Today’s Objectives

- Gain new / updated knowledge of:
  - Adult Protective Services (APS) Mandates
  - Signs & Symptoms of Abuse, Neglect, and Exploitation
  - Reporting and Response
  - Challenges to APS Investigations
  - Possible Outcomes & Resources
Missouri APS Statutes

- **Agency Authority** = 192.2000, RSMo.
- **Definitions** = 192.2005 & 192.2400, RSMo.
- **Mandated Reporting** = 192.2405, 192.2475, and 192.2480, RSMo.
- **Investigations** = 192.2515, 192.2420, and 192.2425, RSMo
- **Reporter Immunity** = 192.2430, RSMo.
- **Confidentiality** = 192.2435, 192.2500 & 192.2505, RSMo.
Missouri APS Statutes

192.2005/192.2400 define key terms:

(5) *Elderly person* – 60 yrs. or older
(6) *Disability* = mental or physical impairment…limiting major life activities
(10) *Protective Services* = services provided by DHSS/others to meet essential human needs
(1) *Abuse* =inflicting physical, sexual or emotional injury or harm includes financial exploitation
(14) *Neglect* = failing to provide presenting imminent danger or probability of death/serious physical harm
Who do we serve?

- DHSS serves adults…unable to protect their own interests or perform or obtain services to meet their needs
  - Adults with Disabilities (18 – 59 yrs.)
  - Elderly (60 yrs. or older)
Purpose of APS

- Promote independence
- Maximize client choice
- Provide quality alternatives to institutional care
- Empower the client to attain or maintain optimal self-determination
Signs & Symptoms of Abuse

- Bruises hidden by clothing
- Medications may spread bruising
- Look for bruising on the neck, feet, or genitals
- Look for object-shaped bruises
Signs & Symptoms of Abuse

- Sudden changes in victim’s behavior
- Inconsistency between story and injury
- Changes in caregiver’s behavior
  - Isolating client from outside world
  - Asking more financial questions
  - Holding unrealistic expectations about client’s abilities
Refusal or failure to fulfill a legal or contractual responsibility…

- Includes failing to provide life necessities, e.g., food, water, clothing, shelter, etc.,
- Includes failing to provide for or pay for care
Signs & Symptoms of Neglect

- Dehydration and malnutrition
- Poor hygiene
- Unhealthy and hazardous living environment
- Untreated health problems

Excludes mentally competent person making bad decisions
Signs & Symptoms of Exploitation

Financial Exploitation

Undue Influence
Signs & Symptom of Financial Exploitation

- Mismatch between life circumstances and the size of estate
- Unusual expenses paid
- Senior’s bills remain unpaid
- Multiple disbursement for similar items over short period of time
- Large withdrawals from bank accounts, switching accounts, unusual ATM activities
- Signatures don’t match
Signs and Symptoms continued...

- Drastic changes in distribution of wealth at time of death (POA, Trust, Wills)
- Caregiver does all talking for senior
- Personal belongings (jewelry, furs, art) are missing
- Magazine subscriptions inconsistent with age & lifestyle
- Large gifts are made which senior cannot afford
- Senior unable to explain purpose of recently executed documents
Adult Abuse and Neglect Hotline
1-800-392-0210
Make a difference. Make the call.
Reporting Adult Abuse

Adult Abuse and Neglect Hotline

1-800-392-0210

- Hours of Operation – 7:00 AM to 12:00 AM, seven days a week, including holidays
- Mandated Reporter Form for after hours
Contents of a Report

- Name, age & address of victim & abuser when applicable.
- Name & address of caregiver or responsible party & others involved.
- Nature & extent of victim's condition.
- Other relevant information regarding the situation.
“Good Faith” reporter is immune from criminal / civil liability

HIPAA (45 CFR 164.512) waives rule for state-mandated reports

Reporter Confidentiality protected

- Reporter authorizes and
- Disclosure prevents further harm
- Court Ordered
DSDS Adult Abuse Hotline Reports

FY13: 25,845
FY14: 27,092
FY15: 29,211
Response After Report

Investigation initiated within 24 - 48 hours depending upon the classification
The Investigation

- Immediate response to reporter and/or victim
- Interviewing and collecting evidence
- Accessing other resources
- Ongoing investigations - Protective Service
- Monitoring
- Addition of Home Services
Protective Services

Client's Rights
Protective Services

- Combination of public, private & individual services
- Remedy abuse, neglect or exploitation
- Assist in meeting the basic needs of an eligible adult
Client Rights

- Confidentiality
  - Missouri statutes prohibit release of information...

- Choose to receive or refuse services and support....

- Feel secure
Investigation Challenges

- Access to a victim
- Alleged perpetrator is a relative caregiver
- Victim is dependent on others for care
- Victim credibility
- Victim communication difficulties
APS Intervention Services

- Care Services
- Emergency
- Health and Medical
- Home Support
- Financial
- Social, Educational and Recreational
- Legal

Consequence of Committing ANE

- Employee Disqualification List (EDL) - DHSS
- Employee Disqualification Registry - DMH
- Family Care Safety Registry (FCSR)
- Criminal Charges & Prosecution
DSDS Website

http://health.mo.gov/safety/abuse/
Q & A

Kathryn Sapp, Bureau Chief
APS Policy Unit & Field Operations for Regions 1, 4 & 5
Kathryn.Sapp@health.mo.gov
(573) 522-1282

Michelle Humphrey, Aging Program Specialist
APS Policy Unit
Michelle.Leah.Humphrey@health.mo.gov
(573) 526-8502