

ADULT PROTECTIVE SERVICES IN THE COMMONWEALTH



Adult Protective Services

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Adult Protective Services (APS) is a program of the Adult Protective Division at the Department for Aging and Rehabilitative (DARS).



Adult Protective Services

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The APS program is state supervised and locally administered through 120 local departments of social services.

Funding is: 80% state
 20% local

APS Service Population

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Services are provided to:

Adults age 60 and over and incapacitated persons ages 18 to 59 who have been abused, neglected or exploited, or are at risk of abuse, neglect, or exploitation, without regard to income or resources.



Incapacitated Person

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An adult who is impaired by:

- mental illness
- Intellectual disability
- physical illness or disability
- advanced age
- other causes

to the extent that the adult
lacks sufficient understanding
or capacity to make, communicate
or carry out reasonable decisions regarding
his/her well being.

Goals of APS

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Stop abuse, neglect and exploitation by protecting the adult with the least restriction of his/her liberty

Assist the adult in remaining in his/her home as long as possible and appropriate

Goals of APS

7

Restore independent functioning to the greatest extent possible

Assist in arranging out-of-home placement when appropriate, the adult or guardian consents or the court orders emergency placement



Goals of APS

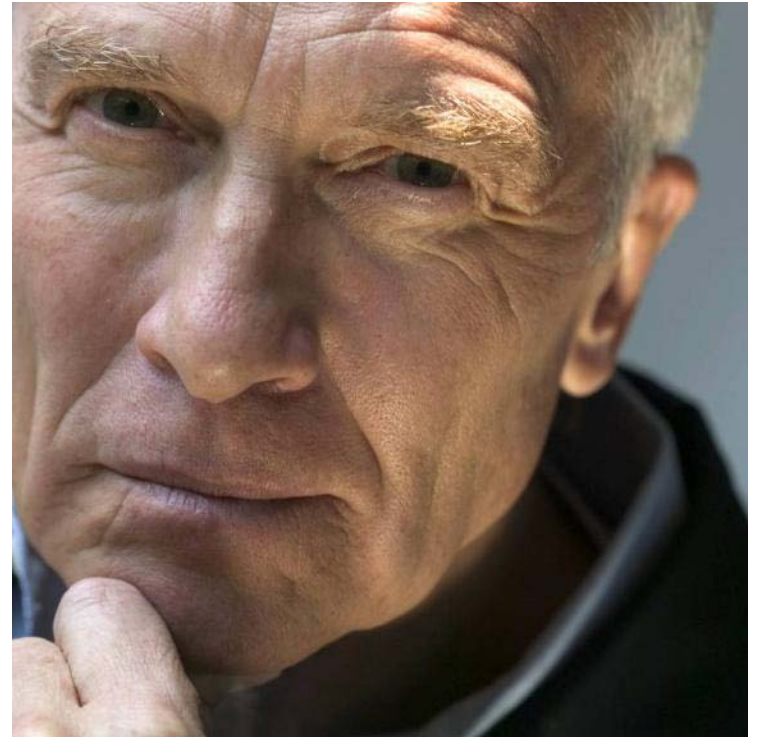
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Legal action (involuntary protective services) is a last resort.

What APS Cannot Do

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Force protective services
upon a competent
adult who
refuses services



What APS Cannot Do

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Take an endangered adult into custody

Investigate when the alleged victim is no longer at risk

Rights of Adults

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An adults who is competent has the right to refuse services even if everyone involved in the case believes that assistance is needed.



Rights of Adults

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The adult is in charge of decision-making until he or she delegates that responsibility voluntarily to another or the court grants that responsibility to another person.



Rights of Adults

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Adults have the right:

- to be treated with dignity and respect to refuse assistance
- to make their own choices about how and where they will live
- to privacy

What Does APS Do?

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Receives and evaluates
the report

Investigates
the report



What Does APS Do?

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Determines if services
are needed

Provides a wide
array of services,
if adult agrees to
accept assistance



What Does APS Do?

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Makes a disposition

Notifies the mandated reporter
that the report has been
investigated

Possible Dispositions

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Needs protective services:

Adult accepts services or

adult refuses services



Possible Dispositions

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Need for protective services no longer exists:

The perpetrator no longer has access to the adult or the adult has been removed from the situation or has died

Possible Dispositions

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Unfounded:

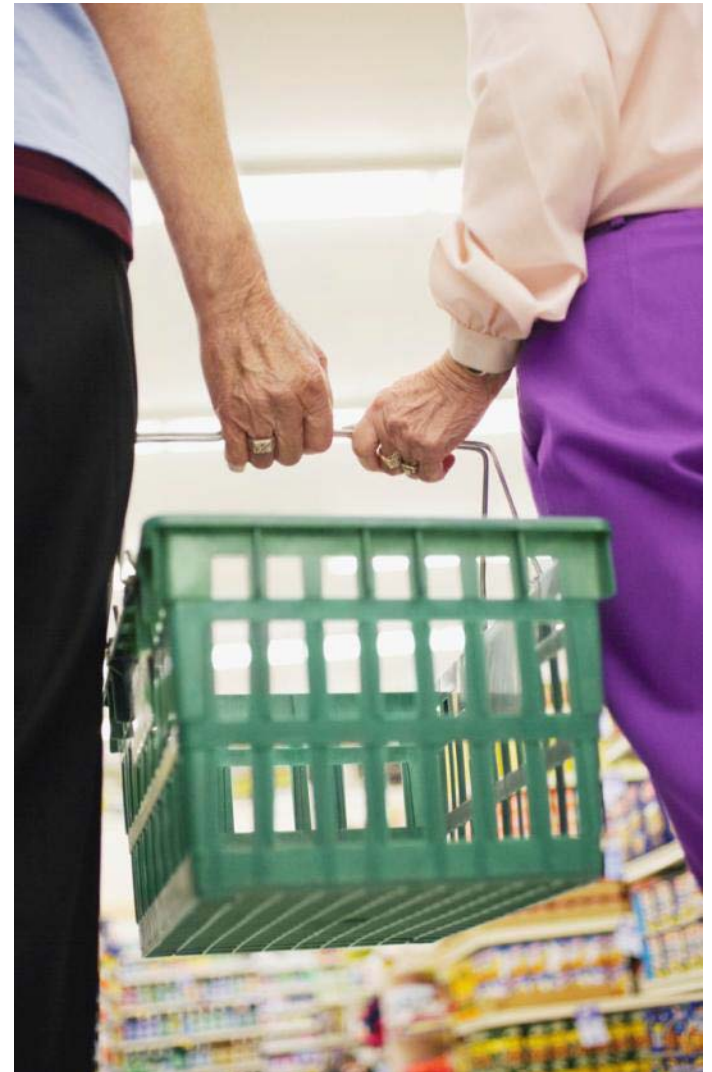
A review of facts does not show a preponderance of evidence that abuse, neglect or exploitation occurred

Possible Dispositions

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Invalid:

*The report does not
meet criteria of a
valid report*



APS Statistics

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In state fiscal year (SFY) 2013, 20,704 reports of adult abuse, neglect, and/or exploitation were received by local departments of social services.

55% of APS reports were substantiated.

Who Are the Victims?

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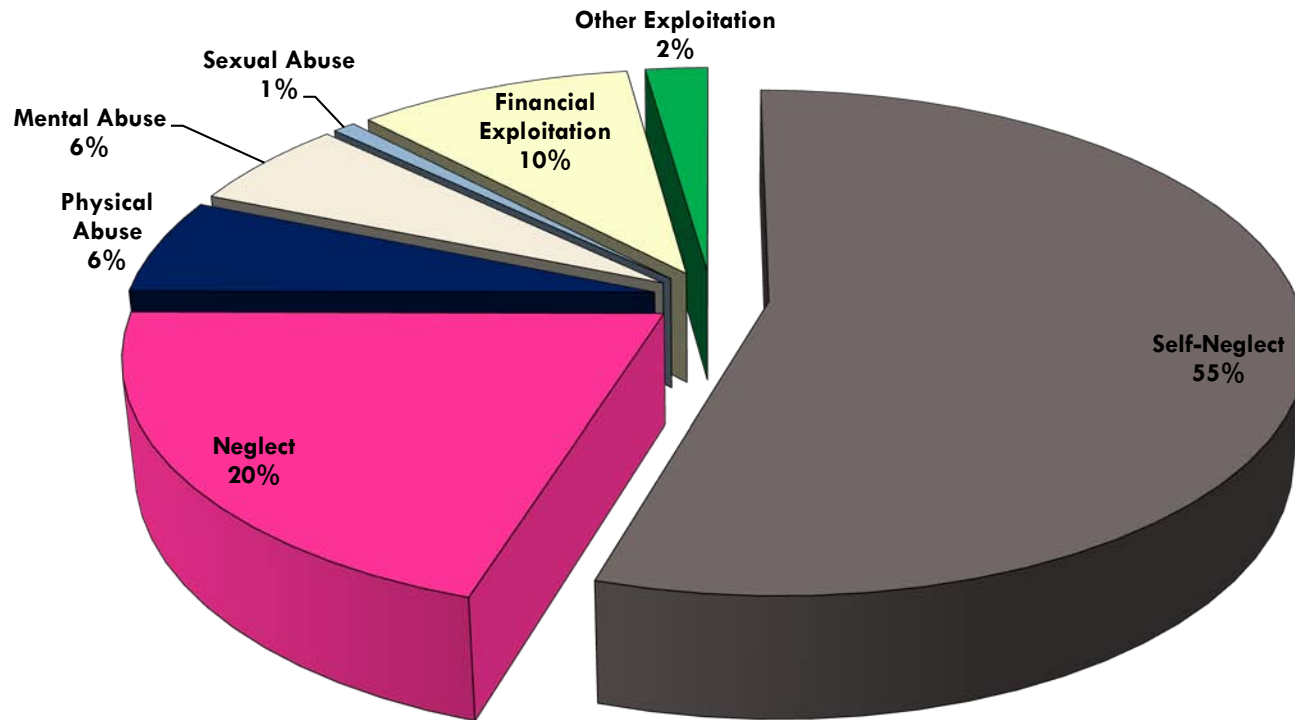
SFY 2013 APS Reports

- 71% over age 60
- 29% ages 18–59 and incapacitated
- 62% women
- 38% men
- 67% white
- 26% African-American



SFY 2013 Substantiated Reports

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SFY 2013 APS Reports

Location of the Incident

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- 62% own home or apt
- 10% other's home or apt
- 10% nursing facilities
- 5% assisted living facilities
- 4% DBHDS facility/group home
- 6% other setting
- 1% shelter or are homeless
- 2% hospital



A Snapshot:

Who Made APS Reports in SFY 2013?

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Relative (includes ex-wife/ex-husband)	2597
Social Worker	2294
Other	2118
Nurse	1373
Law Enforcement Officer	1052
Nursing Home Administrator/NH Staff	907
Hospital Staff	896
Self	890
Friend/Neighbor	866
Home Health Provider	830
EMS Personnel/Fire Department	643
Financial Institution	598
CSB Staff	511
Mental Health Provider/Psychologist/Counselor/Psychiatrist	504
Physician/Primary Physician/Physician Assistant	353
ALF Staff	328
DBHDS Staff	304
Agency Provider-Home Based Care/EDCD/Personal Care Provider	240
Virginia Department of Social Services Staff	215
Group Home Staff	165
Area Agency on Aging Staff	146

Who are Mandated Reporters?

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§ 63.2-1606 requires certain persons to report suspected cases of abuse, neglect, or exploitation

Who are Mandated Reporters?

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A partial list of mandated reporters includes:

- ✓ doctors
- ✓ dentists
- ✓ nurses
- ✓ guardians
- ✓ social workers
- ✓ law enforcement
- ✓ mental health professionals



Who are Mandated Reporters?

28

Any person employed by or contracted with a public or private agency or facility who works with adults in an administrative, supportive or direct care capacity

Who are Mandated Reporters?

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Any person providing full, intermittent, or occasional care to an adult for compensation, including but not limited to:

- companion
- chore
- homemaker
- personal care (home health)workers



But Remember. . .

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ANYONE
can
make
an
APS
report!



How to Make an APS Report

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Report suspected abuse, neglect, or exploitation of adults to Adult Protective Services at your local department of social services or to the 24-hour, toll-free hotline at:

1-888-832-3858
(1-888-83ADULT)

How to Make an APS Report

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Provide information such as the name or identifying information and location or address of the adult whom you suspect is abused.

Provide as much information about the abusive situation as possible.



Challenges

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From SFY 2012 to 2013, there was a 3.6% increase in APS reports in Virginia.

No study has been done in Virginia on underreporting of adult abuse, neglect or exploitation.

Challenges

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Illness, frailty or dementia may mask abuse or neglect.

Social isolation increases risk and difficulty of identifying mistreatment.



Challenges

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Stereotypes about aging and death.

Reluctance to interfere or get involved in a family matter, especially financial exploitation.



More Challenges

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“Community integration” of seriously mentally ill individuals if adequate community supports are not in place.

Lack of education about adult abuse, neglect, and exploitation – includes law enforcement and judicial system.

More Challenges

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Stereotypical ideas about aging and disability.

Demographics: the Boomers are coming! 25% of Virginians will be elders in 2020 – like Florida today.

Lack of resources to provide services.

Adult Protective Services Division

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Department for Aging and
Rehabilitative Services

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