



Adult Abuse, Neglect & Exploitation

Risk Factors & Reporting

Missouri Department of Health & Senior Services
Division of Senior & Disability Services
Legal Services of Southern MO – June 24, 2016

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
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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

Signs & Symptoms of Neglect

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

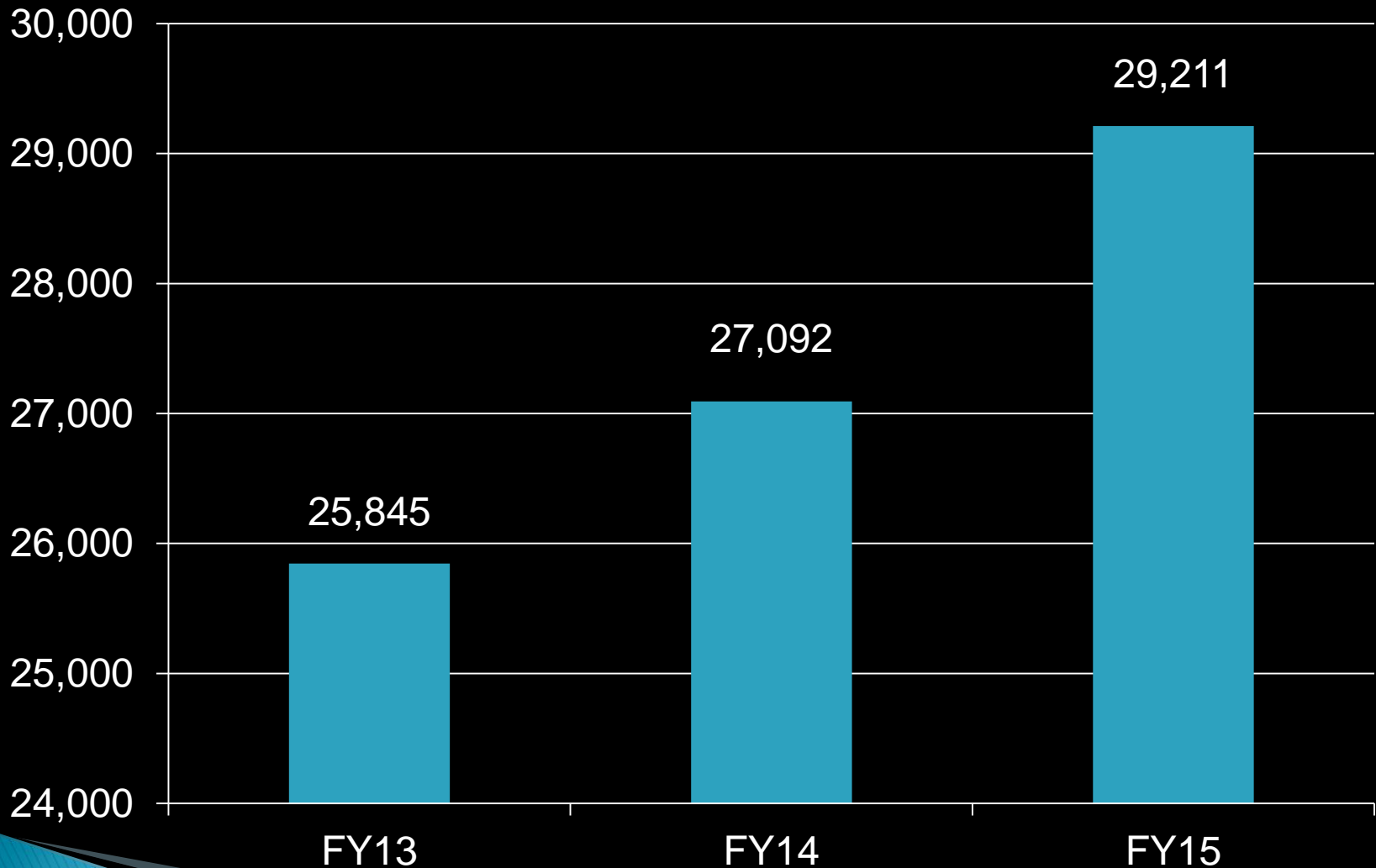
Contents of a Report

- 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

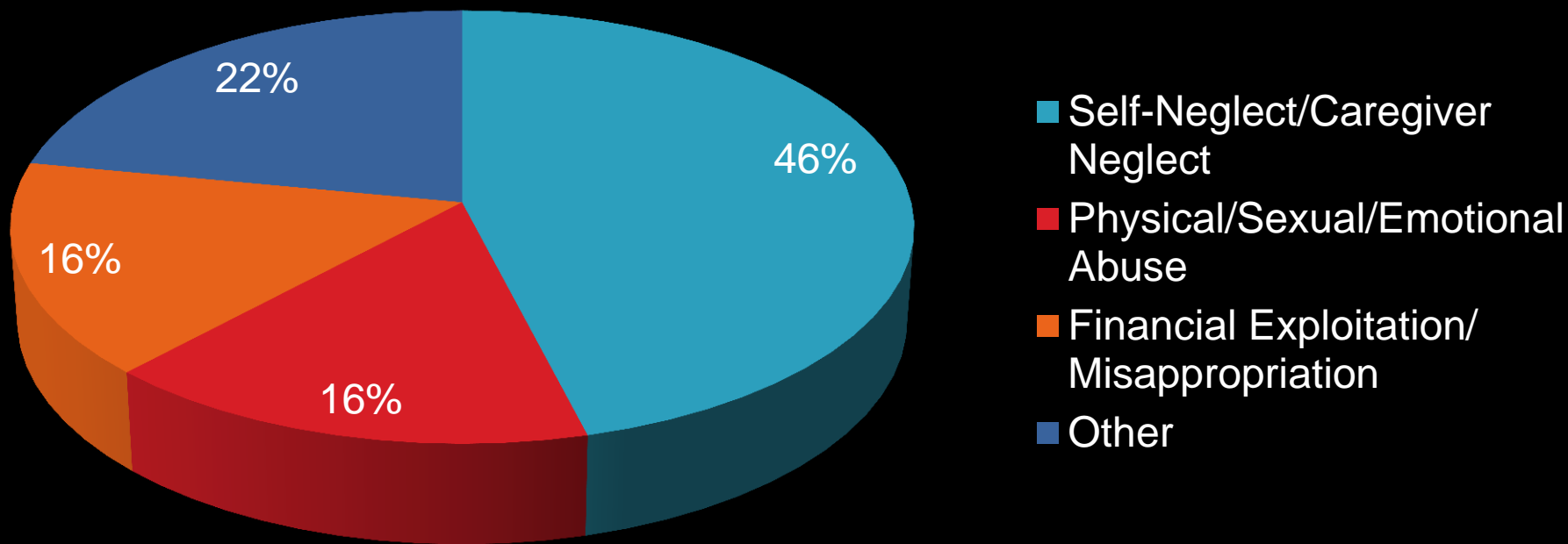
Reporter Protection

- ▶ “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



Allegations




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
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**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
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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

<http://health.mo.gov/safety/abuse/pdf/FY11CryingEyeAR.pdf>

Consequence of Committing ANE

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