NAAPSA

National Association of
Adult Protective
Services Administrators

SURVEY REPORT

Problems Facing State Adult Protective Services Programs and the Resources Needed to Resolve Them 2003

A Report Prepared for
The National Center on Elder Abuse
January 2003

REPORT ON

PROBLEMS FACING STATE ADULT PROTECTIVE SERVICES PROGRAMS AND THE RESOURCES NEEDED TO RESOLVE THEM 2003

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THE NATIONAL CENTER ON ELDER ABUSE

The National Center on Elder Abuse (NCEA) is administered by the National Association of State Units on Aging as the lead agency and funded by grant No. 90-AP-2144 from the U.S. Administration on Aging. NCEA consists of a consortium of six partner organizations.

NCEA exists to provide elder abuse information to professionals and the public; offer technical assistance and training to elder abuse agencies and related professionals; conduct short-term elder abuse research; and assist with elder abuse program and policy development. NCEA's website and clearinghouse contain many resources and publications to help achieve these goals.

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SUMMARY
Problems Facing State APS Programs and Resources Needed
January 2003

Methods
In October and November, 2001, a telephone survey was conducted of the state APS administrators by nine regional representatives of NAAPSA to determine the significant problems they were facing as APS administrators and the resources needed to address the problems. Forty-two states completed the survey.

Problems Facing State APS Programs
The two major problem areas identified were insufficient funding (57%) and inadequate staffing for APS programs (43%). Other areas of concern included: the lack of emergency placement resources (24%), lack of public awareness of APS issues(22%), insufficient community-based resources (19%), law enforcement problems (19%), APS is not a priority of state legislatures (17%), lack of reliable national and state data (15%), internal problems in the state administration (15%), poor communication with agencies serving same populations (14%), Inadequate coverage for persons ages 18-59 (10%), and, guardianship issues and problems (5%).

Findings

Resources Needed to Solve the Problems Identified
Respondent states identified that increased federal and state funding (64%) and improvement of staff training and development (38%) as the most important resources needed by APS administrators. Other resources needed were reported as: a national public awareness campaign (26%), improvement in relationships with other agencies serving same populations (26%), a uniform automated data system (19%), changes in role of federal government (17%), increase in state staff who specialize in APS (12%), improvement in role of legal system (10%), development of emergency shelters (7%), support for role of NAAPSA (5%), expansion of supportive services (5%), and, emphasis on APS for all adults over age 18 (2%).

Discussion and Policy Implications
APS referrals are increasing and becoming more complex, necessitating specialized services and case management. At the same time staff are being reduced, are poorly trained and carry large and difficult caseloads. Lack of federal and state financial support and public awareness of the problem contribute to this issue. Internal state administrative difficulties and lack of coordination between APS agencies and other state and local programs serving the same clients present major difficulties for state administrators. In addition, scarce community based resources for APS clients, particularly for emergency placement, contribute to the problem.

Policy recommendations include: earmarking federal funding for APS; establishment of a federal office to administer APS; increased state support of APS, public awareness campaigns, formalize relationships with related agencies, federal support for NAAPSA, and training for and better coordination with the criminal justice system.

NATIONAL ASSOCITION OF ADULT PROTECTIVE SERVICES ADMINISTRATORS

REPORT ON PROBLEMS FACING STATES' ADULT PROTECTIVE SERVICES AND THE RESOURCES NEEDED TO RESOLVE THEM

January 2003

INTRODUCTION

Due to the lack of federal laws, dedicated funding or oversight of Adult Protective Services (APS), little is known about how the states provide protective services to older people and people with disabilities who are victims of abuse, exploitation and neglect. In 2000, as part of its charge to conduct short term research activities, the National Center on Elder Abuse (NCEA) identified a need for baseline information on various aspects of state APS programs, including states' APS data collection systems, training programs, responses to cases of financial exploitation, administrative structures, as well as the problems facing state APS programs and the resources needed to resolve these problems. NCEA chose one of its partner organizations, the National Association of Adult Protective Services Administrators (NAAPSA), as the logical entity to carry out this Baseline Study of States' APS Programs.

NAAPSA is an organization made up of state and local APS administrators as well as individuals and organizations involved or interested in adult protective services. Founded in 1989, the mission of NAAPSA is to improve the quality and availability of services for older people and people with disabilities who are abused, exploited or neglected. As the identified representative of state protective services delivery systems, with representatives in every state, NAAPSA was the organization most suited to collect the information for this survey nationwide.

Information from this study will be shared with the Administration on Aging and NCEA partner organizations. It will also be used by NAAPSA to identify policy issues for legislative advocacy, and for the purpose of approaching charitable foundations for funding APS projects that would be of benefit to many states.

Recent studies indicate that at least half a million vulnerable older people and people with disabilities are subjected to abuse, neglect and financial exploitation annually. Many experts believe that this figure represents only the "tip of the iceberg," suggesting that many cases of abuse go unrecognized or unreported. [1] Over the next twenty-five years, the number of Americans over the age of 65 will virtually double. The growth of this population is likely to significantly increase

[1] *National Elder Abuse Incidence Study,* American Public Human Services Association, Washington, D.C. 1998.

the number of potential abuse victims. The principal public source of response to reports of adult abuse, neglect and exploitation is Adult Protective Services (APS). These programs are empowered by states and local communities to accept and investigate reports of abuse, neglect and financial exploitation of older and disabled adults.

Adult Protective Services workers are frequently called upon to make critical, life changing decisions in complex situations. Many cases involve life and death medical problems, and complicated legal issues involving questions of capacity, undue influence, guardianship, powers of attorney, and the rights of the victims to self determination vs. the duty of the state to protect its helpless citizens. Other situations may involve complicated financial matters, mental health concerns, problems of substance abuse, domestic violence and family dysfunction.

METHODOLOGY

On the NAAPSA Board of Directors are nine regional representatives who carry issues from the states in their respective regions to the national organization. In November 2001 regional representatives were asked to conduct telephone interviews with all of the states in their regions to obtain direct anecdotal information on the problems they are facing in the delivery of APS services and the resources they would need to improve these services. Participants were asked two questions:

- As a state APS administrator, what do you see as the most significant problems facing the field of Adult Protective Services at this time?

- As a state APS administrator, what assistance do you need to improve protective services to vulnerable adults?

The purpose of using open-ended verbal questions for this survey was to assure that participants gave full and thoughtful responses, which they might not have done if they had been asked to fill out a form. The regional representatives entered the states' responses on a written form, and sent them to the NAAPSA Executive Director. The 42 states responding to the survey have requested that their responses be confidential, and that individual states' responses not be identified in the final report.

FINDINGS

Problems Facing State Adult Protective Services Programs

The forty-two states responding to this survey identified twelve problem areas of concern. Problems are ranked according to the percentage of states that provided responses in the following categories:

1. (57%) Insufficient funding at state and national levels
2. (43%) Staffing issues/problems
3. (24%) Lack of emergency/alternative placement options
4. (22%) Lack of public awareness of APS issues and programs
5. (19%) Insufficient community based supportive resources
6. (19%) Law enforcement/legal issues
7. (17%) APS is not priority of state legislatures—competition with child welfare programs
8. (15%) Lack of reliable national and state data
9. (15%) Internal problems in the state administration of the APS programs
10. (14%) Poor communication/collaboration with multiple agencies serving the same population, particularly with the developmental disabilities and mental health service systems
11. (10%) Persons ages 18-59 are not adequately covered under those APS programs that are directed to people age 60 and older.
12. (5%) Guardianship issues/problems

Insufficient Funding

Over half of the reporting states (57%) indicated that insufficient funding for APS programs was a major problem. Significant issues were reported concerning the acknowledgement and support for APS programs at the state level, as well as overall state budget cutbacks. However, the lack of federal funding earmarked for APS was identified as a more serious obstacle to program operation. The limited amount of funds from the Older Americans Act to support APS programs was mentioned. For some states, the necessity of competing with child welfare services for reduced Social Services Block Grant funds as populations in need of APS services increase was also identified as problematic. While several states stated that they had received increases in state dollars for APS programs, most indicated that the concomitant increases in APS referrals reduced the effectiveness of the additional dollars.

Staffing Issues

Inadequate staffing for APS programs was most often mentioned in connection with funding issues. The inability to obtain and retain enough staff with expertise in APS to effectively operate existing programs was identified as a major problem by 43% of the respondents. Large caseloads and low wages resulted in high staff turnover in several states. States also mentioned that lack of funds prohibited them from providing the necessary training to develop staff expertise in APS. Two states related that staff carried caseloads of both APS clients and child abuse cases due to staff shortages in the departments.

Lack of Emergency Resources

A more specific and concrete problem identified by nearly one quarter (24%) of the respondents was the lack of emergency and alternative placement resources for a

wide range of populations, including people with physical disabilities, older victims of domestic violence and abuse and people with mental health problems and developmental disabilities.

Lack of Public Awareness

Almost one quarter (22%) of the states surveyed indicated their frustrations with the lack of public awareness of APS issues and problems, feeling that the general public does not understand the phenomena of adult abuse or have knowledge about the programs designed to address abuse, exploitation and neglect of vulnerable adults. Additionally, states reported that this lack of awareness is also a problem with state legislatures (17%). Several states commented that efforts made to educate legislators regarding APS issues were futile in that legislators continued to view APS as a competitor with child welfare services. APS was not as a priority for legislative funding. In one state, legislators questioned the right of a state agency to intervene in domestic situations. Insufficient community resources for APS clients, waiting lists for Medicaid waiver programs and the lack of sufficient in-home supportive services were also mentioned as problems by nearly one fifth (19%) of respondents.

Problems with the Legal System

Problems with law enforcement (19%) were viewed as barriers to service delivery for APS clients and were manifested in such areas as: lack of training for law enforcement staff, inadequate criminal investigations, low rates of prosecution, and unwillingness of the courts to deal with APS issues. One state mentioned that no single agency had authority to investigate allegations of adult abuse, neglect and exploitation and that coordination among agencies was problematic. Another state mentioned that neglect and exploitation cases may sit in the prosecutor's office for six to nine months with no action. A lack of coordination and collaboration between APS agencies and law enforcement was mentioned by several states.

Lack of Reliable Data

While respondent states appear to be in varying stages of development regarding their information systems, about 15% mentioned the lack of reliable state and federal data as a major problem for APS agencies. Responses related to this issue included: the lack of good outcome data to evaluate programs and establish benchmarks as well as the need to track clients within the APS program and in other delivery systems such as mental health, developmental disabilities and the legal system.

Internal Administrative Issues

Overall internal administrative issues for APS programs at the state level were identified by six of the states, including the need for revisions to state statutes; confusion and stress caused by the restructuring of state agencies; reduction of staff training due to budget cuts; reduction of the APS workforce; the lack of priority status

for APS within the state agency responsible for program operation and the lack of clear legislative mandates which delegate authority to specific state and local units.

Other Problems

Other problem areas identified by states included: poor communication and collaboration among the multiple agencies serving APS clients, particularly between APS programs and systems for people with mental illness and developmental disabilities (14%); legal definitions of abuse that focus APS services only on people age 60+ which results in the lack of adequate protective services for people ages 18 to 59 (10%); and guardianship issues (.05%). The two states that identified guardianship problems reported a lack of guardians, unequal distribution of guardians across the states and actual exploitation of APS clients perpetrated by guardians.

Resources Needed to Solve the Problems Identified

Respondent states indicated twelve resource areas which were needed to address the problems they identified. The percentage of states responding in each category are presented as follows.

1. (64%) Increased federal and state funding for APS
2. (38%) Improvement of training and best practice models
3. (26%) A national public awareness campaign
4. (26%) Improvement in relationships with other agencies serving APS clients, especially with systems for people with mental illness and developmental disabilities
5. (19%) A uniform automated data system
6. (17%) Changes in the role of the Federal government
7. (12%) Increase in trained staff who specialize in APS
8. (10%) Improvement in the role of the legal system regarding APS cases
9. (7%) Development of emergency shelters
10. (5%) Support for leadership role of NAAPSA
11. (5%) Expansion of supportive community based services
12. (2%) Emphasis on APS for at-risk adults over age 18, not just older people

Increased Funding

Predictably, the most frequent response to the question of resources needed by APS programs was more funding (64%). Several states surveyed felt that the federal government should increase its support for APS, as states are not assuming this responsibility. One state suggested that training be 100% federally funded based on the elderly population in states. While most respondents did not specify the source of increased dollars, one state reported that states should provide guaranteed funding for APS and another reported the need for the stabilization of Social Services Block Grant program. Funding is needed for salary increases for APS staff, rate increases for providers, training, increased investigations, outreach, and public awareness efforts.

Four states reported a need for resources to bring experts in to provide technical assistance for the growing number of complex and difficult APS cases.

Better Staff Training

The second highest percentage of responses (38%) focused on increasing the overall quality of APS service delivery through the improvement of staff training and develop-met, particularly for APS staff. This category also included certain resources that address quality through best practice models, standards and uniform policies and procedures. Most states responding in this category stressed the importance of high quality, specialized on-going training for APS staff that would include such areas as forensic interviewing and financial exploitation; assistance with the development of training materials; cross training with other delivery systems; video conferencing; specific APS training institutes and the development of training packets which could be adapted by states and local programs.

One state recommended the development of a basic core APS curriculum that would include investigative techniques, documentation, assessment, care planning and effective responses to client needs. An additional state mentioned that resources should be available to bring national experts into states for training, as most states have reduced or eliminated out-of-state travel. Another state reported interest in "any kind of training." In addition to training, two states expressed the hope that national standardized definitions be developed which could be used to design state statutes and that best practice models from other states should be available to be used in program planning.

An increase in trained staff with expertise in APS was proposed as a resource by 12% of the states. Two states suggested that staff should be dedicated to APS and not also serve as child abuse investigators. One state related that staff reductions had necessitated using inexperienced and untrained workers for APS cases, and spoke to the need for funding to hire dedicated APS staff.

Increased Public Awareness

Over one quarter (26%) of the states reported that increased public awareness of adult abuse, neglect and exploitation could provide needed incentives for public support of APS programs, particularly as populations in need increase. The primary focus of these responses was on the need for a national media campaign for both the general public and professionals to explain neglect, abuse and exploitation and what can be done about it, including the mechanisms for reporting incidences. The goal of such a campaign would be to facilitate acknowledgement of the problem by the wider public; this could provide incentives for state and local solutions. It was also suggested that such a campaign could raise community consciousness about adult abuse to the same level of outrage that people have about child abuse.

Improved Interagency Relationships

One fourth of the states surveyed identified the need for better relationships with agencies and programs that serve the same populations. Agencies that serve people with mental illness and developmental disabilities were most often mentioned in this regard. States reported an increase in referrals from these systems. One state suggested an emphasis on permanency planning and collaboration. It was suggested by three states that these relationships become more formalized through written protocols, procedures and memoranda of understanding between agencies for shared cases. Cross training and joint program evaluations were also suggested.

States which advocated for the improvement of relationships with the legal system (10%) and its role in APS cases suggested the following: developing special units to prosecute related crimes, expanding the jurisdiction of the Medicaid fraud unit, and developing ways to increase the commitment of prosecutors to prosecute crimes against vulnerable adults.

Uniform Data

The development of a national automated data system which would collect uniform data from the states was identified by 19% of the surveyed states. Such a system could provide more effective management of APS programs through standardized information regarding advocacy, program development and management, evaluation, client tracking and case management.

Federal Leadership

A stronger role for the federal government was proposed by 17% of the respondents. Suggested roles for the federal government included the establishment of a federal agency or program with administrative responsibility for APS, which was defined by one state as a “federal home” for APS. This agency would collect annual data and provide over all administrative support and oversight to state APS programs. One respondent urged better coordination among the many federal agencies involved in APS issues.

Other Resources

The development of alternative placement options, particularly emergency shelters, was proposed by 7% of the states as well as the expansion of other community based resources for clients (5%). In-home community based services were most likely to be needed by older people and physically disabled clients while emergency shelters were identified as a need for people with mental illness and developmentally disabilities. A small percentage (2%) of the states indicated the need to emphasize that APS programs should be serving all vulnerable adults, ages 18 to 60+, with less focus on serving only older people.

A small percentage of states addressed the role of NAAPSA in the improvement of the APS system, and suggested such activities for the organization as: taking a lead role in developing training materials for the states; assisting states by conducting a national media blitz, developing ways to recognize people doing exceptional work in the field; continuing to lobby and testify at the national level, and providing technical assistance to the states.

DISCUSSION

In this survey, states reported frustration with just being able to maintain their APS programs. Referrals are increasing and cases are more complex, necessitating interventions that require specialized services, case management and a wide range of community resources. Additionally, populations served are expanding to include people with mental illness and developmental disabilities. Program operations are limited due to staff who are often under paid, poorly trained and carry large caseloads. Internal administrative conflicts, budget reductions and poor planning at the state level contribute to low staff morale and impose real barriers to maintaining and developing quality programs.

From a more global perspective, the major problem facing the APS delivery system is the lack of federal, state and local support. As evidenced by the frequency of responses in this area, states are very concerned that there is no federal agency with administrative responsibility for APS programs, and that states vary significantly in their support of APS as well. Related to the lack of support for APS is the fact that widespread public awareness campaigns need to be conducted to build public support for the service delivery programs. While the key manifestation of this lack of support is insufficient funding to do the job, ambiguities as to who is in charge compound this problem. Additionally, the lack of uniform standards, data collection systems, state statutes and legal definitions of the APS population present an unstructured framework for developing effective APS programming.

In spite of the multiple, complex and interrelated problems facing APS programs, states responding to this survey indicated a strong commitment to quality programming. Improved training and the distribution of best practice models and standards were prioritized in their responses. In addition, good data systems at state and federal levels to support such activities as program evaluation, new program development, research and client tracking among the various delivery systems were identified as key resources needed. Specialized, highly trained staff to respond to the complexity of issues presented by new groups of clients was also identified as needed to expand the scope of APS programs.

IMPLICATIONS FOR POLICY

As a system of care for the growing population of older people and people with disabilities, APS needs to be adequately funded by the federal government so that states can maintain, expand and improve the quality of their protective service

programs. This funding needs to include dollars for services and for quality improvement in such areas as: the development of training modules, a uniform data system, standards and best practice modules and technical assistance for states. In addition to financial support for APS, the federal government needs to establish an administrative office for APS, which collects data, issues reports, provides oversight and coordinates national programs involved in APS issues.

In addressing the increased numbers of adults ages 18 through 60+ who require APS services, states need to respond with administrative structures which provide services to all populations, are accountable to funding sources, are flexible, and have stability and creditability within the state system. As with the federal government, states should support APS programs both through funding and by expanding public awareness of APS issues and services.

In order to facilitate services for APS clients, states should formalize methods of coordination and collaboration among the various agencies involved in APS through memoranda of understanding, joint planning, data collection, cross training, and joint policies and procedures. Agencies that should be involved include law enforcement, prosecutors, the judicial system, mental health, developmental disabilities, substance abuse programs, Medicaid, regulatory agencies, area agencies on aging and long term care ombudsmen programs. Federal and/or foundation funds should to be available to support of NAAPSA for the development of training materials and the provision of technical assistance to states.

The need for protective services for older people and people with disabilities who are victims of abuse, exploitation and neglect continues to grow. Federal and state agencies must address this problem now through strong legislative initiatives which include sufficient funding to meet the protective needs of our most vulnerable citizens.