



AOA Older American Act Reauthorization Hearing

February 25, 2010 Alexandria, VA

Statement by Kathleen Quinn, Executive Director, NAPSA

Assistant Secretary Greenlee, and Distinguished Participants:

Good Afternoon and thank you for the opportunity to speak to you today.

My name is Kathleen Quinn, and I'm the Executive Director of the National Adult Protective Services Association (NAPSA), and a former aging network/state unit on aging employee in Illinois, where I managed the statewide Elder Abuse and Neglect Program, the Long Term Care Ombudsman Program and the Legal Services Developer for over a decade. NAPSA, which is one of three partners in the National Center on Elder Abuse established by the Administration on Aging, is the only national organization representing adult protective services programs, professionals and clients.

Secretary Greenlee, on behalf of the national membership of NAPSA, I want to thank you for your strong leadership with respect to elder rights and elder and vulnerable adult victims of abuse. I also want to thank Stephanie Whittier, as well as Barbara Dieker, of your staff for their support to the National Center Partners as we work to protect elder abuse victims. And I want to acknowledge you, Secretary Greenlee, as the first Assistant Secretary of Aging to address NAPSA's annual conference.

And I want to acknowledge my colleague Bill Benson, the former Acting Assistant Secretary of Aging, who is NAPSA's long time, extremely dedicated and invaluable National Policy Director.

The Reauthorization of the Older Americans Act is critical to services provided to our Nation's older persons. In a recent NAPSA survey regarding state APS budget cuts, states reported that reductions in aging network support services, on top of the devastating cuts to state APS programs, were leaving many seniors at high risk of abuse, neglect and exploitation while at the same time increasing reports to APS. The Older Americans Act is truly the safety net in preventing elder abuse and neglect, and in providing crucial services that allow already abused victims to reside safely in their communities rather than being institutionalized.

I would like to make several key points relative to elder abuse, elder rights, APS and the Older Americans Act reauthorization:

1. Elder rights are not an afterthought or a side issue, or at least they should not be, for the aging network. They are a vitally important central, core issue to serving older persons. Recent NIJ funded research found that 11%, or one in nine persons 60 and older, reported being abused, neglected or exploited within the previous twelve months (Acierno et al). This is a huge number of the aging network's constituency which is losing their resources, being physically, sexually and emotionally abused and/or being tragically and cruelly neglected. We know these victims have at least a 300% increased risk of premature death.

This is a serious and urgent issue that requires serious and urgent attention and resources from all levels of the network. If these extremely vulnerable and suffering seniors are not at the top of this Network's priorities – *why are they not?*

Why are abused, neglected and exploited seniors the ONLY group of crime and abuse victims who receive NO dedicated funding for protective and other services, for research, etc.? How have we let this happen and for so long a time?

2. Adult Protective Services Programs, or APS, are the state and local agencies statutorily authorized by state law responsible for responding to and investigating elder abuse, and for protecting elder abuse victims, in all 50 states. In about half of the states, APS is part of the Aging Network, in the other half it is an independent agency or part of the umbrella social services agency. It is well known, and shameful, that state APS Programs receive not one penny of designated federal funding for their difficult, complex and life saving work. This situation is in sharp contrast to the generously funded victim and protective services provided to every other type of victim, whose needs are great but are certainly no greater than those of abused older persons.
3. While APS in many states is administratively linked to State Units on Aging, it is not just another aging service. It differs in fundamental ways from providing meals, in-home services and transportation services. APS must be given the independence to carry out objective investigations and to take necessary steps to protect vulnerable adults. There must be both the reality and the appearance of an arms' length relationship between service providers and funders, and the agency which investigates abuse. It is not rare to have reports of alleged abuse by in-home workers, nutrition site directors and van drivers, and even area agency staff and board members, or prominent politicians and funders.

4. NAPSA believes federal support for APS should be provided through a statute other than the Older Americans Act. We hope, of course that it will be through the Elder Justice Act and in the very near future, and speaking for all of NAPSA's members, I want to especially thank Bob Blancato for his longstanding leadership and thank the entire Elder Justice Coalition for its many years of advocacy on behalf of the EJA.

NAPSA could foresee, however, the value of having such federal APS legislation administered by the Administration on Aging, with the following taken into consideration:

- a. APS' need for independence, objectivity and confidentiality needs to be institutionalized through regulations, firewalls, protocols, etc. Accountability measures to monitor APS's performance must also be implemented.
 - b. Funding for APS services is provided to each state based on its own client eligibility requirements, *regardless of age*.
 - c. An administrative structure is established which meets the needs of state APS Programs regardless of whether they are located in the SUA, in a DHS or in another state agency. Restructuring a state's APS program, whether to move it from one agency to the state unit on aging – or vice versa – requires a great deal of thought, preparation and resources; otherwise it can end up being a grave disservice to the program as well as to the clients. It's important that the federal government respect the administrative decisions states have made over the many decades when there has been no federal involvement.
5. As we wait for the decades-overdue dedicated federal funding for APS services, however, there is much AoA and the Aging Network can do through the OAA to greatly expand and re-energize initiatives to address elder abuse:

- a. The entire Network can and should undertake meaningful advocacy to strengthen, expand and significantly fund the existing elder rights provisions of Title VII. I must respectfully disagree with my colleague Bob Blancato re the idea of collapsing Title VII into Title III, as experience demonstrates that elder rights initiatives need much more, not less, visibility. They also require strong state leadership and independence; in fact, Title VII was established, in part, to emphasize the importance of SUAs in elder rights.

In addition, Title VII, as much of the rest of the Older Americans Act, unfortunately, has been flat funded for many years. The six cents (6¢) per older person which Illinois received in elder abuse prevention funds when I was there did not go very far to help the state's two million seniors. It is difficult enough to

get any increases in Title VII funding. Imagine how difficult it would be if elder rights services were in Title III and competing for Title III dollars.

The Ombudsman Program and Legal Assistance in particular need strengthening and resources. Legal Assistance services are critical to insuring that APS clients have access to legal services to address financial exploitation, handle guardianships, and provide access to benefits. Current legal assistance services resources are spotty, underfunded, and sometimes focused on issues less significant than aggressive advocacy for victims of abuse.

- b. Of critical importance: *APS clients should be specifically identified as top priority clients for aging network services;*
- c. Training all aging network services providers and employees to recognize, report and where appropriate, respond to elder abuse, neglect and exploitation, thereby integrating elder abuse awareness throughout the Network's many programs and services;
- d. Steps should be taken to insure that elder rights programs work together to provide the highest level of coordinated services to victims. The Aging Network is in an excellent position to support and to lead comprehensive, multi-disciplinary approaches to elder abuse.
- e. Protocols should be established to clearly identify and prevent conflicts or the appearance of interest vis-a-vis abused clients.
- f. Restoring the ability of Title IV to fund research and demonstration projects could have a significant impact on the field. Title IV was responsible for many early cutting edge efforts focused on elder abuse and neglect.
- g. Finally, your leadership, Secretary Greenlee, in leading the effort to create the authority and the funding for a National APS Training and Technical Assistance Resource Center would greatly enhance the nationwide capacity of APS to respond to the complexity of today's elder abuse cases, much less the coming tidal wave of elder abuse cases. While a cursory Google search turns up at least twenty easily identifiable, largely federally funded, national resource centers focusing on child protective services and violence against women (see attached list), **not one such center exists to improve and strengthen protective services for vulnerable adults.**

The leadership of AoA, the Aging Network and the Elder Justice Coalition to establish and fund the first ever such Center would be the most immediate and cost-effective way to jump start the field and, more importantly, to improve the protection and well-being of older victims of abuse.

Such a Center would work to develop and implement:

- i. consistent, high quality training for APS and also for mandated reporters and other allied agencies;
- ii. APS best practice standards re intake, conducting investigations, interviewing, capacity screening, interventions, case closure, etc.
- iii. ethical standards including balancing the right to self determination with the duty to protect;
- iv. information on the success of various interventions;
- v. caseload and case supervision standards;
- vi. multi-disciplinary teams and approaches;
- vii. quality assurance measures and systems;
- viii. technical assistance to programs;
- ix. data collection and analysis;
- x. worker safety;
- xi. abuser interventions and due process rights;
- xii. public awareness, and so on.

There is much work to be done to even begin to adequately address elder and vulnerable adult abuse, but together we can achieve much. We can learn a lot and link to related fields such as domestic violence and others, and we can build on the networks, services and considerable expertise we already have in place.

Thank you for the opportunity to provide testimony and I thank everyone for your decades of advocacy and services on behalf of older adults.

The following is a partial list of current child abuse and domestic violence national resource centers, the majority of which are partially or largely federally funded by either DOJ or HHS. As you can see, there are many centers, each of which addresses just one facet of an issue. The list was obtained through a cursory Google search and the HHS and DOJ websites.

NATIONAL RESOURCE CENTERS

On Child Protective Services & Domestic or Sexual Violence

FY09 Children's Bureau NRC Funding Opportunity Announcements

HHS-2009-ACF-ACYF-CZ-0016 National Resource Center for Child Welfare Organizational Improvement

Offers T/TA, teleconferences, and publications to assist States and Tribes with strategic planning, quality improvement, evaluating outcomes, facilitating stakeholder involvement, and improving training and workforce development.

HHS-2009-ACF-ACYF-CZ-0015 National Resource Center for Child Protective Services

Provides expert consultation and T/TA in all areas of CPS, including intake, assessment, case planning, and ongoing services. It will assist States and Tribes with system and practice issues that help improve the prevention, reporting, assessment, and treatment of child abuse and neglect, and it will provide resources and support to State Liaison Officers (SLO) and Children's Justice Act (CJA) grantees.

HHS-2009-ACF-ACYF-CZ-0061 National Resource Center for Permanency and Family Connections

Provides T/TA and information services to build the capacity of State, local, and Tribal foster care programs. Areas of T/TA will include collaboration and engagement with parents, relatives, stakeholders and resource families to address children's safety, permanency, and well-being needs and effectively address the issues causing children and youth to be placed in out-of-home care.

HHS-2009-ACF-ACYF-CZ-0054 National Resource Center for Child Welfare Data and Technology

Provides a broad range of T/TA on data and information systems issues to improve the quality of data that is collected, build the capacity to use the information for decision making in daily practice, and develop or improve case management and data collection systems.

HHS-2009-ACF-ACYF-CZ-0067 National Resource Center for Child Welfare Legal and Judicial Issues

Lends its expertise to State and Tribal agencies and courts on legal and judicial aspects of child welfare practice. Areas of focus include permanency decision-making, adherence to ASFA and other Federal laws, the court's role in the CFSRs and child welfare reform, high quality legal

representation for all parties, judicial and attorney workloads, quality assurance for courts and legal offices, effective forensic performance by agencies, the impact of ASFA on youth in the juvenile justice system, education needs of children and youth in foster care, legal ethics, and the interplay of domestic violence and child welfare.

HHS-2009-ACF-ACYF-CZ-0065 National Resource Center for Adoption

Works with States, Tribes, and agencies to increase their capacity in adoption and improve the effectiveness and quality of adoption and post-adoption services provided to children, youth and their families.

HHS-2009-ACF-ACYF-CZ-0066 National Resource Center for Youth Development

Lends its expertise and provides T/TA in areas including youth development, youth engagement and service collaboration in child welfare policy, planning, program development, and information services promoting stakeholder involvement and youth engagement in the CFSR processes, and effectively implementing the Chafee Foster Care Independence and the Education and Training Voucher programs.

HHS-2009-ACF-ACYF-CZ-0068 National Resource Center for In-Home Services

Provides T/TA regarding effective and promising alternatives to out-of-home care and will build the capacity of State, local, and Tribal systems to provide services that will ensure the safety and well-being of children and youth in their homes while preserving, supporting, and stabilizing families.

HHS-2009-ACF-ACYF-CZ-0058 National Resource Center for Tribes

Functions as a case manager in receiving T/TA requests from Tribes and coordinates with the T/TA Network to provide coordinated and culturally competent T/TA. Provides coordinated and culturally competent T/TA to Tribes. The center is intended to successfully engage Tribes, to enhance their access to and utilization of the T/TA Network, to facilitate peer-to-peer consultation between Tribes regarding child welfare issues, and to increase cultural competence and sensitivity to Tribal voices in the T/TA Network.

HHS-2009-ACF-ACYF-CZ-0056 National Resource Center for Community-Based Child Abuse Prevention

Builds the capacity of CBCAP lead agencies and their partners to effectively implement the requirements of the program and support evidence-informed and evidence-based child maltreatment prevention programs and activities. It will facilitate State, local, Tribal, public, and private agency efforts in the interagency, inter-disciplinary, coordinated planning and development of a network of community-based programs and activities designed to strengthen and support families to prevent child abuse and neglect and promote stronger linkages with the child welfare system.

Domestic and Sexual Violence Resource Centers (from the USDOJ website):

- National Center on Domestic and Sexual Violence (ncdsv)
- National Resource Center on Domestic Violence (NRCDV)
- National Resource Center to End Violence Against Native Women (sacred-circle)
- National Sexual Violence Resource Center (nsvrc)
- Resource Center on Domestic Violence: Child Protection and Custody (ncjfcj)
- National Domestic Violence Hotline (ndvh)
- National Health Resource Center on Domestic Violence (endabuse.org)
- Legal Resource Center on Violence Against Women (lrcvaw)
- National Clearinghouse for the Defense of Battered Women
- Stalking Resource Center (ncvc)
- Battered Women’s Justice Project (bwjp)
- The National Clearinghouse for the Defense of Battered Women
- National Center on Full Faith and Credit
- Domestic Violence & Mental Health Policy Initiative
- National Training and Technical Assistance Center on Domestic Violence, Trauma and Mental Health (NTTAC)
- Asista Immigrant Women’s Technical Assistance Project (assistahelp)
- Institute on Domestic Violence in the African American Community (idvaac)
- National Online Resource Center on Violence Against Women (VAWnet)