, mental health, APS, prosecutor’s office and social services.
- Client situations are so complex that multiple disciplines are needed for effective interventions.
- Each team member has a perspective to bring to the team.
Adult Protective Services

Who is a vulnerable Adult by RCW 74.34:

- 60 years of age or older with the functional, mental, or physical inability to care for himself or herself; OR
- Over age 18 and:
  - Has a guardian appointed through superior court as per Chapter 11.88 RCW;
  - Has a developmental disability as defined in RCW 71A.10.020, such as mental retardation, cerebral palsy, epilepsy, autism, or a condition similar to mental retardation which originated prior to age eighteen; or
  - Lives in a facility licensed by DSHS (e.g., adult family home, boarding home, nursing home, soldier’s home, residential habilitation center, children’s foster home); or
  - Receives services from an individual provider as defined in RCW 74.34.020; or
  - Receives in-home services through a licensed home health, hospice, or home care agency; or
  - Self-directs his or her own care by a personal care aide who performs that care for compensation (RCW 74.34.021; SSB 5042 moved this citation into RCW 74.34.020, effective 7/22/11).
Adult Protective Services

- How to report – APS versus RCS

- APS investigator must determine:
  - Does the allegation meet the definitions of abuse, abandonment, neglect or financial exploitation
  - Is the person a vulnerable adult
  - Does the individual have capacity
Adult Protective Services

- How APS can assist:
  - A substantiated finding of abuse or neglect against the perpetrator will prevent them from future employment with Vulnerable Adults.
  - File a petition for Guardianship for the VA.
  - Obtain a Vulnerable Adult Protection Order for the VA.
  - Make referral for services.
Limitations to APS’ authority:

- Consent for services
- Investigative not case management
- Meet definition of vulnerable adult

Findings that are inconclusive:

- Keep reporting to build a case
Types of Abuse

- Physical/Emotional Abuse
- Neglect/Abandonment
- Sexual Abuse
- Financial Exploitation

* Often co-occurring
Is it a crime?
Neglect Crimes

Criminal Mistreatment 1, 2, 3, 4

- Assumed responsibility to provide, or employed to provide
- To a dependent person
- The basic necessities of life
- Recklessly / negligently
- Causes harm / imminent risk of harm
- By withholding any basic necessities of life
What are the basic necessities of life?

- Food and water
- Shelter and clothing
- Health care
- Medication
- Hygiene
- Oxygen
Neglect Crimes:

Abandonment 1, 2, 3

- Assumed responsibility to provide, or employed to provide
- To the dependent person
- The basic necessities of life
- Recklessly
- Abandons without means of obtaining one or more of basic necessities of life
- Causing harm / imminent risk of substantial injury
Indicators of Neglect

- **Untreated** medical conditions,
- **Untreated** pressure ulcers (bedsores)
- Dehydration
- Malnutrition
- Unavailability of food and water
- Soiled clothing
- Poor hygiene
- Poor dental care
- Overgrown nails
Indicators of Neglect — cont.

- Unsanitary / unclean living conditions
- Soiled bedding / undergarments
- Smell of urine, feces
- Overly cluttered, hazardous environment
- Withholding medications
- Over-medicating
- Absence of medical necessities / assistance devices
Remember:

- The victim’s body and location are the crime scene.
- Care plans / records / medications are evidence.
- Coordination is imperative for evidence preservation and victim safety.
Financial Motive by Perpetrators in Criminal Mistreatment cases.

- Financial Exploitation frequently co-occurs with neglect.

- May be essential to showing that neglect is criminal rather than due to ignorance or lack of skills.
What is Financial Exploitation?

- Illegal or improper use of a vulnerable adult’s funds, property, or assets.
How does financial exploitation occur?

- Scams and identity theft (stranger)
- Theft, coercion and fraud
- Undue influence
- Abuse of legal authority (i.e., Power of Attorney)
What is undue influence?

- Method used by perpetrator to obtain “consent” from victim in order to commit crime of theft.

- Substitution of perpetrator’s will for the true desires of victim – similar to brainwashing.

- Victim consents to transactions based on what perpetrator wants – not in victim’s best interest.
Who is susceptible to Undue Influence?

- Physical and cognitive disabilities
- Adverse life events
- Isolation or dependence
- Lack of financial expertise
- Loneliness, fatigue or fear
- Trauma
If You suspect Undue Influence:

- Don’t take perpetrator’s claim of consent at face value
- Talk to victim alone, away from suspect
- Document pattern of conduct and concerns expressed by others
- Report to law enforcement, APS
Powers of Attorney and Guardianships

- Creates fiduciary duty on part of attorney in fact, guardian
  - Attorney in fact cannot gift to themselves beyond gifting provision set out in POA document
  - Expenditures must be for benefit of incapacitated person

- Abuse of POA or Guardianship is Theft.
Care plans

Their role in a criminal case
Sophie

- 89 years old
- Lives with daughter and son in law
- Has documented history of Dementia
- Non ambulatory
- Last saw a doctor in June of 2012
Sophie

- Sept., 2012 Seattle Fire responds to an aid call at Sophie’s residence
- On approach to the residence, SFD personnel smell rotting flesh and urine
- SFD find Sophie sitting in a wheelchair and unresponsive
- SFD describe Sophie as grossly malnourished and smelling of urine and infection
- SFD find decubitus ulcers on Sophie’s hips. The femur was exposed on the right side, and the left side was covered with a urine soaked bandage
CARE Assessment and Care Plan

- Annual Assessment in June 2012
- Deterioration from last year in health, mobility, cognitive status.
- Weight at 110 pounds.
- Dementia, vision, hearing loss
- Skin breakdown reported but healing
- Need for equipment
- Condition of the home
Missed Opportunities to Intervene

- Condition of home (Environment: No)
- Change in condition.
- Unsuitable bed, equipment.
- No MMSE
- Nursing intervention
- Discrepancy in # of wounds, treatment
- Scoring incorrect. Would have resulted in increased hours.
- Suitability of caregiver
Varies, Varies
Team work scenario
Scenario #1: Mr. and Mrs. F.

- Age 81 and 79.
- Reside with adult daughter and her son who do not contribute to household expenses.
- Mrs. F. had a stroke in 2003 and daughter was put in charge of paying the bills.
- Mr. F. appears to have memory loss issues.
Mr. and Mrs. F. – The police

- Police receive a complaint from an anonymous caller alleging financial exploitation of Mr. and Mrs. F by their daughter.
  - Bills not paid, no running water in household, and property taxes delinquent
- When police visit Mrs. F, she is uncooperative.
- Police make a referral for ADS Elder Abuse case management and also a referral to APS.
ADS works with Mr. and Mrs. F. to receive property tax assistance.

ADS talks to Mrs. F. about her options for bill paying assistance. A professional money manager is then hired.

Mr. and Mrs. F. consent to a geriatric mental health evaluation. Mr. F. is found to have significant cognitive impairment.

APS investigates financial exploitation.
Mr. and Mrs. F. - The result

- Mr. and Mrs. F. are able to save their house from foreclosure.
- Water service to the home will be reinstated.
- All the bills are now paid by money manager.
- Per Mrs. F’s desire, the daughter continues to live in their home to assist them with IADLs.
- Daughter has no access to Mr. and Mrs. F’s finances. Exploitation has stopped.
- APS will be able to substantiate their financial exploitation case and the daughter will be prevented from employment as a state paid caregiver.
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Enhanced Training and Services to End Violence and Abuse of Women Later in Life Program grant opportunity.

Recognizing that individuals who are 50 years of age or older who are victims of elder abuse, neglect, and exploitation, face unique barriers to receiving assistance, Congress created this grant program to provide or enhance training and services to address these problems for this specific audience.


Next funding cycle early 2014.