

# Overview

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- Types of elder abuse;
- Signs of elder abuse;
- Signs of abusive caretakers;
- Victims of elder abuse;
- Role of Aging and Disability Services Division (ADSD) in elder abuse cases;
- Mandated reporting.



# Aging and Disability Services Division (ADSD)

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- ADSD, Elder Protective Services has 4 offices in Nevada:
  - Reno, Carson City, Elko, and Las Vegas
- Office Hours:
  - Monday-Friday 8:00 am-5:00 pm
- ADSD is not funded for emergency response;
- ADSD is the only entity in the state who investigates elder abuse, other than Law Enforcement.

# Mission Statement

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The Mission of Elder Protective Services is to:

“Assist older persons, age 60 and over, who are abandoned, abused, neglected, isolated, or exploited by investigating and providing or arranging for services to alleviate and prevent further maltreatment while safeguarding their civil liberties.”

# Types of Elder Abuse

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- Abandonment;
- Abuse:
  - ✦ Physical;
  - ✦ Psychological;
  - ✦ Sexual;
- Neglect;
- Exploitation;
- Isolation;
- Self Neglect.
- In Nevada, an “older person” is defined as a person 60 years of age or older.
  - As defined by Nevada Revised Statute, NRS 200.5092

# Abandonment

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- Desertion of an older person or a vulnerable person in an unsafe manner by a caregiver or other person with a legal duty of care;
- Withdrawal of necessary assistance owed to the older person or a vulnerable person by a caregiver or other person with an obligation to provide services to the older person or vulnerable adult.
  - This allegation type was added: 10/1/2015.

# Abuse

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Abuse is the willful:

- a) Infliction of pain or injury on an older person or a vulnerable person;
- b) Deprivation of food, shelter, clothing or services which are necessary to maintain the physical or mental health of an older person or a vulnerable person;
- c) Infliction of psychological or emotional anguish, pain or distress on an older person or a vulnerable person;
- d) Nonconsensual sexual contact with an older person or a vulnerable person;
- e) Permitting any of the acts described in paragraphs (a) to (d)

- Three Types of Abuse:

- Physical;
- Psychological (emotional);
- Sexual.

# Physical Abuse

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- Serious or unexplained injury;
- Sexual abuse;
- Inappropriate physical or chemical restraint;
- Medication abuse
  - Over or under medicating.



# Psychological (Emotional) Abuse

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- Threatening, controlling or socially isolating the older person or vulnerable adult;
- Disregarding the needs of the older person or vulnerable person;
- Harming, damaging or destroying any property of the older person or vulnerable person, including, without limitation, pets.



# Sexual Abuse

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- An act that the older person or vulnerable person is unable to understand or to which the older person or vulnerable person is unable to communicate his or her objection;
- Intentional touching either directly or through the clothing;
- Anytime sexual abuse is alleged, law enforcement must be contacted immediately;
  - Report to EPS should also be made.



# Neglect

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- Failure of a person or a manager of a facility who has assumed legal responsibility or a contractual obligation for caring for an older person or a vulnerable person or who has voluntarily assumed responsibility to provide food, shelter, clothing or services which are necessary to maintain the physical or mental health of the older person or vulnerable person.
- If a person who has voluntarily assumed responsibility to provide necessary supervision to the older person and then fails to provide adequate supervision, it is neglect;
- Neglect does not have to be intentional.

# Neglect

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- **Special Considerations:**

- Older persons can be highly susceptible to weather extremes for many reasons including chronic health conditions, medications and metabolic change;
- Older persons may be unable to express their needs in response to weather extremes.
- Older persons left outside in extreme heat or cold are at high risk of dehydration, hypothermia, and even death.



# Self Neglect

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- Self-neglect is the failure of an older person to provide for his or her own needs because of an inability to do so;
- Self-neglect is not a crime;
- An older person has the right to make his or her own choices unless a judge declares the individual incompetent.



# Self Determination

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- Self determination is the right of an older person to make their own decisions, good or bad;
- Substantial attention is given to the concept of self determination;
- Often times, the right to self determination rules when the older person has capacity but continues to make poor choices;
- Older persons without capacity who clearly cannot make decisions on their behalf, must receive intervention.

# Exploitation

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- Any act taken by a person who has the trust and confidence of an older person or a vulnerable person or any use of the power of attorney or guardianship to:
  - Obtain control or convert money, assets or property, through deception, intimidation, or undue influence with the intention of permanently depriving the person of their ownership, use, benefit or possession of their money assets or property.
  - Undue influence means the improper use of power or trust in a way that deprives a person of his or free will. This does not include the normal influence that one member of a family has over another.

# Isolation

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- Preventing an older person or vulnerable person from having contact with another person by:
  - Physically restraining and/or intentionally preventing the person from receiving visitors, mail, phone calls;
  - Knowingly providing a false statement contrary to the express wishes of the person with the intent to prevent visitors and callers;
  - Permitting any of the acts described;
  - This does not include an act intended to protect the property, physical, and or mental welfare of the person or an act pursuant to the instructions of a physician.

# Signs of Elder Abuse

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- Suspect elder abuse if you notice any of the following conditions:
  - Inadequately explained bruises, cuts, or burns;
  - Dehydration or malnutrition;
  - Overly medicated or extremely sedated;
  - Unusual confinement;
  - Closed off in a room;
  - Tied to furniture.
- Lack of cleanliness, grooming.



# Signs of Elder Abuse (continued)

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- Fear of speaking for oneself in the presence of the caretaker;
- Anxious to please;
- Anxiety, confusion, withdrawal, depression;
- Shame, fear, embarrassment;
- Sudden change in financial activity;
- Unusual cash withdrawals from the elder's account in a short period of time.

# Characteristics of Abusive Caretakers

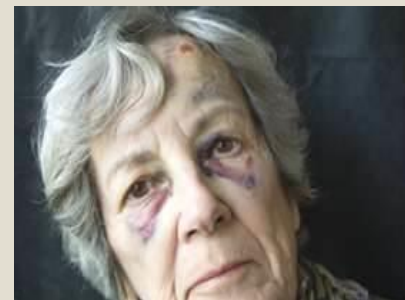
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- Suspect elder abuse if a caretaker displays any of the following behaviors:
  - Threatening remarks or behavior;
  - Conflicting stories
    - ✦ Such as how the elder was injured;
  - Insults, aggressive behavior;
  - Withholding of attention, security, and affection;
- Attitude of indifference or anger toward the elder in their care;
- Unusual fatigue, depression;
- Obvious absence of assistance or attendance.
- A history of abusive family behavior or other hostile behavior patterns can predispose a caretaker to acting out his or her anger, especially when under stress.

# The Victims

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- Persons over 80 years of age are 2 to 3 times more likely to be abused;
- Victims are likely to have dementia or cognitive impairment;
- Two thirds of the reports examined identify women as victims;
  - From: The Center on Elder Abuse, Center of Excellence on Elder Abuse and Neglect 2011



# The Victims (Continued)

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- A victim may deny the reported abuse and put up barriers to assistance because they are:
  - Ashamed that their children or caretaker has mistreated them;
  - Dependent on the abuser;
  - Fearful of being sent to a nursing home or being taken away;
  - Worried that if the abuser is taken away they will be alone;
  - Fearful of retaliation.



# Stopping Elder Abuse

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- It all starts by making a **report**, which is reviewed by Elder Protective Services (EPS);
- Case **investigations** are opened and assigned to an EPS Social Worker based on the allegation;
- EPS Social Workers provide **intervention** steps to assist clients;
- EPS Social Workers may refer cases to Law Enforcement based on their findings of the investigation;
- Law Enforcement may investigate and refer to the District Attorney for possible **prosecution**.

# Mandatory Reporters

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- A **mandatory reporter** is someone who is required by Nevada Law to notify a particular state or local agency when the person, in his/her professional or occupational capacity, knows or has reason to believe that a person 60 years or older is being abandoned, abused, exploited, isolated, or neglected.
- Reports should be made immediately or within 24 hours.

# Mandated Reporters

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- Failure to report is a misdemeanor punishable by law up to 6 months in jail and/or a fine of \$1,000.



# Who Are Mandated Reporters?

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- Physicians
- Dentists
- Dental Hygienists
- Chiropractors
- Optometrists
- Podiatrists
- Medical Examiners
- Residents
- Interns
- Professional or Practical Nurses
- Nursing Home employees
- Physician's Assistants
- Psychiatrists
- Psychologists
- Therapists – Marriage, Family, and Music
- Alcohol or Drug Abuse Counselors
- Ambulance Drivers
- Emergency Medical Technicians
- Any person employed by a facility that provides care for older persons



# Who Are Mandated Reporters? (Continued)

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- Government Employees of the Department of Human Services;
- Mortuary and Funeral Home Employees;
- Social Workers;
- Home Health Agency Employees;
- Coroners;
- Law Enforcement Employees;
- Probation Officers -Juvenile or Adult;
- Financial Institution Designee;
- Securities Brokers-Dealers and Investments Advisors

# Content of Reports

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- The report must contain the following information, when possible:
  - The name and address of the older person;
  - The name and address of the person responsible for his or her care, if there is one;
  - The name and address, if available, of the person who is alleged to have abandoned, abused, neglected, exploited or isolated the older person;

# Content of Reports (Continued)

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- The nature and extent of the abandonment, abuse, exploitation, isolation, or neglect of the older person;
  - Any evidence of previous injuries;
  - The basis of the reporter's belief that the older person has been abandoned, abused, exploited, exploited or isolated.
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- **Note: "Potential" abuse is not reportable:**
    - The reporter must state the reasons and/or facts that lead them to believe abuse has occurred.

# Report Elder Abuse!

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To report suspected elder abuse, neglect, exploitation or isolation, call:

**Las Vegas/Clark County**

**(702) 486-6930**

**Statewide/Other Areas**

**(888)729-0571**

**AFTER HOURS:** Contact any Police Department or Sheriff's Office

**If there is imminent danger involved, call 911**

For more information see:

**Elder Protective Services**

[http://adsd.nv.gov/Programs/Seniors/EPS/EPS\\_Prog/](http://adsd.nv.gov/Programs/Seniors/EPS/EPS_Prog/)

**Elder Abuse Prevention Training**

<http://nevadaadrc.com/component/k2/item/744-elder-abuse-prevention-training-e-learning-path>