

Georgia Elder Abuse Prevention Program Guidelines and Standards – May 30, 2002 (updated 6/26/02)

I. Purpose Statement:

The Georgia Division of Aging Services shall, in collaboration with Area Agencies on Aging, develop and enhance programs for the identification, prevention and/or treatment of elder abuse, neglect and exploitation.

The broad purposes of elder abuse prevention services are:

- To provide public community education and outreach to identify, prevent and treat elder abuse, neglect and exploitation.
- To receive and refer complaints regarding abuse, neglect and exploitation to the appropriate agencies.
- To provide community education regarding interventions available.
- To provide appropriate programs for the treatment of abuse, neglect and exploitation.

Programs are to:

- Serve older individuals subject to abuse, neglect and exploitation including those in state licensed facilities, unlicensed facilities, and domestic and community settings. Service is also provided to caregivers of these older individuals (see OAA Title VII).
- Be accessible in all areas of the planning and service area.
- Foster cost effective high quality services, having maximum impact on the issue of elder abuse.
- Be integrated into the total service delivery system of the aging network.
- Formally address those issues in the Older Americans Act that relate to abuse, neglect and exploitation.

II. Elder Abuse Program Target Populations:

- Older adults
- Caregivers
- Agencies serving older abused persons
- General public

III. Mandated Reporters:

The following professionals are always **required** by Georgia law to report the reasonable belief that an elder person has been abused, neglected or exploited:

- Physicians, osteopaths, interns, residents, other hospital or medical personnel
- Dentists
- Psychologists
- Chiropractors
- Podiatrists
- Pharmacists
- Physical and/or occupational therapists
- Licensed professional counselors
- Nursing personnel
- Social work personnel
- Day-care personnel
- Employees of a public or private agency engaged in professional health related services to elder persons or disabled adults
- Coroners and medical examiners
- Law enforcement personnel
- Any employee of a financial institution, having reasonable cause to believe that a disabled adult or elder person has been exploited.

The Division of Aging Services considers all Area Agencies on Aging and their subcontractors, with the exception of Elderly Legal Assistance Program providers and Long-term Care Ombudsmen, to be mandatory reporters of abuse.

IV. Confidentiality Policy:

A. Premise

All records pertaining to the abuse, neglect, or exploitation of disabled adults or elder persons shall be confidential. Confidentiality of records must be preserved in order to protect the rights of the persons served under the OAA Title VII Elder Abuse Program.

- 1) Allowable Access and Rules for Disclosure
 - a) Information gathered in the process of receiving a report of abuse, neglect or exploitation and/or making a referral may be disclosed
 - i) if all parties to the complaint or the report consent in writing to the release of the information
 - ii) if the release of the information is made pursuant to a valid subpoena
 - iii) if the release of the information is made pursuant to an order of a court of competent jurisdiction
 - iv) if the information is released to a law enforcement agency
 - v) if the information is released to Adult Protective Services

- vi) if the information is released to the Office of Regulatory Services or other licensing or certification agency such as the Community Care Services Program
 - vii) if the information is released to the State Long Term Care Ombudsman Program, including the certified local representatives of the State Ombudsman
 - viii) if the information is released to the Georgia Advocacy Office or the designated State Protection & Advocacy System
- b) All reasonable efforts must be made to resolve any conflicts with other public agencies with respect to the confidentiality of abuse information, including entering into Memoranda of Understanding to narrowly limit disclosure of information consistent with this policy.

V. Definitions:

A. Abuse –

Georgia: The willful infliction of physical pain, physical injury, mental anguish, unreasonable confinement, or the willful deprivation of essential services to a disabled or elder person [OCGA §30-5-3(1)]. This includes physical, psychological and sexual abuse as well as non-financial exploitation.

Federal: The willful (A) infliction of injury, unreasonable confinement, intimidation, or cruel punishment with resulting physical harm, pain, or mental anguish; or (B) deprivation by a person, including a caregiver, of goods or services that are necessary to avoid physical harm, mental anguish, or mental illness [OOA§102 (13)].

B. Area Agency on Aging –

An entity or agency designated by the DHR Division of Aging Services to arrange for the provision of a comprehensive array of coordinated services to elderly adults and their caregivers in its planning and service area

C. Area Plan -

A plan developed by an Area Agency on Aging for its planning and service area for purposes set forth in the Older Americans Act.

D. Community/Public Education -

Contacts with several current or potential clients/caregivers, targeted populations and/or the general public, to inform them of service availability or provide general program information.

E. Exploitation –

Georgia: The illegal or improper use of a disabled adult or elder person or that person's resources for another's profit or advantage (OCGA§30-5-3(9)). This includes financial exploitation and consumer fraud.

Federal: The term “exploitation” means the illegal or improper act or process of an individual, including caregiver, using the resources of an older individual for monetary or personal benefit, profit, or gain [OOA§102(26)].

F. Information and Assistance –

Current information provided to adults and their caregivers regarding available services and programs to address abuse, neglect and/or exploitation. Includes screening of individuals to determine the extent of the problem and making appropriate referrals to law enforcement, adult protective services or other appropriate entities. Also includes provision of followup contacts, as needed, to individuals who are referred to other agencies and with other agencies, as appropriate.

G. Interagency coordination –

Activities which involve meeting and/or coordinating with other agencies to learn about and/or improve conditions for individuals and/or their caregivers affected by elder abuse, neglect and/or exploitation. May include care coordination as appropriate.

H. Neglect –

State: The absence or omission of essential services to the degree that it harms or threatens with harm the physical or emotional health of a disabled adult or elder person (OCGA§30-5-3(10)). This includes neglect by others and self-neglect.

Federal: The term “neglect” means – (A) the failure to provide for oneself the goods or services that are necessary to avoid physical harm, mental anguish, or mental illness or (B) the failure of a caregiver to provide the goods or services.

I. Planning and Service Area –

An area designated by a State agency for which the state designated Area Agency on Aging administers Older Americans Act and other aging funds.

J. Program Awareness --

Activities by an agency/organization for the purpose of identifying potential clients and encouraging their use of existing services and benefits. These interventions include, but are not limited to:

- One on one education on elder abuse/consumer fraud victim services & programs.
- Dissemination of information and interaction with individuals at informational fairs, forums and other venues to identify victims and/or provide information on elder abuse and consumer fraud prevention/intervention services.
- Outreach directed towards the law enforcement/judicial and/or medical communities for the purpose of reaching individual victims of elder abuse/consumer fraud.

K. Program Components –

Services of the Elder Abuse and Consumer Fraud Prevention Program performed with the goal of protecting vulnerable older adults from victimization due to abuse, neglect, exploitation and consumer fraud.

L. Provider Agency –

The Area Agency on Aging or the entity selected by and by contracting with the Area Agency on Aging to provide elder abuse and consumer fraud prevention services in a particular planning and service area

M. Treatment –

Arranging for or providing counseling, health services (e.g., mental & physical) for victims of elder abuse, neglect and/or exploitation; arranging for or coordinating support groups for victims; acting as a “liaison” between clients and providers (e.g., aging, APS, MH/MR/SA, etc.) in developing a plan of care for clients.

VI. Roles and Responsibilities for Administering the Program:

A. Division of Aging Services Roles and Responsibilities:

The Division of Aging Services shall administer the Elder Abuse Prevention Program as outlined in Title VII of the Older Americans Act. The Division of Aging Services shall:

- 1) Provide leadership, planning and direction to statewide elder abuse activities provided through the aging network;
- 2) Provide staff to manage, develop and evaluate the Elder Abuse Prevention Program;
- 3) Set standards, policies and procedures for the administration of the program;
- 4) Provide funding for statewide elder abuse prevention activities;
- 5) Develop a request for proposal format for Area Agencies on Aging to use in securing local providers of elder abuse prevention services;
- 6) Administer contracts between DAS and Area Agencies on Aging for elder abuse prevention services;
- 7) Provide technical assistance to and monitor the performance of Area Agencies on Aging receiving funds to provide elder abuse prevention activities;
- 8) Maintain a statewide reporting system to collect and analyze data related to elder abuse prevention activities;
- 9) Analyze: Unmet needs of victims; the extent of enforcement of laws; and interventions available to address the problems of abuse, neglect, exploitation and consumer fraud;
- 10) Provide public information and education on the identification, prevention and treatment of elder abuse, neglect, exploitation and consumer fraud;
- 11) Provide technical assistance, information and referral to programs providing services to victims;
- 12) Coordinate services with adult protective services, long term care ombudsman, domestic violence programs, regulatory services, consumer protection agencies, victim services, law enforcement and the judicial system;
- 13) Serve as a clearinghouse for elder abuse, neglect, exploitation and consumer fraud information to the general public;
- 14) Assist Area Agencies on Aging to identify target populations;
- 15) Develop generic job descriptions for Elder Abuse Prevention Volunteer roles;
- 16) Provide a staff and volunteer training curriculum and guidelines for use by Area Agencies on Aging and/or Elder Abuse Prevention Program volunteers; and,

17) Share information between parties who serve victims of abuse, neglect, exploitation and consumer fraud.

In addition, the Division will provide direct services to victims of elder abuse/consumer fraud through the Senior Adult Victims' Advocate (SAVA) Program. These services include:

- Telephone assurance
- Assistance with court appearances
- Assistance with navigating social services and court systems
- Support groups
- Filing victim's compensation claims

SAVA shall coordinate efforts with Title VII Elder Abuse Prevention Projects to ensure that older victims of abuse, neglect, exploitation and/or consumer fraud have access to the criminal justice system to address their issues.

B. Area Agency on Aging Roles and Responsibilities:

The Area Agency on Aging serves as the "gateway" for services for older adults in Georgia. The Area Agency on Aging has established a comprehensive information and screening process to help older adults and their caregivers connect to appropriate services and programs in the aging network. Through the "gateway" process, older adults and their caregivers shall be screened to determine the need for elder abuse prevention and/or intervention services and provide information and/or referrals to the appropriate provider. In addition, Area Agencies shall provide, directly or through a provider, Elder Abuse Prevention Program services in the planning and service area. The Area Agency on Aging shall:

- 1) Administer the contract for the program in its planning and service area;
- 2) Provide fiscal and programmatic monitoring of the provider;
- 3) Assist providers in developing resources for the local program;
- 4) Provide opportunities for the provider to collaborate with other agencies and organizations who address the needs of victims of elder abuse and consumer fraud;
- 5) Assure that data and required program reports are provided to the Division of Aging Services in the appropriate format and in a timely manner;
- 6) Work with the Division of Aging Services to analyze: Unmet needs of victims; extent of enforcement of laws; and interventions available to address the problems of abuse, neglect, exploitation and consumer fraud in the planning and service area;
- 7) Work with the Division of Aging Services to identify target populations;
- 8) Coordinate with all parties involved in elder abuse prevention and treatment in the planning and service area, including staff and volunteers of the SAVA program;
- 9) Disseminate information on elder abuse, neglect, exploitation and consumer fraud specific to the planning and service area;
- 10) Promote the understanding of roles and responsibilities of protection agencies and victim services in the planning and service area;

- 11) Advocate for the rights of victims of abuse, neglect, exploitation and consumer fraud to access and receive services and participate in programs that will address their victimization;
- 12) Promote multi-disciplinary teams and cooperative training among elder abuse and domestic violence service providers in the planning and service area;
- 13) Where the Area Agency on Aging is the provider agency, fulfill the responsibilities outlined for the provider agency.

C. Provider Roles and Responsibilities

Providers have a responsibility to ensure that the identity of the Georgia Elder Abuse Prevention Program and its funding source under Title VII of the Older Americans Act is known. Information about the program shall be placed on all materials developed by the elder abuse program provider and on all letters or correspondence to clients and others if sent on behalf of services provided under the Georgia Elder Abuse Prevention Program.

Program Measure #1: #/% of materials developed/disseminated which carry information about the local elder abuse prevention program.

The goal of these standards is to assure that the State Unit on Aging and the respective Area Agencies on Aging and Elder Abuse Prevention Program providers are working together to assure the delivery of high quality services designed to address the issue of abuse, neglect and exploitation against older Georgians.

To that end, the elder abuse provider shall provide, at minimum, three of the program components listed in this document of which one must be community education. Providers may provide all program components; however, the Division will monitor each program to ensure that all components stated in the annual plan are provided.

Program Measure #2: # of components provided

1) Staffing Requirements

a) Program staff, including volunteers, must have a minimum of 1 year experience working/volunteering in the area of elder abuse prevention or education, including consumer fraud (Note: a degree from a university or college with training in gerontology or any field in which the individual has been trained on elder abuse, neglect and/or exploitation may be substituted for the one year working/volunteer experience). The experience may include, but is not limited to providing protective services, elder abuse/consumer fraud education, law enforcement/legal services and/or advocacy on behalf of older adults.

- i) If program staff, including volunteers, do not meet minimum requirements upon hiring or serving as a volunteer, each program must submit to the Area Agency on Aging and the Division of Aging Services a plan to ensure that the program staff will be

trained in elder abuse and consumer fraud within 6 months of hiring or serving as a volunteer.

2) *General Requirements*

Each provider shall:

- a) Work closely with the Area Agency on Aging on the development of the planning and service area's annual plan for elder abuse and consumer fraud prevention and education;
- b) Adhere to the standards set forth in this document and any amendments thereto;
- c) Work with the Area Agency on Aging to develop a method for surveying older persons with regard to the need for services and programs available to address elder abuse;
- d) Work with the Area Agency on Aging and obtain input from the state manager to assess and develop local program plans for delivering services, reaching target populations and addressing program priority areas as set forth in these standards;
- e) Assure the attendance of staff at mandatory statewide training events for providers;
- f) Work with the Area Agency on Aging to analyze the unmet need of clients who are victims of elder abuse, neglect, exploitation and consumer fraud;
- g) Coordinate with service providers (including staff and volunteers of the SAVA program), law enforcement and the judicial system to ensure that services are provided to victims of elder abuse, neglect, exploitation and consumer fraud. This includes establishing and coordinating multi-disciplinary teams to provide services to clients;
- h) Participate in Elder Rights Teams to address issues of vulnerable older adults in the planning and service area;
- i) Promote the understanding of the roles and responsibilities of APS, LTCO, ORS, the criminal justice system and the affected victim; and
- j) Promote cooperative training among providers of elder abuse prevention and intervention services, especially on victims' right to self-determination, individual rights and client confidentiality.

VII. Program Components:

Each Elder Abuse and Consumer Fraud Prevention Program shall provide services to educate older persons, caregivers and others about abuse, neglect and exploitation and to protect vulnerable older adults from victimization due to abuse, neglect, exploitation and consumer fraud. These services, know as program components, shall be performed by providers of the program under contractual administration with the Area Agency on Aging in conjunction with the Division of Aging Services. These program components are:

- Information and Referral (Assistance)
- Community/Public Education
- Program Awareness (for victim identification)
- Treatment
- Training
- Volunteer Management

A. Information and Referral (Assistance): Provides older adults and their caregivers with current information on services and programs available to address elder abuse, neglect and exploitation. Screens individuals to determine extent of problem and makes appropriate referrals to law enforcement or a protective services agency (e.g., adult protective services, Office of Regulatory Services, etc.) if the person is at risk or is being abused, neglected and/or exploited. Area Agencies on Aging shall coordinate the provision of information and referrals related to elder abuse, neglect and exploitation between their Gateway program and any contract providers for the Elder Abuse Prevention Program. The Area Agency on Aging shall assure that Gateway staff receive training about elder abuse and report the services provided on the Elder Abuse Prevention Program report form.

Procedures:

The Elder Abuse Prevention Program provider shall provide information and assistance regarding elder abuse, neglect, exploitation and consumer fraud as requested:

- 1) The provider shall respond to a request for information and assistance no later than two days from the day of the request but, whenever possible, the same day of the request.
- 2) The provider shall screen individuals to determine if he/she is a suspected victim of abuse, neglect, exploitation or consumer fraud (or the individual is reporting about a suspected victim of abuse, neglect and/or exploitation [ANE]).
- 3) The provider shall make a report to the appropriate law enforcement or protective services agency if the provider determines that the caller is reporting suspected ANE.
- 4) The provider shall refer the client to the Area Agency on Aging for contracted services or other community agencies if the provider determines that the caller needs other services.
- 5) The provider shall record the call in the appropriate category of the Elder Abuse Prevention Program report.
- 6) The provider shall follow up with the caller to determine if he/she received services from the agency to which he/she was referred. This includes calls made to law enforcement and/or a protective service agency.

Program Measure #3: # of Information and Assistance services provided within two business days.

B. Community/Public Education: Contacts with several current or potential clients/caregivers, targeted populations and/or the general public, to inform them of service availability or provide general program information. This education is directed towards:

- Older individuals/caregivers
- Professionals and paraprofessionals
- General public

Procedures:

The Elder Abuse Prevention Program provider shall educate the community about elder abuse, neglect and exploitation, including the laws, programs and services available to victims and related issues:

- 1) Each provider shall provide a minimum of 10 community education sessions annually. The sessions may be in conjunction with required LTCO/ELAP *community education* sessions as long as elder abuse information is provided.
- 2) Each program shall annually evaluate the effectiveness of community education in the planning and service area.
- 3) Each program shall work annually with the Area Agency on Aging to assess the type(s) of elder abuse information needed by the community.
- 4) Each program shall annually work with the Area Agency on Aging to survey aging services providers on training needed on elder abuse, neglect, exploitation and consumer fraud.

Program Measure #4: # of Community Education sessions provided.

C. Program Awareness (for Victim Identification): Activities by an agency/organization for the purpose of identifying potential clients and encouraging their use of existing services and benefits. These interventions include, but are not limited to:

- One on one education on elder abuse/consumer fraud victim services & programs.
- Dissemination of information and interaction with individuals at informational fairs, forums and other venues to identify victims and/or provide information on elder abuse and consumer fraud prevention/intervention services.
- Outreach directed towards the law enforcement/judicial and/or medical communities for the purpose of reaching individual victims of elder abuse/consumer fraud.

Procedures:

The Elder Abuse Prevention Program provider shall identify potential clients and other interested parties to inform them about existing services and benefits available to victims of abuse, neglect, exploitation and consumer fraud.

- 1) Each program shall develop and produce a basic “fact sheet” on elder abuse and consumer fraud. The fact sheet shall provide victims and other interested parties information about local programs and services that address elder abuse, neglect, exploitation and consumer fraud, including information about the elder abuse prevention program provider.
- 2) Each program shall work with the Area Agency on Aging, service providers and other organizations in the planning and service area to disseminate information about local elder abuse prevention programs and services through available venues, i.e., informational fairs, mail outs, etc.
- 3) Each program shall identify ways to work with law enforcement/judicial systems and the medical community to reach individual victims of elder abuse and consumer fraud.

Program Measure #5: #/% increase in potential clients identified.

D. Treatment: Arranging for or providing counseling, health services (e.g., mental & physical) for victims of elder abuse, neglect and/or exploitation; arranging for or coordinating support groups for victims; acting as a “liaison” between clients and providers (e.g., aging, APS, MH/MR/SA, etc.) in developing a plan of care for clients.

Procedures:

The Elder Abuse Prevention Program provider shall coordinate with the SAVA program to arrange for or provide an array of services to treat victims of elder abuse, neglect and or exploitation.

- 1) The provider shall arrange for or directly provide counseling, mental health and/or physical health services for victims of elder abuse, neglect, exploitation and/or consumer fraud. Providers of these services must be licensed in their field of expertise.
- 2) The provider shall arrange, in coordination with the Area Agency on Aging and other elder abuse providers in the planning and service area, support groups to meet the needs of victims.
- 3) The provider shall assign staff to serve as a “liaison” between clients (and/or their caregivers) and providers to ensure an appropriate plan of care for the client. Staff shall meet with the client to determine his/her needs; meet with service providers to determine the appropriate services/programs available to the client; and follow up with the client to determine if services outlined in the care plan have been received.

Program Measure #6: #/types of treatment services arranged for/provided.

E. Professional/Volunteer Training: Developing skills of professionals and volunteers to help identify, prevent and treat elder abuse, neglect and /or exploitation.

Procedures:

The Elder Abuse Prevention Program provider shall provide and/or arrange for in-service training opportunities for professionals and volunteers to enhance their ability to identify, prevent and treat elder abuse, neglect, exploitation and/or consumer fraud.

- 1) The provider shall provide and/or arrange for a minimum of 4 training sessions annually for professionals and/or volunteers in the planning and service area. These sessions may be offered in conjunction with LTCO/ELAP required training sessions as long as elder abuse information is given in the same session.
- 2) The provider shall work with the Area Agency on Aging to determine the training needs of local professionals and volunteers.
- 3) The provider shall submit an annual “training plan” (format to be developed by DAS) to the Area Agency on Aging and the Division of Aging Services. The plan shall include the type of training, audience, goals and objectives and evaluation method for the effectiveness of the training and could be incorporated into the area plan.
- 4) The provider shall identify training topics and establish qualifications for the trainers with assistance from the Area Agency on Aging and based on the training curriculum established by the Division of Aging Services.

Program Measure #7: # of professionals/volunteers trained.

Program Measure #8: # of training sessions provided.

F. Volunteer Management: Recruiting, training, managing and providing technical assistance to volunteers assisting the elder abuse and consumer fraud prevention program in carrying out its responsibilities.

Procedures:

The Elder Abuse Prevention Program shall use volunteers to carry out the responsibilities of the program.

- 1) The elder abuse prevention provider shall include in the request for proposal a plan for the recruitment, training and supervision/utilization and overall management of volunteers in the program.
- 2) The provider shall assign at least one staff person to provide oversight and coordination of volunteers in the program.
- 3) All services provided by volunteers shall be included in the quarterly report (Appendix A).
- 4) The provider shall ensure that volunteers are trained or have experience and/or expertise to provide services in the area of assignment prior to providing these services.

Use of Volunteers: Potential volunteer jobs in the Elder Abuse Prevention Program may include Volunteer Trainer to conduct community education or professional education about elder abuse; Volunteer Counselor for licensed professionals who volunteer treatment to abuse victims; Victims' Advocate to ensure victims have access to needed services; Outreach Volunteer to distribute written materials across the region; and Information Specialist to respond to telephoned or written requests for information about elder abuse. Volunteers can give presentations on such topics as elder care, medications, dementia, legal issues and other related subjects, should be encouraged to include in their presentations information about preventing elder abuse.

Training of Volunteers: Volunteers who conduct elder abuse prevention training should have undergone specific training on elder abuse and making presentations, unless the provider can document that the volunteer had previous knowledge about elder abuse and was experienced making presentations about elder abuse.

Volunteer Professional Services (if Program Component "Treatment" is selected): Volunteers may be used to provide treatment services if that volunteer has a current license in the state of Georgia to provide counseling, mental and/or physical health services.

Program Measure #9: # of volunteers recruited.

Program Measure #10: # volunteer professional services provided.

VII. Area Plan and Request for Proposal:

Elder abuse, neglect, exploitation and consumer fraud are crimes that are often overlooked in our society. Although awareness of the problem has grown in the past two decades, the problem of elder abuse is grossly unrecognized and underreported. In addition, older persons, their families, friends and other interested parties are often faced with many challenges in reporting abuse. Most persons are unaware of the laws that protect older persons from abuse, neglect, exploitation and consumer fraud. Social service delivery systems, health care and legal systems are often difficult to navigate to address elder abuse issues. Therefore, the Division of Aging Services, in collaboration with Area Agencies on Aging and Elder Abuse Prevention Program providers must work together to develop a statewide, coordinated effort to address the needs of older victims of elder abuse and consumer fraud. To this end, the Area Plan should include the objectives for the planning and service area for the delivery of elder abuse and consumer fraud prevention services in the section entitled, "Scope of Services – Services Which Protect Elder Rights." These objectives should be based upon what the planning and service area will do to address elder abuse, neglect, exploitation and consumer fraud in their area. The provider "Request for Proposal" should be a detailed plan that describes how the provider will meet these objectives through their local program. This plan should include a detailed description of the program, provider and staff. It should also include information about the targeted population, the geographic area served, program components to be provided, coordination with other service providers of elder abuse and fraud prevention/intervention services; and special initiatives including how the provider will address the needs of non-English speaking elderly. The proposal shall also include the number of units of services and persons served by the program. Finally, the provider shall submit an update to the proposal if there is a change in the scope of services and/or units of services/numbers of persons served for the program.

IX. Program Evaluation:

Programs will be evaluated on an annual basis to determine their effectiveness in their planning and service area. Program Measures 1 & 2 will be applied to all programs. Program Measures 3-9 shall be applied to programs based on the program components selected by the providers. Measures included in the document will be used to develop baseline of information on each program based. Once the baseline data is established, the Division of Aging Services shall work with each Area Agency on Aging and provider agency to determine the need for program improvement and/or enhancement in the provision of elder abuse prevention services in each planning and service area.

X. Program Reporting

Area Agencies on Aging shall submit completed programmatic reports as required using the form in Appendix A.