

Adult Protective Services,

*How to Identify Mistreatment and
Support Individuals at Risk*

Dinah LaCaze, MBA, APSW



APS Overview:

Who we are

Who we Serve



Agencies that are Statutorily Defined in Wisconsin Statutes §46.90 and Ch § 55



ADULT AT RISK



Any adult 18- to 59 with a disability Aging & Disabilities Services



ELDER ADULT AT RISK



Age 60+ vulnerability of age to Aging & Disabilities Services



Elder Abuse

- <https://www.youtube.com/watch?v=W9ikKP5-s5A>

Elder Abuse Incidence

FOR EVERY REPORT OF ABUSE. . .
23.5 CASES GO UNREPORTED

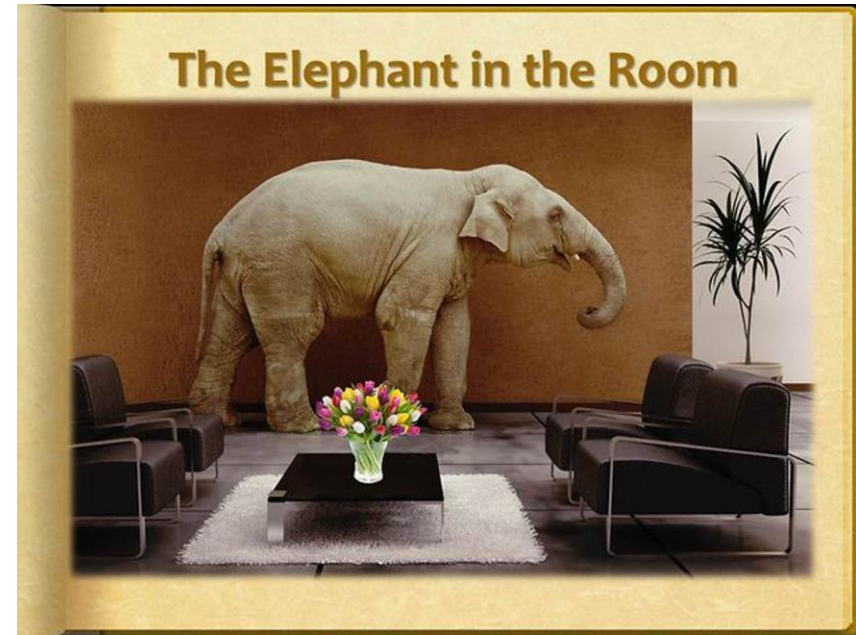


Lifespan of Greater Rochester, Inc., Weill Cornell Medical Center of Cornell University, and New York City Department for the Aging. (2011). Under the Radar: New York State Elder Abuse Prevalence Study



A Few Stats about Elder Abuse

- 1 in 10 persons aged 60 + Experience Abuse
- Approximately 5 Million per year
- Victims are at 300% Higher risk of Death
- Annual Estimates of Financial Losses from Financial abuse range from 2.9-36.5 Billion Dollars.
- 9% of Victims turn to State Medicaid Funds due to Money Stolen



Defining Adult Protective Services

- **ELDER ABUSE**
- (WI state Statutes § 55 and § 46.90)
 - Abuse
 - Physical
 - Emotional/verbal
 - Sexual
 - Unreasonable Confinement
 - Financial exploitation
 - Caregiver Neglect
 - Self-neglect



Risk Factors for Adults at Risk

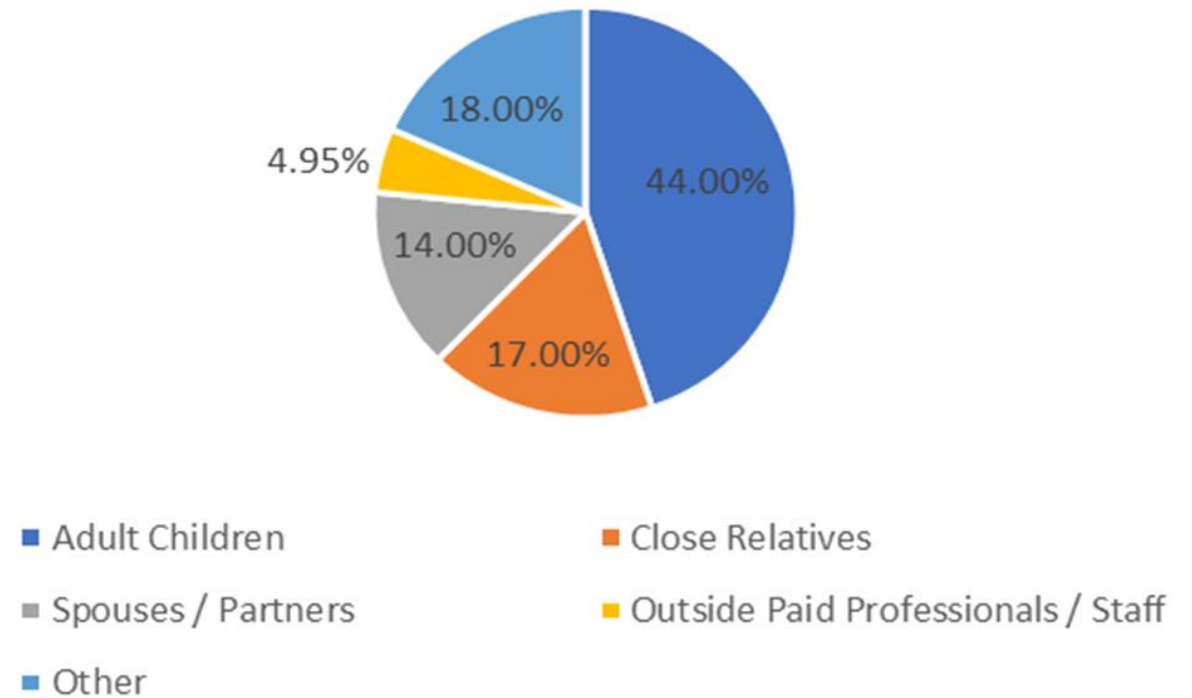
- Social Isolation
- Cognitive Decline
- Gender: Women more likely to be victims
- Underlying Issues of Trauma, domestic abuse, mental health, or substance abuse issue
- Physical or Medical Care Issues
- Caregivers that with limited support or underlying personal concerns (past trauma, mental health/ sub abuse, criminal histories)



Abuser Profile



Clients over 60 Years



Physical Abuse Warning Signs



UNEXPLAINED
BONE BREAKS



WELTS



BRUISES



CUTS



OPEN
SORES/WOUNDS



BURNS ON THE
ELDER

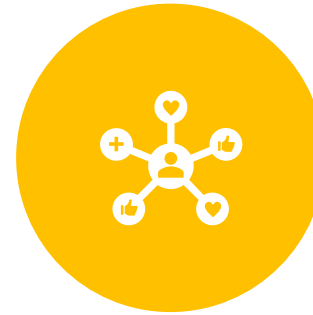
Emotional Abuse Warning Signs



THE ELDER IS WITHDRAWN AND FAILS TO PARTICIPATE IN USUAL ACTIVITIES



THE CAREGIVER OFTEN ISOLATES THE ELDERLY PERSON AND WON'T LET THEM BE ALONE WITH OTHER FAMILY MEMBERS



THE CAREGIVER CAN BE VERBALLY AGGRESSIVE OR DEMEANING TO THE ELDERLY PERSON



THE CAREGIVER MAY BE CONTROLLING, BUT NOT WANT TO ACTIVELY CARE FOR THE ELDERLY PERSON

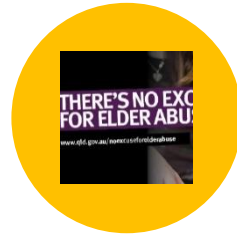
Sexual Abuse Warning Signs



UNEXPLAINED SEXUALLY
TRANSMITTED DISEASE
(STD)



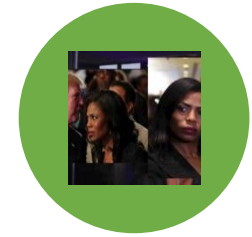
BRUISES ON THE THIGHS
OR EXTERNAL GENITALS



Bleeding, pain or irritation
of the genitals



Engaging in unusual or
aggressive behavior



Inappropriate
relationships between
perpetrator and the victim

Examples of Financial Exploitation

- Misuse of power of attorney
- Joint bank accounts
- Using ATM cards without consent or writing checks without authorization.
- Caregivers coming in and taking things that are not theirs.
- Misuse or mismanagement of funds by friends/family members.
- Family wanting to preserve or gift from an older person's funds.
- Threats to abandon or not help/ manipulate their relationship to continue to get access to money.
- Adult child who is dependent emotionally and/or financially.
- Relationship Scams



Other Safety Concerns...



- Changes in behavior withdrawn/ isolation from family and friends
- New involved group/person
- New spending patterns
- Hoarding
- Unsanitary Conditions in the Home
- A person who is not able to take care of their activities of daily living
- A person who is struggling or unable to care for their medical concerns.
- A person with memory issues and isolated in the community.



Who Are Mandated Reporters in WI

Limited Reporting Rules in Wisconsin §46.90(4)

If the elder/adult at risk is being seen in the course of a person's professional duties and the professional is licensed/regulated or working for a licensed regulated entity such as:

Nurses, Doctors, Psychologists, Social Workers, Therapists and Employees of State Licensed or Regulated Facilities.

AND: the elder/adult at risk has requested the person to make a report

OR: there is reasonable cause to believe the elder/adult at risk is at imminent risk AND is unable to make an informed judgement about reporting

OR: other adults at risk are also at imminent risk



Reporting: See Something? Say Something.



- Anyone can report suspected elder abuse or neglect.
- You do not need to be sure there is abuse occurring.
- You do not need to have all the details on a person's life or circumstance.
- You may remain anonymous.
- Statutory regulations regarding confidentiality to protect reporters of APS reports.



Reporting

- Online <https://county.milwaukee.gov/EN/DHHS/DSD/Adult-Protective-Services-Referral-Form>
- Or by Phone 414-289-6874



Reporting: Many Agencies Available to Help.

- Statewide Elder Abuse Line: www.ReportElderAbuseWI.org
1-833-586-0107
- Nationwide Eldercare Locator:
- Local Law Enforcement
 - Can do Well being check (immediate safety)
 - Will investigate criminal issues.
- Attorneys:
 - Wisconsin Elder Law
 - Free service for victims of a crime
 - Will assist in civil and/or criminal matters
 - Private Attorney
 - Advanced planning/guardianships/trusts/estates
- Make an Adult Protective Services Referral
 - Every County has an APS unit.
 - Confidentiality of reporter/ investigation
 - APS SW will work with client to determine services/ protection



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APS is an Integral Part of the Response to Abuse, Neglect, and Financial Exploitation



Law Enforcement



Private Attorneys
Wisconsin Elder Rights
Project



Protective Services



Adult Protective Services

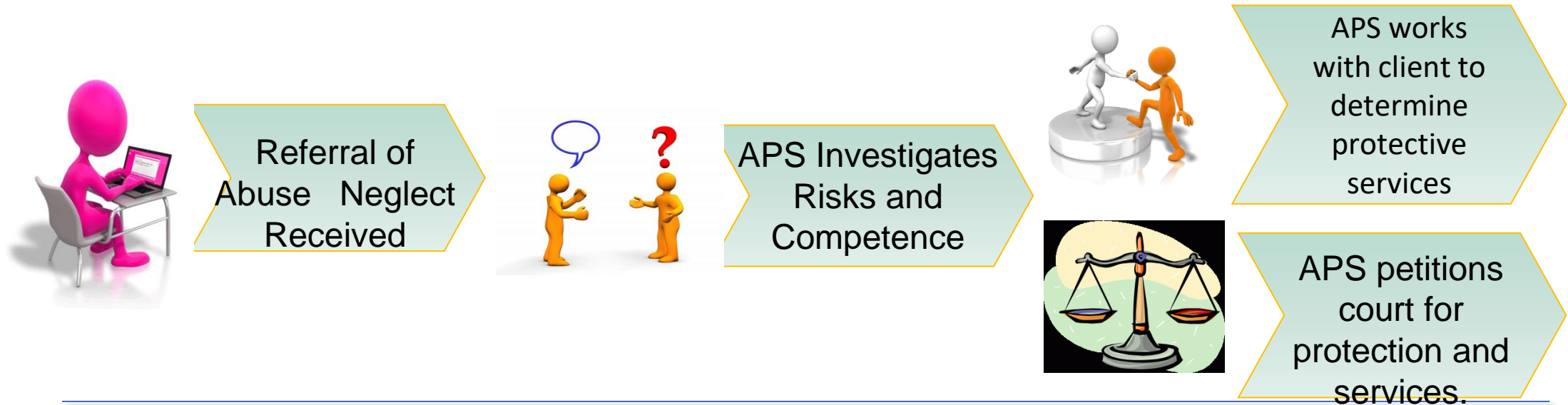


Adult Protective Services Values

- Adults have the right to be safe.
- Adults retain all their civil and constitutional rights unless a court adjudicates otherwise.
 - *i.e., the right to live their lives as they wish, manage their own finances, enter into contracts, marry, etc.*
- Adults have the right to make decisions that do not conform with societal norms as long as these decisions do not harm others.
- Adults have the right to accept or refuse services



Adult Protective Services Overview



Tools: Wisconsin Statutes for investigation, Protective Services
Court Orders for Decision Makers and Protection

Limitations: Self Determination

Protective Services and Self Determination

Protective Services:

- Examples: in-home caregiving supports, alternate decision makers, access transportation, home delivered meals, residential placement, linkage with community resources or benefits

Self Determination:

- *Adults have the right to make choices about their life:*
- Examples: refusing services, refusing medical care, living in unsanitary conditions, allowing someone to take their money, choosing to refuse to work with law enforcement or APS

APS **MUST** Respect a **Decisional** Person's Right to Self Determination. IF there Are Concerns about Decisional Capacity – APS will Petition the Court for Protective Services.



Protection for People Who Are Legally Incompetent

Civil Court Remedies for Protection.

- Guardianships
- Protective Placements
- Protective Service Orders
- Court Review of Decision Makers
- Vulnerable Adult Restraining Orders

Incompetence- legal term

- *Incapacity*
- *Permanent condition*

APS Role

- Complete Investigation and gather facts for court petition
- Initiate civil court process
- Provide social history to court process – (Court makes findings)
- Link person with services/placement
- Refer to law enforcement for criminal charges (if necessary)



Local Multidisciplinary and Elder Abuse Initiatives



I TEAM



FAST TEAMS



NCALL GRANT



CCR



EMDT GRANT



AGING &
DISABILITIES
SERVICES WEBSITE



Thank you





**MILWAUKEE
COUNTY**