



Adult Protective Services

March 2016

*Prepared for the House Committee on
Investments & Financial Services*



APS Mission

The mission of Adult Protective Services is to protect older adults and people with disabilities from abuse, neglect, and exploitation.



APS Core Values

We champion the *safety* and *dignity* of vulnerable adults

We conduct ourselves with *integrity*

We demonstrate *respect* for all persons

We *collaborate* to improve outcomes



APS Timeline

- 1975 – Title XX required all states to serve elders in need of protection
- 1981 – Chapter 48 authorized state to provide Adult Protective Services
- 1985 – APS program was created; first line item appropriation was for 1986-87
- 1992 – MHMR Facility Investigations transferred to then DPRS
- 2005 – Senate Bill 6 Guardianship program moved to DADS, as well as other changes to strengthen the program



APS Timeline (continued)

- 2007 – Staff added as a result of reform and increased intakes
- 2009 – DOJ Settlement Agreement; private ICF-IID investigations transferred to APS
- 2011 – Authority given to establish definitions of ANE in rule in lieu of the current statutory definitions for the In-Home program
- 2014 – Implemented structure decision making (SDM) in the In-Home program
- 2015 – Scope and Jurisdiction of Provider Investigations program was increased due to SB 1880



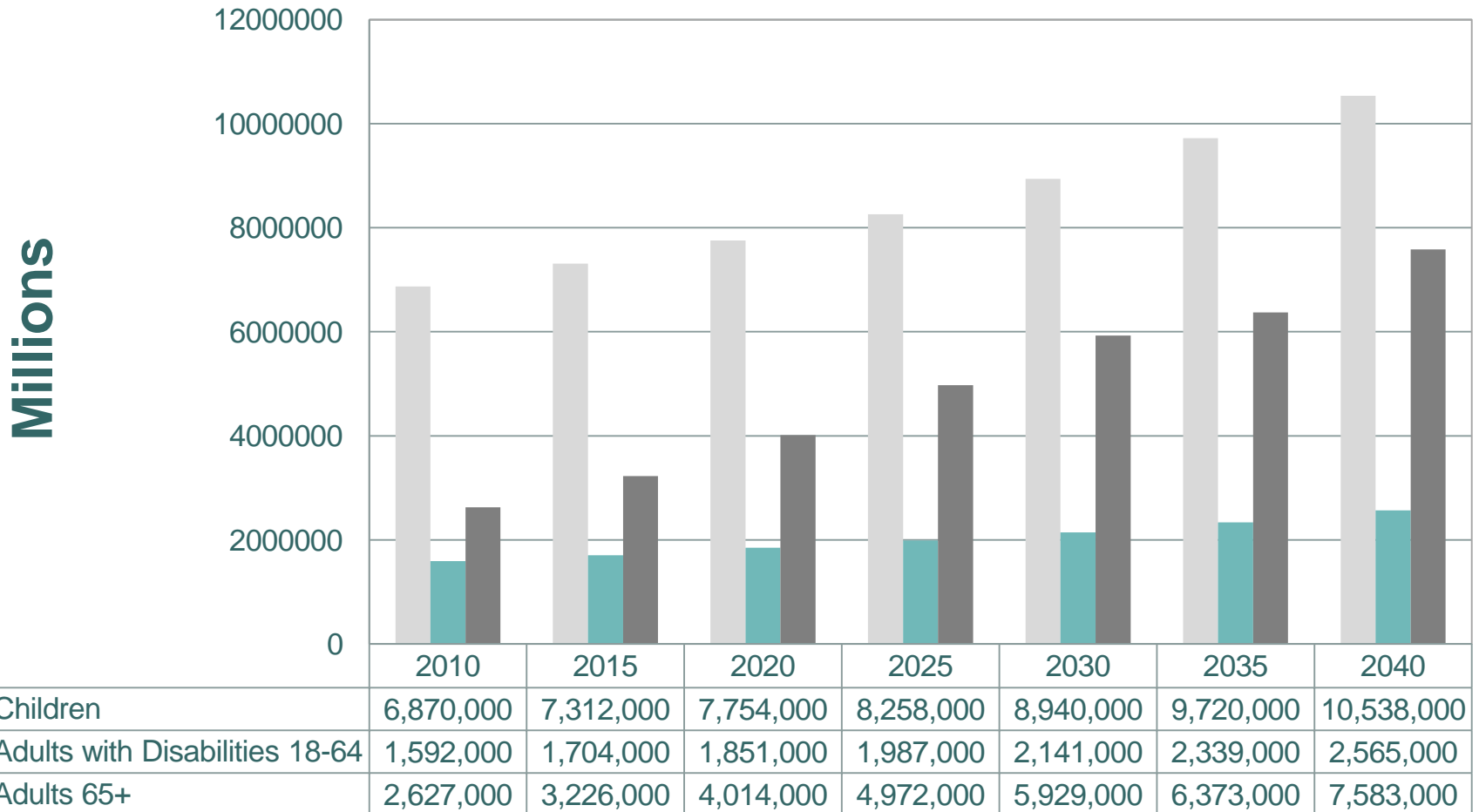
APS Programs

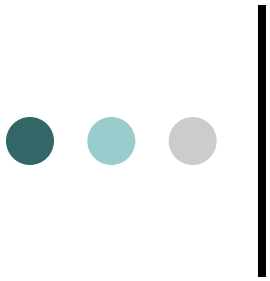
APS conducts investigations of abuse, neglect and exploitation (ANE) of persons age 65+ and persons with disabilities:

- **In-Home** investigates ANE allegations of vulnerable adults in the community. APS also provides services to alleviate ANE.
- **Provider Investigations** investigates allegations of abuse, neglect and exploitation by certain providers.

Population Growth 2010-2040

Projected State Population for Children,
Adults with Disabilities 18-64, and Adults 65+





Adult Protective Services

FINANCIAL EXPLOITATION



Impact of Financial Exploitation on Adults 65 and Older

- Loss of Resources
- Inability to Pay Expenses
- Increase of Mental Health Issues
- Loss of Independence



Financial Exploitation by the Numbers

APS In-Home Program Statewide Totals

Fiscal Year	Investigations with Validated Financial Exploitation of Adults Aged 65 and Older
2011	843
2012	633
2013	855
2014	890
2015	759



Definition of Exploitation

Exploitation is "the illegal or improper act or process of a caretaker, family member, or other individual who has an ongoing relationship with the elderly or disabled person using the resources of an elderly or disabled person for monetary or personal benefit, profit, or gain without the informed consent of the elderly or disabled person."



Who We Investigate

- APS Investigates:
 - Caretakers
 - Paid caretakers whether private pay through insurance, or Medicare (In-Home), Medicaid (Provider Investigations)
 - Family members
 - Individuals who have an ongoing relationship with alleged victim
- APS does not investigate financial scams and fraud by strangers.



Employee Misconduct Registry

- The Employee Misconduct Registry (EMR) is a public database maintained by DADS pursuant to Health and Safety Code, Chapter 253, for unlicensed personnel who commit acts of abuse, neglect, or exploitation.
- A person whose name is listed on the EMR is permanently denied employment in certain facilities.



Possible Solutions

- Reporting
- Immunity
- Sharing of Information
- Expanding Scope