ADULT PROTECTIVE SERVICES IN THE COMMONWEALTH
Adult Protective Services (APS) is a program of the Adult Protective Division at the Department for Aging and Rehabilitative (DARS).
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

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

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

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

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

Legal action (involuntary protective services) is a last resort.
What APS Cannot Do

Force protective services upon a competent adult who refuses services
What APS Cannot Do

Take an endangered adult into custody

Investigate when the alleged victim is no longer at risk
Rights of Adults

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

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

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?

Receives and evaluates the report

Investigates the report
What Does APS Do?

Determines if services are needed

Provides a wide array of services, if adult agrees to accept assistance
What Does APS Do?

Makes a disposition

Notifies the mandated reporter that the report has been investigated
Possible Dispositions

Needs protective services:
Adult accepts services or
adult refuses services
Possible Dispositions

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

Unfounded:

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

Invalid:

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

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?

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

- Self-Neglect: 55%
- Neglect: 20%
- Physical Abuse: 6%
- Mental Abuse: 6%
- Sexual Abuse: 1%
- Financial Exploitation: 10%
- Other Exploitation: 2%
SFY 2013 APS Reports

Location of the Incident

- 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?

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

§ 63.2-1606 requires certain persons to report suspected cases of abuse, neglect, or exploitation
Who are Mandated Reporters?

A partial list of mandated reporters includes:

- doctors
- dentists
- nurses
- guardians
- social workers
- law enforcement
- mental health professionals
Who are Mandated Reporters?

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?

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. . .

ANYONE can make an APS report!
How to Make an APS Report

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

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

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

Illness, frailty or dementia may mask abuse or neglect.

Social isolation increases risk and difficulty of identifying mistreatment.
Challenges

Stereotypes about aging and death.

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

“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

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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