



## ELDER JUSTICE COORDINATING COUNCIL

### *Review of Key Activities of the Federal Interagency Elder Justice Working Group*

Presented by the Federal Interagency  
Elder Justice Working Group  
September 24, 2013

#### Federal Interagency Elder Justice Working Group

The Federal Interagency Elder Justice Working Group (EJWG) brings together federal officials responsible for carrying out elder justice activities.

- ▶ Research and statistics;
- ▶ Program funding and support;
- ▶ Service provision;
- ▶ Investigation and prosecution.

The EJWG also provides staff-level support to the Elder Justice Coordinating Council.

## Elder Justice Coordinating Council and the EJWG

The Elder Justice Coordinating Council (EJCC)  
held its first meeting in October 2012

- ▶ Testimony presented by a select group of experts on four topic areas
- ▶ Experts who testified also submitted white papers containing recommendations for improving and advancing the field of elder justice, for consideration by federal leaders

## Elder Justice Coordinating Council and the EJWG

Following the inaugural EJCC meeting, the EJWG  
engaged in two key activities

- ▶ Activity #1: Analysis and synthesis of expert recommendations into 9 proposals
- ▶ Activity #2: Development of action steps for implementation

## Elder Justice Coordinating Council and the EJWG

EJCC held its 2<sup>nd</sup> meeting in May 2013

- ▶ Representatives from the EJWG presented the 9 proposals, based on expert recommendations, to the Council
- ▶ Proposals fell into two broad categories:
  - Improving the response to elder abuse, neglect and exploitation
  - Improving awareness of and intervention in elder abuse, neglect and exploitation

## Elder Justice Coordinating Council and the EJWG

Since the May Council meeting, the EJWG has:

- ▶ Received and incorporated input from Council members and from the public on the 9 proposals; and
- ▶ Finalized action steps for implementation of the 9 elder justice proposals, for EJCC consideration

## Presentation of Implementation Strategies for Elder Justice Proposals

EJWG representatives will present proposals on:

- ▶ Improving the response to elder abuse, neglect and exploitation – Proposals 1 through 4
- ▶ Improving awareness of and intervention in elder abuse, neglect and exploitation – Proposals 5 through 9

## Presentation of Implementation Strategies for Elder Justice Proposals

Presentations will include:

- ▶ Statement of the problem being addressed by the proposal;
- ▶ Summary of significant work undertaken to date by Federal agencies;
- ▶ Discussion of short- or near-term implementation activities, as well as longer term activities.



## ELDER JUSTICE COORDINATING COUNCIL

Improving the Response to Elder  
Abuse, Neglect and Exploitation:

*Proposal #1: Support the Prevention,  
Investigation and Prosecution of Elder  
Abuse*

Presented by the Federal Interagency  
Elder Justice Working Group  
September 24, 2013

## Problem Statement

Two key needs are currently not being met:

- ▶ More networks of multidisciplinary teams geared toward prevention, investigation, and prosecution of elder abuse and financial exploitation;
- ▶ Readily-accessible training and other resources for investigators and prosecutors.

Goal: development of resources for investigators, prosecutors, victims, and others to support successful prevention, investigation, and prosecution of elder abuse and financial exploitation.

## Support Prevention, Investigation and Prosecution of Elder Abuse

- ▶ Part A: Create and maintain an Elder Justice Website
- ▶ Part B: Develop Replication Manuals and a plan for supporting the establishment of additional Elder Abuse Forensic Centers (EAFCs), Financial Abuse Specialist Teams (FASTs) and other types of elder abuse focused Multi-Disciplinary Teams (MDTs)
- ▶ Part C: Create a National Resource Center for the Investigation and Prosecution of Elder Abuse

## Implementation of Proposal #1 – Elder Justice Website

DOJ has developed:

- ▶ website content with resources for prosecutors, victims and families, financial services organizations, and researchers;
- ▶ information architecture for the Elder Justice Website.

Action items remaining for website

- ▶ Conducting a system test;
- ▶ Pilot testing the website with users;
- ▶ Providing focused tours of the website to target audiences; and
- ▶ Launching, marketing and promoting the Elder Justice Website.

## Implementation of Proposal #1 – Replication Manuals

Both DOJ and CFPB have been working in this area.  
Between the two agencies, staff have:

- ▶ Identified subject matter experts to advise on the development of replication manuals for EAFCs and other regional or local prevention and response networks, which may include FASTs and other MDTs;
- ▶ Conducted preliminary scan of existing EAFCs and their characteristics, as well as other MDTs;
- ▶ Conducted preliminary scan to determine whether any replication manuals for EAFCs, FASTs, and other MDTs have been developed.

## Implementation of Proposal #1 – Replication Manuals

### Action Items Remaining

- ▶ Determine plan for developing replication manuals for EAFCs, FASTs, MDTs and financial exploitation prevention and response networks;
- ▶ Distribute replication manuals to stakeholder groups;
- ▶ Promote the development of additional EAFCs, FASTs, MDTs and financial exploitation prevention and response networks.

## Implementation of Proposal #1 – National Resource Center

### Action items remaining for implementation

- ▶ Determine the goals and scope of the resource center, to ensure it does not duplicate existing resources;
- ▶ Create a plan for folding the Elder Justice Website and its content into a larger National Resource Center for the Investigation and Prosecution of Elder Abuse;
- ▶ Develop plan for maintaining and sustaining the resource center.



**ELDER JUSTICE  
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## Improving the Response to Elder Abuse, Neglect and Exploitation:

### *Proposal #2: Enhance Services to Elder Abuse Victims*

Presented by the Federal Interagency  
Elder Justice Working Group  
September, 2013

## Problem Statement

- ▶ Victims lack knowledge of or access to available supports and services;
- ▶ Professionals who encounter victims lack access to:
  - validated screening tools and
  - protocols to guide them in abuse reporting or seeking assistance for victims;
- ▶ Service providers lack access to information on signs of elder abuse and available resources for suspected victims.

## Enhance Services to Elder Abuse Victims

Proposal: Support and protect elder abuse victims by improving identification of elder abuse and enhancing response and outreach to victims

### Implementation strategy for proposal #2

- ▶ Make readily available to targeted professionals:
  - Validated elder abuse screening tools;
  - Reporting protocols tailored to professions.
- ▶ Support elder victims through outreach to:
  - Elders (directly);
  - Victim services providers;
  - Gatekeepers.

## Implementation of Proposal #2

HHS (CMS) is disseminating validated screening tools in the health care sector through its Elder Maltreatment Initiative

Ongoing HHS programs:

- ▶ “Get Help” webpage with tips and resources for victims ([www.ncea.aoa.gov](http://www.ncea.aoa.gov))
- ▶ Formula grants to States for Elder Rights programs, including civil legal services and long-term care ombudsman programs
  - Publication of proposed rule for long-term care ombudsman program, which includes tailored abuse reporting guidance
- ▶ Development of:
  - culturally appropriate evidence-based screening tools for tribes;
  - screening protocols in a primary care setting to identify elder abuse risk factors;
  - an intervention toolbox for community partners.
- ▶ Demonstrating use of elder abuse screening tools by Aging and Disability Resource Centers

## Implementation of Proposal #2

DOJ programs:

- ▶ STOP Violence Against Women Formula Grant Program
- ▶ Enhanced Training and Services to End Violence Against and Abuse of Women Later in Life
- ▶ Development of:
  - Model networks to provide comprehensive civil, criminal, and administrative legal services to all victims, including elder abuse victims;
  - Resources to victims related to elder abuse, financial exploitation and poly-victimization

## Implementation of Proposal #2

Action items remaining:

Screening tools and reporting protocols

- ▶ Conduct environmental scan of existing resources
- ▶ Develop toolkits for use in various community and institutional settings, targeting professionals in three sectors:
  - Health and long-term care;
  - Human services;
  - Criminal justice.

Outreach to elder abuse victims

- ▶ Develop resources for targeting outreach to:
  - Elders directly;
  - Victim service providers;
  - Gatekeeper services.
- ▶ Propose specific outreach mechanisms, along with a plan for implementing and sustaining the outreach.



**ELDER JUSTICE  
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**Improving the Response to Elder  
Abuse, Neglect and Exploitation:**

***Proposal #3: Develop a National  
Adult Protective Services System***

Presented by the Federal Interagency  
Elder Justice Working Group  
September, 2013

## Problem statement

- ▶ While every state is required to have an APS system, no national system for Adult Protective Services has been established;
- ▶ Information about APS agencies and their cases is not available at the national level
  - Little is known about the number and types of cases received by APS, characteristics of victims, outcomes of APS involvement, etc.

## National APS System

- ▶ Proposal: Develop a national Adult Protective Services (APS) system based upon standardized data collection and a core set of service provision standards and best practices
- ▶ Two components:
  - Data Collection
  - Service delivery standards, best practices

## Implementation of Proposal #3: APS System

### Current work of federal agencies

- ▶ **Data Collection**
  - DOJ (BJS): Cooperative agreement for needs assessment of current information systems at state level, identify barriers to reporting, develop core set of measures that can be reported
  - HHS (ACL, ASPE): Contract to develop and pilot national APS data collection system
- ▶ **Service Provision Standards**
  - HHS (ACL): Work to identify core system components
  - NAPSA and partners including DOJ (OVC) and HHS (ACL) have worked on curriculum development for APS staff

## Implementation of Proposal #3: APS System

### Action steps remaining:

- ▶ **Data collection**
  - Implement national data collection (2015–2016);
  - Provide Technical Assistance to state APS systems;
  - Report on findings from data collection.
- ▶ **Core set of service provision standards and best practices**
  - Develop draft standards;
  - Engage stakeholders;
  - Designate federal oversight of APS service standards.



## ELDER JUSTICE COORDINATING COUNCIL

Improving the Response to Elder  
Abuse, Neglect and Exploitation:

*Proposal #4: Develop a Federal  
Elder Justice Research Agenda*

Presented by the Federal Interagency  
Elder Justice Working Group  
September 24, 2013

### Problem statement

- ▶ Many areas within the field of elder abuse are lacking sufficient research;
- ▶ Research is needed to establish an evidence base for the development of elder abuse prevention and intervention policies and practices.

A coordinated federal research agenda will highlight elder abuse research needs, focus attention on gaps in our knowledge, and reduce potential for duplication of efforts.

## Federal Elder Justice Research Agenda

Proposal: Establish a coordinated federal research agenda to identify best practices for prevention of and intervention in elder abuse and elder financial exploitation.

- ▶ Emphasis on primary and secondary prevention and interventions;
- ▶ Include all relevant domains – social services, criminal justice, public health, others.

## Implementation of Proposal #4

Implementation currently underway:

- ▶ DOJ – reviewing literature on prevention of and intervention in elder maltreatment and financial exploitation
  - Results of Elder Justice Roadmap Project
- ▶ CFPB – hosted Research Roundtable in April 2013 to catalyze development of research agenda on elder financial exploitation. Participants included:
  - a diverse cross-section of elder justice researchers; and
  - other EJCC member agency staff.

## Implementation of Proposal #4

Action steps remaining:

DOJ, HHS, CFPB, and other federal partner agencies coordinate to:

- ▶ Identify and prioritize gaps in research literature across various domains;
- ▶ Use gap analysis to draft a federal research agenda;
- ▶ Disseminate federal research agenda;
- ▶ Identify potential mechanisms for implementing research within the identified priority areas:
  - Federal funding;
  - Public and private partnerships.



**ELDER JUSTICE  
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**Improving Awareness of and  
Intervention in Elder Abuse, Neglect  
and Exploitation:**

***Proposal #5: Develop a Broad-Based  
Public Awareness Campaign***

Presented by the Federal Interagency  
Elder Justice Working Group  
September, 2013

## Problem Statement

- ▶ Awareness of elder abuse, neglect and exploitation in the general public is lacking
- ▶ GAO's recent report recommends the development of a national elder justice public awareness campaign
- ▶ Officials who provide services to the elderly have cited a lack of public awareness of elder abuse and exploitation as an impediment to effectively carrying out their duties

Goal of this proposal: to increase awareness of elder abuse, neglect and exploitation among the general public

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## Broad-Based Public Awareness Campaign

- ▶ Proposal: Develop a comprehensive, strategic, and broad-based national public awareness campaign with clear and consistent messaging to raise awareness and understanding of elder abuse, neglect and exploitation.
- ▶ Campaign will be designed to provide greater consistency in messaging across states, tribes and territories. Ideally, the campaign would:
  - Leverage existing resources;
  - Build upon previous public awareness work;
  - Facilitate coordination among federal agencies; and
  - Evaluate the campaign's reach and effectiveness.

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## Implementation of Proposal #5

The Elder Justice Working Group has:

- ▶ Conducted a preliminary environmental scan of existing public awareness campaigns on elder abuse and related topics;
- ▶ Compiled an inventory of collateral educational materials;
- ▶ Reviewed and analyzed expert and GAO recommendations; and
- ▶ Identified resource requirements for various styles of public awareness campaigns.

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## Implementation of Proposal #5

Action items remaining:

- ▶ Incorporate elder justice messages into existing public education and outreach efforts;
- ▶ Inventory collateral, educational materials across federal agencies;
- ▶ Conduct market research to develop campaign messaging, implementation, and evaluation strategies.

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## ELDER JUSTICE COORDINATING COUNCIL

Improving Awareness of and  
Intervention in Elder Abuse,  
Neglect and Exploitation:

### *Proposal #6: Cross-Disciplinary Training on Elder Abuse*

Presented by the Federal Interagency  
Elder Justice Working Group  
September, 2013

## Problem statement

- ▶ Awareness of elder abuse and elder financial exploitation is lacking, even among professional groups and other stakeholders that interact with seniors during the daily course of business.
- ▶ Many of those same stakeholders lack formal training to prevent, detect, intervene in, or respond to elder abuse, neglect, or exploitation.

Proposal has two main goals:

- ▶ Raise awareness of elder abuse and elder financial exploitation among targeted professional groups;
- ▶ Provide those professionals with tools for recognizing and responding to suspected elder abuse.

## Cross-Disciplinary Training on Elder Abuse

- ▶ Proposal: Develop training to educate stakeholders across multiple sectors and disciplines on preventing, detecting, intervening in, and responding to elder abuse, neglect and exploitation
- ▶ Training will encompass three broad categories, tailored to specific stakeholder groups:
  - Elder Abuse 101
  - Addressing Elder Abuse in Your Professional Capacity
  - Cross-disciplinary Resources for Your Profession in Your Community

## Implementation of Proposal #6

First step is to conduct an environmental scan of available training programs

- ▶ Federal agencies have invested in training on elder abuse for a variety of professions
  - Law enforcement, prosecutors, judges
  - Forensic nurses
  - Victim advocates
  - Financial services professionals
- ▶ Trainings in related fields could be repurposed to focus on elder abuse

## Implementation of Proposal #6

### Action steps remaining:

- ▶ Identification of professions to target for training, with consideration given to:
  - mandated reporters;
  - first responders and professions in similar roles;
  - professions that are not elder-focused but which serve elderly clients.
- ▶ Identify the appropriate delivery mechanism based on the target professions; include a “continuing education” component, where appropriate.

## Implementation of Proposal #6

### Action steps remaining:

- ▶ Establish core components of Elder Abuse 101 module;
- ▶ Develop profession-specific and cross-disciplinary training modules for target professions;
- ▶ Develop mechanisms for maintenance and sustainability of training modules.



## ELDER JUSTICE COORDINATING COUNCIL

### Improving Awareness of and Intervention in Elder Abuse, Neglect and Exploitation:

### *Proposal #7: Combat Financial Exploitation*

Presented by the Federal Interagency  
Elder Justice Working Group  
September, 2013

## Problem Statement

- ▶ Financial services providers perceive legal barriers to reporting suspected financial exploitation of the elderly;
- ▶ Fraud detection techniques have not been implemented as widely as possible to detect financial exploitation involving older Americans' depository accounts;
- ▶ Financial institutions lack a broad array of mechanisms for working with older consumers and trusted others to prevent financial exploitation.

Goal of this proposal: Bolster the ability of financial services providers to prevent, detect and respond to elder financial exploitation through guidance to industry from government, collaborative efforts, data sharing and other strategies.

## Combat Financial Exploitation

- ▶ Proposal: Bolster ability of financial services providers to address financial exploitation
- ▶ Multi-faceted approach:
  - Federal guidance to supervised financial institutions;
  - Inter-agency exploration of federal role in strengthening interventions by industry;
  - Research;
  - Enhanced federal systems for prevention and detection.

## Implementation of Proposal #7

- ▶ Federal agencies will issue guidance for financial institutions on privacy laws and reporting suspected financial exploitation of older adults.
- ▶ Federal agencies are collaborating and interacting with industry to enhance prevention, detection and response to elder financial exploitation.
  - CFPB, USFIS, Treasury continue to engage in discussions on enhancing the use of Suspicious Activity Reports (SARs) to report suspected financial exploitation and trigger investigation;
  - CFPB to engage with financial institutions and their trade associations on developing and strengthening fraud detection tools.

## Implementation of Proposal #7

### Action steps remaining

- ▶ Disseminate inter-agency guidance on privacy rules and reporting by financial institutions;
- ▶ Convene relevant agencies to explore federal role in enhancing use of fraud detection tools;
- ▶ Formulate evidence-based strategies to increase use of SARs by civil authorities and law enforcement;
- ▶ Explore and, if feasible, develop model consent forms and protocols for prevention of and intervention in suspected exploitation cases.



## ELDER JUSTICE COORDINATING COUNCIL

### Improving Awareness of and Intervention in Elder Abuse, Neglect and Exploitation:

#### *Proposal #8: Financial Exploitation by Fiduciaries*

Presented by the Federal Interagency  
Elder Justice Working Group  
September, 2013

## Problem statement

- ▶ Currently, oversight of fiduciaries is ad-hoc, and few evidence-based programs exist to provide guidance on the effective administration of fiduciary oversight;
- ▶ The use of fiduciaries spans across federal agencies, state courts, other legal services providers, and the financial services industry, impacting effective information sharing.

Goal of this proposal: to reduce financial exploitation by fiduciaries through enhanced oversight and collaboration among federal and state entities

## Financial Exploitation by Fiduciaries

- ▶ Proposal: Prevent, detect and respond to elder financial exploitation by fiduciaries through improved coordination, oversight and education.
- ▶ Implementation strategy was developed to:
  - Improve capacity among fiduciaries;
  - Increase information sharing between benefit-paying agencies and the courts; and
  - Create new or enhanced models for oversight of federal fiduciaries.

## Implementation of Proposal #8

### Action steps remaining:

- ▶ Disseminate lay fiduciary guides for federal fiduciaries (already in final production);
- ▶ Conduct review of current state guardianship and related laws;
- ▶ Develop recommendations to improve information exchange between courts and other entities about suspicious activity by fiduciaries;
- ▶ Develop a toolkit on effective responses to exploitation by federal fiduciaries.

## Implementation of Proposal #8

### Action steps remaining:

- ▶ Convene federal working group to improve information sharing about federal fiduciaries by federal benefit-paying agencies;
- ▶ Support the implementation of additional formalized partnerships via Working Interdisciplinary Networks of Guardianship Stakeholders (WINGS);
- ▶ Pilot test new models for oversight of federal fiduciaries and/or evaluate existing ones.



## ELDER JUSTICE COORDINATING COUNCIL

Improving Awareness of and Intervention in  
Elder Abuse, Neglect and Exploitation:

*Proposal #9: Improve Screening Tools for  
Dementia and Cognitive Capacity, Financial  
Capacity, and Financial Exploitation*

Presented by the Federal Interagency  
Elder Justice Working Group  
September, 2013

## Problem Statement

- ▶ Individuals with diminished cognitive and/or financial capacity may be at risk for financial exploitation;
- ▶ Screening tools currently in existence are deficient in some manner;
- ▶ APS and other first responders need better tools to assess the cognitive and/or financial capacity of clients in order to devise effective and appropriate interventions for clients;
- ▶ For clients without a capacity issue, APS and other first responders need a screen for the risk of or the experience of financial exploitation.

Goal: to enhance prevention, detection, and response by APS and multiple frontline professionals through the development and use of improved screening tools for assessing client capacity.

## Screening Tools

- ▶ Proposal: Improve the ability of APS and first responders to screen for diminished capacity, diminished financial capacity, and vulnerability to or victimization of financial exploitation
- ▶ Screening tools will be identified and compiled, an analysis of the screening tools will be conducted, and recommendations for filling gaps provided
  - Screening tools are validated tools, not indicators or professional capacity assessments

## Implementation of Proposal #9

- ▶ National Institute on Aging has identified a range of cognitive capacity/dementia screening tools
  - <http://www.nia.nih.gov/research/cognitive-instrument/search>
- ▶ EJWG staff have preliminarily reviewed financial capacity and financial exploitation screening tools
  - Excluding financial exploitation contained in more global elder abuse screening tools

## Implementation of Proposal #9

### Action steps remaining

- ▶ Compile a list of tools to screen for:
  - Financial capacity;
  - Financial exploitation;
- ▶ Conduct analysis of cognitive capacity/dementia, financial capacity, and financial exploitation tools;
- ▶ Provide recommendations for use of screening tools, based on analysis;
- ▶ Conduct analysis to examine how screening tools can be most useful to prosecutors.