

15 Questions & Answers About Elder Abuse

NATIONAL CENTER ON ELDER ABUSE
WASHINGTON, DC

The National Center on Elder Abuse (NCEA) serves as a national resource for elder rights advocates, adult protective services professionals, law enforcement and legal professionals, medical and mental health providers, public policy leaders, researchers, and concerned citizens. It is the mission of NCEA to promote understanding, knowledge sharing, and action on elder abuse, neglect, and exploitation.

National Center on Elder Abuse Partners

National Association of State Units on Aging, *Lead partner*
1201 15th Street, NW, Suite 350
Washington, DC 20005
202.898.2586

American Bar Association Commission on Law and Aging
740 15th Street, NW
Washington, DC 20005
202.662.8692

Clearinghouse on Abuse and Neglect of the Elderly
University of Delaware
Newark, DE 19716
302.831-3525

National Adult Protective Services Association
1900 13th Street, Suite 303
Boulder, CO 80302
720.565.0906

National Committee for the Prevention of Elder Abuse
1612 K Street, NW, Suite 400
Washington, DC 20006
202.682.4140

Acknowledgement *This NCEA publication is made possible through support from the U.S. Administration on Aging, Department of Health and Human Services. Grant No. 90-AM-2792. Opinions or points of view expressed in this publication are those of the authors and do not necessarily reflect the views of the U.S. Administration on Aging.*

Single copies of this publication can be obtained from the National Center on Elder Abuse National Association of State Units on Aging, 1201 15th Street, NW, Suite 350, Washington, DC 20005, 202.898.2586. You can also download this publication directly from NCEA's Web site at elderabusecenter.org.

National Association of State Units on Aging June 2005

15 Questions & Answers About Elder Abuse

This Q&A booklet answers some of the most commonly asked questions about elder abuse: What is it? What are the warning signs? Who is most at risk? Who are the abusers? Are there laws that protect seniors? What steps can people take to protect themselves?

Elder abuse is a crime that can touch anyone. We strongly urge you to continue to educate yourself about the problem of elder abuse, share what you learn with others, report concerns, get involved in community prevention efforts, and make a long-term commitment to reach out to those who are vulnerable.

To learn more, we invite you visit our Web site at www.elderabusecenter.org.

SARA ARAVANIS
Director, National Center on Elder Abuse

Contents

Foreword	3
1 What is elder abuse?	5
2 How can I tell if someone is being abusive?	5
3 What are the warning signs of elder abuse?	6
4 Who are the abusers?	7
5 Is everyone at risk?	8
6 What is elder self-neglect?	8
7 Are there laws against elder abuse?	8
8 How many are victims of elder abuse or neglect?	9
9 What should I do if I suspect elder abuse?	9
10 What should I expect when I call for help?	10
11 Who will investigate?	10
12 What is Adult Protective Services?	10
13 Is there anything people can do to reduce their risk of elder abuse?	11
14 What is being done to combat this problem?	12
15 What can I do to help?	12

1. What is elder abuse?

Elder abuse is any knowing, intended, or careless act that causes harm or serious risk of harm to an older person— physically, mentally, emotionally, or financially. The term is quite broad and encompasses many different types of mistreatment:

- **Physical abuse** Use of force to threaten or physically injure a vulnerable elder.
- **Emotional abuse** Verbal attacks, threats, rejection, isolation, or belittling acts that cause or could cause mental anguish, pain, or distress to an elder.
- **Sexual abuse** Sexual contact that is forced, tricked, threatened, or otherwise coerced upon another person, including anyone who is unable to grant consent.
- **Exploitation** Theft, fraud, misuse or neglect of authority, and use of "undue influence" as a lever to gain control over an older person's money or property.
- **Neglect** A caregiver's failure or refusal to provide for a vulnerable elder's safety, physical, or emotional needs.
- **Abandonment** Desertion of a frail or vulnerable elder by anyone with a duty of care.
- **Self-neglect** An inability to understand the consequences of one's own actions or inaction, which leads to, or may lead to, harm or endangerment.

2. How can I tell if someone is being abusive?

Unfortunately, abusers are not always easy to spot. Adding to the problem, victims may not be physically or mentally able to report their abuse, or they may be isolated and too afraid or ashamed to tell someone.

While there is no typical profile of an abuser, the following are some behavioral signs that may indicate problems:

- Abusing alcohol or other drugs
- Controlling elder's actions: whom they see and talk to, where they go
- Isolating elder from family and friends, which can increase dependence

on abuser

- Emotional/ financial dependency on elder, inability to be self-sufficient
- Threatening to leave or send elder to a nursing home
- Appearing to be indifferent to elder, seeming apathetic or hostile
- Minimizing an elder's injuries, blaming victim or others for the abuse, neglect, or exploitation
- Threatening to harm an elder's pet
- Calling elder names
- Previous criminal history
- Mental illness

3. What are the warning signs of elder abuse?

Elder abuse can take many forms. Here are some signs that there may be a problem:

- Slap marks, most pressure marks, and certain types of burns or blisters (e.g., cigarette burns) most likely should cause suspicion whatever the explanation. Explanations that don't seem to fit with the pattern of **physical injury** are also suspect.
- Withdrawal from normal activities, unexplained change in alertness, or other unusual behavior may signal **emotional abuse or neglect**.
- Bruises around the breasts or genital area and unexplained sexually transmitted diseases can occur from **sexual abuse**.
- Sudden change in finances and accounts, altered wills and trusts, unusual bank withdrawals, checks written as "loans" or "gifts," and loss of property may suggest elder **exploitation**.
- Untreated bedsores, need for medical or dental care, unclean clothing, poor hygiene, overgrown hair and nails, and unusual weight loss are signs of possible **neglect**.

If you have concerns about someone, trust your instincts. Don't be afraid to ask questions. Keep in mind that victims of elder abuse may be experiencing other problems and more than one type of abuse.

4. Who are the abusers?

Hard as it is to believe, the great majority of abusers are family members, most often an adult child or spouse.

Abuse can also occur at a long term care facility, such as a nursing home or assisted living residence. Employees and temporary staff who have direct contact with residents are the most frequent perpetrators.

Other offenders may include other family and old friends, newly developed "friends" who intentionally prey on older adults, and service providers in positions of trust.

There is no "one profile" of a perpetrator, the person who commits the abuse. However, they often share some of the following characteristics:

- Alcohol or drug dependence
- History of domestic violence or abuse
- Mental illness, dependency, family dysfunction
- Economic pressures, personal stress
- Longstanding personality traits (bad temper, hypercritical, tendency to blame others for problems)

In long term care settings, some other potential risk factors are:

- Negligent hiring practices (hiring violent criminals, thieves, and drug users to work as aides, maintenance workers, etc.; failing to do required background checks)
- Too few staff, high turnover, and inadequate training
- Reliance on staff who lack compassion or empathy for older people and those with disabilities

5. Is everyone at risk?

Elder abuse can happen to anyone. As with other types of interpersonal violence, elder victims are never responsible for their abuse, perpetrators are responsible.

Some families and individuals, however, may be more at risk than others. Factors that may increase an elder's vulnerability include:

- Social isolation/loneliness (lack of social support networks).
- Mental impairment (may increase dependence on abuser).
- Personal problems of abuser (emotionally or financially dependent on the victim; history of mental illness; hostility; alcohol or drug abuse).

6. What is elder self-neglect?

Self-neglect in later life refers to the inability or failure of an older adult to adequately care for his or her own needs, behavior which puts him or her at risk of serious harm or abuse by others.

A significant proportion of adult protective services cases investigated by authorities involve self-neglect—in some states more than half. Signs of self-neglect can include:

- Lacking food or basic utilities
- Refusing medications
- Hoarding animals and/or trash
- Unsafe living conditions, vermin-infested living quarters
- Poor grooming and appearance (soiled or ragged clothing, dirty nails and skin)
- Inability to manage finances (frequently borrowing money, giving away money and property, not paying bills)
- Isolation, lack of social support
- Disorientation, incoherence
- Alcohol or drug dependence

7. Are there laws against elder abuse?

While there is currently no federal law protecting elders from abuse, all states have adopted laws specifically dealing with elder abuse, neglect, and exploitation.

Laws vary from state to state. In some states, laws may protect older and vulnerable adults who are living alone or with family ("**domestic abuse**").

Other state laws also include individuals who live in nursing homes or other long term care facilities ("**institutional abuse**").

More and more states have begun to spell out clear criminal penalties for elder abuse. Several states have laws ordering victim restitution (a monetary payment by the offender to the victim for the harm done to the victim).

State laws covering murder, rape, battery, assault, theft, rape, fraud, and domestic violence may also apply to situations of elder abuse. A number of states take into account the victim's age when determining a sentence.

To learn about your state laws, check with your state office on aging, Attorney General's office, adult protective services agency, or local agency on aging.

8. How many are **victims** of elder abuse or neglect?

No one knows exactly how many victims there are. While evidence accumulated to date suggests that many thousands of older Americans have been harmed, there are no official national statistics.

Conservative estimates put the number of elders who have been injured, exploited, or otherwise mistreated at about 1 to 2 million. That may only be the "tip of the iceberg." Recent research suggests only 1 in 14 domestic elder abuse incidents comes to the attention of authorities.

We do know that we must do more. As America's population ages, many more elders may be at risk of harm.

9. What should I do if I **suspect** elder abuse?

You should call police or adult protective services right away if you suspect that an elder is being abused, neglected, or exploited. You do not need to prove abuse in order to make a report.

Most states have a toll-free hotline number that you can call to relay your concerns. To find your state's number, go to the National Center on Elder Abuse Web site at www.elderabusecenter.org and then click "**Where to Report Abuse.**"

If you are concerned about a nursing home or assisted living facility resident, the long term care ombudsman also can serve as a resource.

To find your local long term care ombudsman's office, call the U.S. Administration on Aging's **Eldercare Locator at 1 (800) 677-1116** or go to **www.eldercare.gov**. The toll-free line is open Monday through Friday, 9 a.m. to 8 p.m. Eastern Time.

10. What should I expect when I call for help?

You will be asked to give the person's name, address, contact information, and details about why you are concerned. You may also be asked for your name and telephone number, or some other way of contacting you in case the investigator has any follow-up questions. But most states will take an anonymous report if you do not wish to identify yourself. State laws protect the confidentiality of the person making a report.

11. Who will investigate?

Adult protective services (APS) workers usually are the first responders to reports of elder abuse and neglect. In nursing homes and assisted living facilities, state licensing agencies and community long term care ombudsmen may be involved. Depending upon the situation, law enforcement may also be called upon to investigate.

12. What is Adult Protective Services?

APS agencies take reports, investigate allegations, and provide assistance to victims of elder abuse, neglect, abandonment, and exploitation. Most also respond to reports of self-neglect, but some do not.

If abuse is confirmed, APS will work closely with other agencies in the community to ensure the victim's health and safety. If criminal prosecution needs to be explored, law enforcement will take the lead in collecting evidence necessary for prosecution. In extreme cases, when an older adult is not mentally capable of managing his or her affairs or personal care, a court may appoint a guardian or a conservator to make decisions.

APS supports victims' right make their own choices, and to live in the least restrictive environment. An elder who has been abused has the right to refuse interventions or withdraw consent at any time.

Examples of services that APS may offer include (but are not limited to): emergency shelter, emergency in-home protection, emergency food, emergency medicine and medical care, assistance with moving, clothing, transportation, counseling, court advocacy, money management assistance, trash removal, home repairs, and emergency protective orders.

13. Is there anything people can do to **reduce the risk** of elder abuse?

While it is **absolutely true victims of abuse** are never responsible for the harm done to them, there are a number of simple steps each of us can take to protect ourselves:

- Stay busy and engaged in life. Try not to become isolated. Cultivate a strong support network of family and friends.
- Take good care of yourself — for life. Older adults in declining health can become more vulnerable to abuse because of the increasing dependence.
- Be aware of the link to addiction problems. People who drink too much or who use other drugs are at high risk of being abusive. Reach out to support groups.
- Refuse to allow anyone, even a close relative, to add his or her name to your bank account without your clear consent. Never make financial decisions under pressure. Avoid signing over money or property to anyone without first getting legal advice.
- Assert your right to be treated with dignity and respect. Be clear about what you *will* and *will not* tolerate, and set boundaries. You have the right to make your own decisions.
- Trust your instincts. Listen to the voice inside you when it calls out something is not right. Ask for help if you need it.

14. What is being done to combat this problem?

At the national level, the **U.S. Administration on Aging (AoA)** plays a leading role in the fight against elder abuse. In addition to supporting the creation and operation of the National Center on Elder Abuse, AoA provides funds under the Older Americans Act to assist state and area agencies on aging carry out elder abuse prevention activities.

Similarly, the **U.S. Centers for Medicare & Medicaid Services (CMS)** has worked for many years to protect residents of nursing homes and other long term care facilities from abuse. Information on the quality of care provided to residents is now available on the Nursing Home Compare section of Medicare's Web site at www.medicare.gov.

On the legal front, the **U.S. Department of Justice**, through Victims of Crime Act and Violence Against Women Act grants, provides federal funding in support of state and local victim assistance and services for elder abuse victims.

At state, county, and local levels, many organizations and agencies around the country are working equally hard to combat elder abuse. Increasingly, state attorney general's offices and law enforcement are involved in uncovering and prosecuting elder abuse crimes. Moreover, many community coalitions and task forces have been formed to promote public awareness and support elder abuse prevention activities.

On the front lines, "multidisciplinary teams" of adult protective services professionals, medical and mental health providers, law enforcement, lawyers, and other community practitioners are being formed to review cases and coordinate investigation, intervention, and prosecution.

15. What can I do to help?

Every older person has the right to be safe. Here are some important ways you can make a difference:

- Know that elder abuse can happen. *To anyone.*
- Speak up if you have concerns. Trust your instincts!

-
- Report *any* suspicions of elder abuse to the nearest authorities.
 - Become a community “sentinel.” Keep a watchful eye out for family, friends, and neighbors who may be vulnerable. Ask local care providers if they have conducted criminal background checks on all staff and volunteers working for them.
 - Donate your time as a volunteer. People really do make the difference. Find out how you can get involved.
 - Spread the word. Share what you’ve learned.

Contact Us

For more information, contact:

National Center on Elder Abuse
National Association of State Units on Aging
1201 15th Street, NW, Suite 350
Washington, DC 20005
202.898.2586
ncea@nasua.org
www.elderabusecenter.org