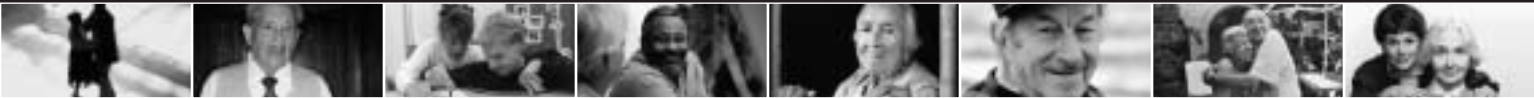




Adult Protective Services (APS)

Adult Protective Services



Responsibilities

- ◆ Investigate reports of abuse, neglect, and exploitation of elderly people and people with disabilities who reside in the community and if appropriate, provide or arrange for protective services, including referral to other programs, respite care, guardianship, transportation, counseling, and emergency assistance with food, shelter, and medical care.
- ◆ Investigate reports of abuse, neglect, and exploitation of disabled persons (children and adults) receiving services from MHMR facilities, local authorities, community centers, home and community-based services waiver (HCS-W) programs and their contractors.

Advances

APS continued its collaboration with Baylor College of Medicine and the Harris County Hospital District on the Texas Elder Abuse and Mistreatment Institute (TEAM). The program received a grant for \$149,000 from the U.S. Department of Justice to educate physicians about elder mistreatment diagnosis, intervention, and treatment.

APS intensified and consolidated public awareness initiatives. During the May recognition of Elder Abuse Prevention Month, PRS distributed public service announcements about elder abuse and neglect statewide, which were viewed by almost 3.5 million people. In summer 2002, APS completed a 14 minute video associated with the Not Forgotten statewide prevention campaign. APS and the Texas Department on Aging also began work on future public awareness campaigns and plans to increase local collaborations between the two agencies. APS worked with other agencies to promote and plan response to “And Thou Shalt Honor,” a PBS documentary on providing care for the elderly, which was broadcast in October 2002.

Response to Legislation

Throughout the year, staff worked with the Texas Health and Human Services Commission (HHSC), the Texas Department of Human Services (DHS), the Texas Department of Health, the Texas Department of Mental Health and Mental Retardation (TDMHMR), Child

Protective Services (CPS), and Advocacy, Inc. to implement legislation related to children aging out of CPS and into APS guardianship. As a result of Senate Bill 368, 77th Texas Legislature, agencies must place children with developmental disabilities younger than age 22 on waiting lists for community-based services (Medicaid waiver programs), obtain approval before placing these children in institutions, provide permanency planning and update the plans every six months, and provide reports to the governor and legislative oversight committees.

Senate Bill 367, 77th Texas Legislature, led to the creation of the HHSC Task Force on Care Settings for Persons with Disabilities. APS, DHS, and TDMHMR staff reviewed policies, heard public testimony, and plan to submit a report to the 78th Texas Legislature. APS revised policy and implemented a review process to ensure wards are placed in the least restrictive setting that can meet the wards’ needs or are on the waiting list for community-based Medicaid waiver programs.

PRS adopted rules related to the implementation of the Employee Misconduct Registry. These rules were developed in response to Senate Bill 1245, 77th Texas Legislature, which requires PRS to enter findings on certain investigations into the Employee Misconduct Registry maintained by DHS. This allows agencies and other long-term care providers to discover whether potential employees who apply to work in the home health field have records of abuse, neglect, or exploitation against clients.

Ongoing Initiatives

During the year, APS staff met with fraud investigators at Frost Bank in the PRS San Antonio region to discuss a pilot project to train financial institution staff how to recognize and report financial exploitation. The project, called B-SAFE (Banks and Seniors Against Financial Exploitation), has also received interest from community groups in the PRS Dallas, Edinburg, and Houston regions. It is based on a similar program in Oregon.

What APS Does

APS clients are adults who live in their own homes, in facilities regulated or operated by the Texas Department of Mental Health and Mental Retardation (TDMHMR), or in



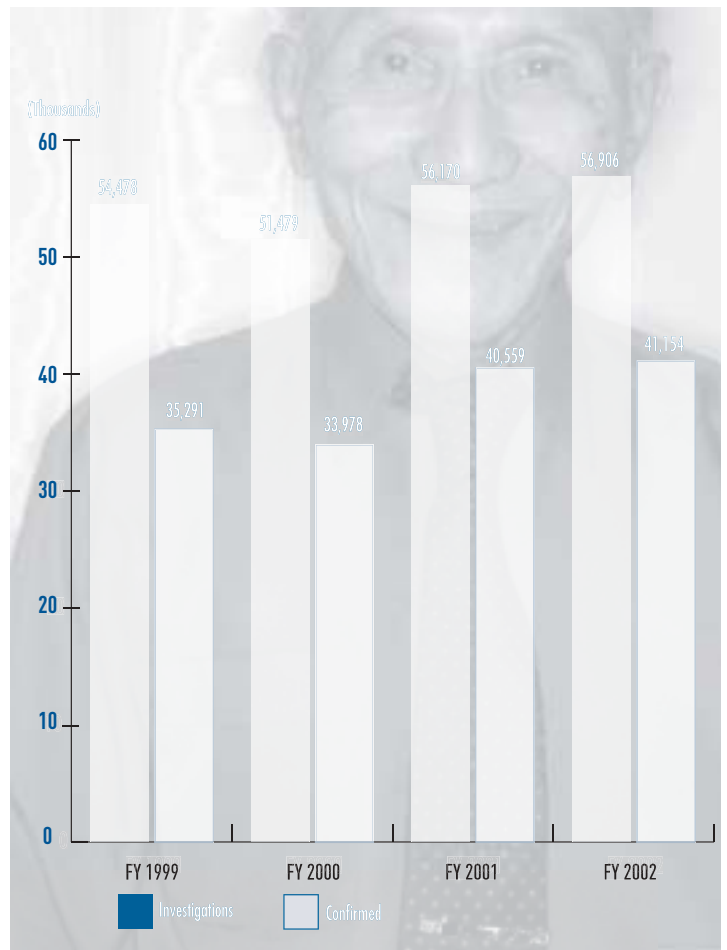
Worker Loves Job, Takes Work Personally Despite Challenges

Raul Rodriguez (right), an APS worker in McAllen, is someone who loves his job despite the challenges. “I’ve always enjoyed talking to older people. I like listening to their stories because it reminds me of my grandpa, who passed away recently. And when they are neglected, I take it personally.”

When Raul was assigned to assist Manuel Cruz (left), a 78-year-old man in Elsa, he knew he could make a difference. “Mr. Cruz had an infection in his foot and it was in danger of becoming gangrenous. The condition prevented him from driving to the store, and in addition, he had a broken refrigerator, so he wasn’t buying any food. He’s not the sort of person who wanted people butting into his life, but by the time I came in he knew he needed some help.” To stabilize the situation, Raul made sure Mr. Cruz saw his doctor, located a used refrigerator with a warranty, and found a home health aide agency to provide cooking, cleaning, and medical services.

“Raul is a nice man,” says Mr. Cruz. “He told me he would do the most he could do and he came through.”

Completed In-Home Investigations



unregulated facilities. Three program areas serve APS clients: in-home investigations and services, MHMR investigations, and guardianship services.

Protecting people who are elderly or have disabilities continues to be a growing issue in Texas. Based on the 2000 Census of non-institutionalized people, these Texans make up about a quarter of the state’s population. In 2002 more than 2.1 million Texans were age 65 and older, according to population projections. Nearly one out of five adults have a disability, and almost one-half of people over 65 have a disability. Many live alone or are dependent on others for care.

In-Home

The largest and oldest APS program area is in-home investigations and services. In-home investigations protect people 65 and older who reside in their own homes or in room-and-board homes not subject to

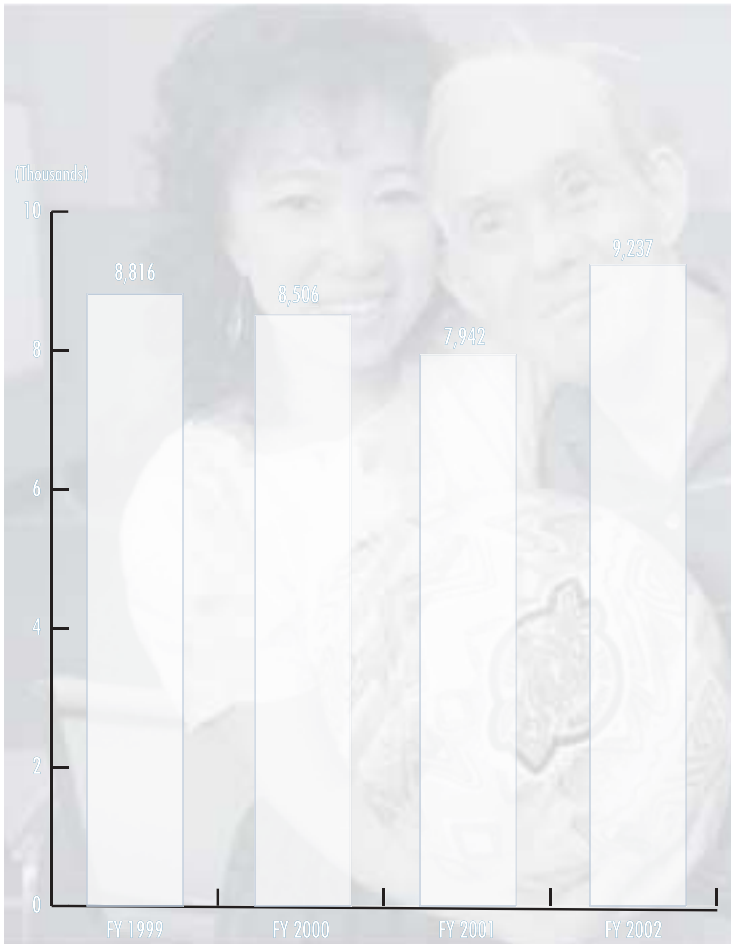
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licensure. In-home also protects adults with disabilities and adults living in nursing homes who may be financially exploited by someone outside the facility. State law requires anyone who believes that an elderly person or adult with a disability is being abused, neglected or exploited to report it to the PRS hotline at 1-800-252-5400.

An investigation begins within 24 hours of receiving a report. Perpetrators of adult abuse are almost always someone the victim knows. In FY 2002, APS completed 56,906 investigations. APS confirmed 7,149 cases of family violence perpetrated by a family or household member. Nearly 90 percent of perpetrators are related to the victim. When maltreatment is confirmed, this program provides and arranges for services to alleviate abuse, neglect and exploitation.

Clients who have the cognitive ability to consent have the right to refuse services, which may include short-term assistance, shelter, food, medication, transportation, and minor home repair.

Completed MHRM Investigations



Worker Coordinates Community Efforts to Help Client

Adela Ruiz, age 92, has lived in the same cozy and humble house for almost 60 years. It's where she raised her 12 children. To some it may seem unimaginable, but until 2002, her home did not have a bathroom or hot running water. Robert Selvera, (left) an Adult Protective Services specialist in Brady, saw a need and helped remedy the situation. "Her family was anxious for the repairs because they feared that when the weather got rainy or cold, she would slip and fall," says Selvera.

In order to fix this house and five others, Selvera helped orchestrate a joint effort between APS, clients' families, the Area Agency on Aging, the Brady Methodist Church, and the San Angelo chapter of Christmas in April (a national organization that helps fix dilapidated homes). He also worked in partnership with San Angelo and many local community churches, obtained discounted and donated building materials from area businesses such as Higginbotham's Brothers and Community Warehouse, and acquired donated food from Dairy Queen, El Flamingo Restaurant, McDonalds, and Sonic to name a few. A lot of the work was done by more than 150 high school and college-aged volunteers from Memorial Drive United Methodist Church of Houston who came to Brady for a week in June to donate their time and services to help with various construction projects.

"Robert has done so much and I appreciate everyone who helped me," says Mrs. Ruiz. "I'm so happy I don't know what to do. I'm so grateful."



Resource Rooms Help Workers, Communities Better Serve Clients

They say a good idea is worth repeating. During the 1990s, Child Protective Services workers began to benefit from Rainbow Rooms, store-like settings where they can get emergency resources like new clothing, diapers, and formula for children who have been victims of abuse or neglect.

It wasn't long before Adult Protective Services workers adopted the concept. Before 2002, there were more than a dozen such resource rooms across the state and during 2002, an additional eight were created. Depending on the region, the rooms go by different names such as Bridge Rooms, Silver Star Rooms, and Silver Ribbon Rooms. Some receive support from formalized boards or non-profit corporations that can solicit donations.

The Bridge Room in Abilene is supported by APS Partners, Inc. The non-profit organization, which serves Taylor County, not only supports the resource room, but helps raise funds for projects such as building wheelchair ramps for clients' homes. The Bridge Room also gets support from volunteers at Abilene Christian University who clean up gently used items such as wheelchairs, walkers, and bathtub benches for re-use. Volunteers also help APS workers clean and paint clients' homes, move furniture, and haul off refuse.

Paul Naredo (left), an APS worker in Abilene, says the Bridge Room helps workers do more with less money. "As state workers, we cannot ask for donations, so having a resource like the Bridge Room is critical. I have used the Bridge Room to supply clients with supplies such as Ensure and adult diapers, which are not cheap."

Lorin Watson (right), another APS worker in Abilene, says the Bridge Room saves time and money. "A lot of our clients live on only \$500 to \$550 a month and \$10 to \$15 in food stamps. By giving them supplies like detergent, bath soap, and toilet paper, it frees up their money for things like food and medicine. We also have 24-hour access to items like wheelchairs, walkers, grab bars, bathtub benches, and canes."

Guardianship

Guardianship is a legal method to protect individuals' well-being when they cannot protect themselves. A guardian is court-appointed to make decisions on behalf of an incapacitated person, known as a ward. A guardian's duty may include protecting the ward's estate.

When no family member, interested party or other alternative is available, APS may seek guardianship of incapacitated CPS children with severe disabilities reaching adulthood, or incapacitated adults who are confirmed by APS as abuse, neglect or exploitation victims.

APS guardianship, which may be provided directly or through contracts with local entities, is a part of a statewide system. APS works closely with the Texas Guardianship Alliance to develop more resources for guardianships in the state. When guardianships are needed, APS works with family members, interested parties, local guardianship programs and contractors to arrange services. At the end of 2002, APS directly provided 513 guardianships and contracted for an additional 178.

MHMR Investigations

APS is responsible for investigating abuse, neglect, and exploitation of clients in MHMR facilities and related programs, including:

- ◆ State schools
- ◆ State hospitals
- ◆ State centers
- ◆ Community mental health/mental retardation centers
- ◆ Facility and community center contractors, including home and community-based waiver programs

During 2002, APS completed 9,237 investigations in MHMR settings.

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When All Else Fails, APS Serves as Safety Net

Even though he has been a quadriplegic since birth, John Carter of Dallas (right) had managed to be self-sufficient and stay off government programs. “I never wanted to rely on Social Security,” he says. “I didn’t want to be one of those people who sat home and collected. I always wanted to feel useful and earn a living like everyone else.”

Unfortunately, his situation changed dramatically in 2002. “Because my immune system has trouble, a cold that would last two to three weeks for a normal person might stick with me as long as three months. In the past, my employers have been understanding, but earlier this year, the internet company I had been working for finally had to let me go. A couple of months later, my electric wheelchair broke.”

For the first time in his life, Carter had to apply for Social Security, but since he was not “officially” recognized as disabled until this year, he won’t be eligible for Medicare until February 2004 at which time he can receive a new wheelchair. Because he is now receiving \$878 a month through Social Security, that also makes him ineligible for Medicaid. Carter called and wrote elected officials and several agencies, but did not receive any help. Finally, he was referred to Adult Protective Services and caseworker Shannon Carpenter (left) was assigned his case.

“In a city like Dallas, there are resources to help clients get a new roof, which could cost as much as \$20,000 retail,” says Carpenter. “But there are no resources to get an electric wheelchair, which is about half as much. The best we could do was to get his old wheelchair repaired.” Carpenter searched far and wide. One company kept the broken wheelchair for two months before it said it couldn’t fix it. Then finally, Carpenter found a repairman who scoured junkyards and was able to get the wheelchair fixed for \$2,000. “Now we’re hoping the wheelchair will work until John becomes Medicare eligible.”

Carter says APS was the safety net when no one else came through. “I’m so grateful for Shannon and Adult Protective Services.”