



Adult Protective Services 101 – Basic Understanding

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Guest Speaker

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MICMT Adult Protective Services 101 – Basic Understanding Disclosures

Nursing:

- There is no conflict of interest for anyone with the ability to control content for this activity.
- Successful completion of the Adult Protective Services 101 – Basic Understanding includes:
 - Attendance at the entire session
 - Completion of the evaluation
- Upon successful completion of the Adult Protective Services 101 – Basic Understanding , the participant will earn 1.0 Nursing CE contact hour.
- This nursing continuing professional development activity was approved by the Ohio Nurses Association, an accredited approver by the American Nurses Credentialing Center's Commission on Accreditation. (OBN-001-91)
- ONA Activity # 2020-0000000763
- Expiration date: 11/6/2022

Social Work:

- Upon successful completion of the Adult Protective Services 101 – Basic Understanding , the participant will earn 1.0 Social Work CE Contact Hours
- "Michigan Institute for Care Management and Transformation is an approved provider with the Michigan Social Work Continuing Education Collaborative." Approved provider Number: MICEC 110216.



Objectives and Learning Outcome

Objectives:

- Describe Adult Protective Services (APS) function, role and responsibilities based on the Michigan Statute and Policy.
- Relate what to expect from an APS Referral from start to finish.
- Identify the importance of collaboration with community partnership involving an APS investigation.
- Explain the requirements for Mandatory Reporters.

Learning Outcome:

- Participants will self-report an increase in knowledge of what occurs during an Adult Protective Service referral from start to finish.



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Adult Protective Services 101

Basic Understanding

MDHHS ADULT PROTECTIVE SERVICES

Purpose

- ▶ Provide investigation and protection to vulnerable adults 18 and older who are being or are at risk of harm from:
 - ▶ Abuse
 - ▶ Neglect
 - ▶ Exploitation

Goals

- ▶ Protection
- ▶ Safety and Stability
- ▶ Least Intrusive and Least Restrictive
- ▶ Thrive in Place

Statutory Definitions

Michigan Complied Laws (MCL) 400.11 (a-f)

► Vulnerable Adult:

- 18 years or older
- Mental or Physical Impairment or Advanced Age (not defined in statute)
- **Unable to protect** him/herself from abuse, neglect or exploitation



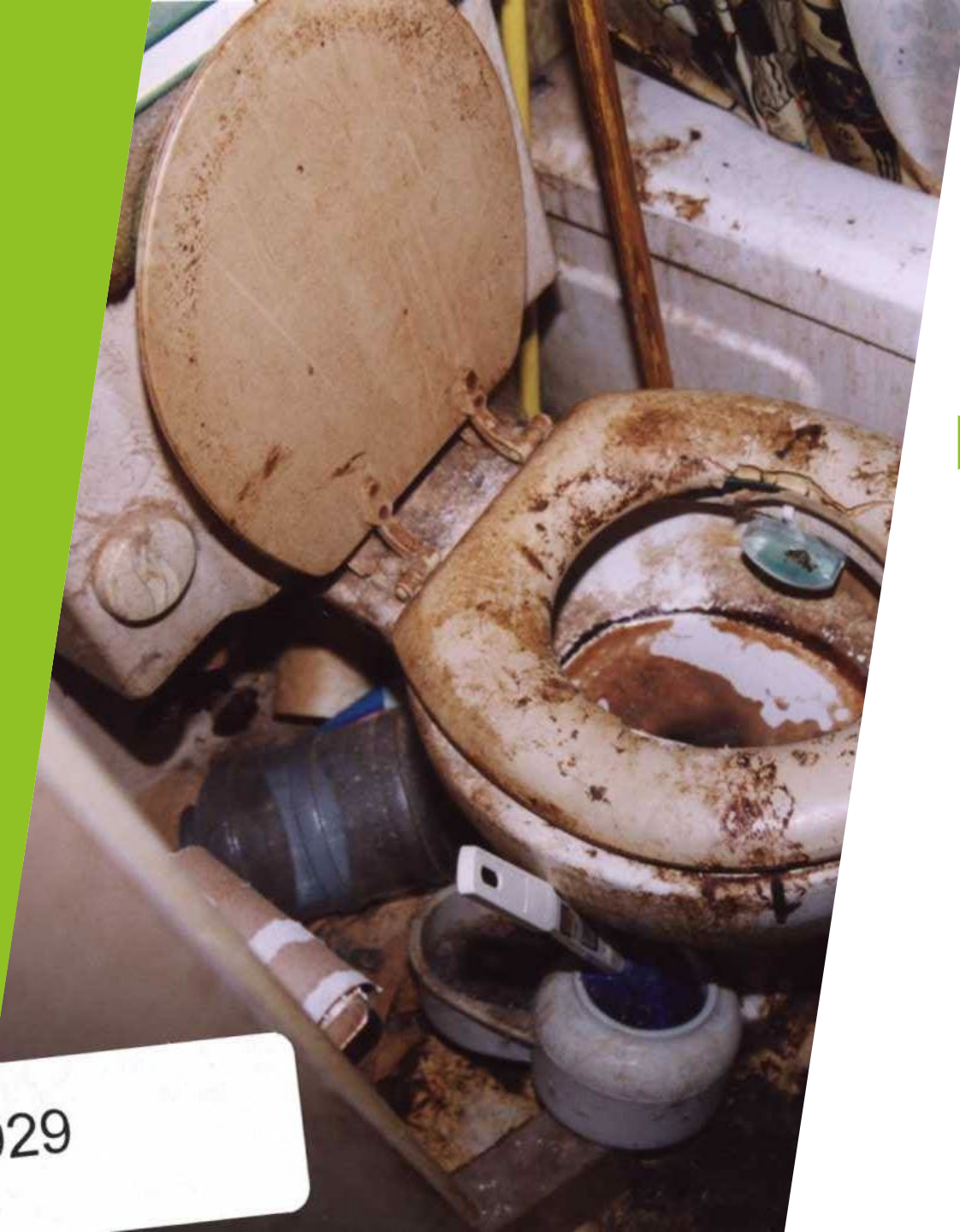
ABUSE

Definition:

- ▶ Harm or threatened harm to an adult's health or welfare caused by another person.

Abuse Includes:

- ▶ Physical Injury
- ▶ Mental Injury
- ▶ Sexual Abuse
- ▶ Maltreatment



NEGLECT

- ▶ Harm to an adult's health or welfare caused by the inability of the adult to respond to a harmful situation

NEGLECT

Definition

- ▶ Or by the conduct of a person who assumes responsibility for a significant aspect of the adult's health or welfare and **fails to provide**

Fails to Provide

- ▶ Food Water
- ▶ Clothing Medication
- ▶ Shelter Comfort
- ▶ Medical Care Safety
- ▶ Assisted Devices
- ▶ Personal Hygiene



SELF NEGLECT

- ▶ **Living in subpar conditions**
 - ▶ Personal choice to live in a particular situation
- ▶ **Person not taking necessary medication and has ignored medical advice**
 - ▶ Person's right to refuse medical services
- ▶ **Person would benefit from services but chooses not to**
 - ▶ Person's right to refuse any, and all services

EXPLOITATION



Actor, Mickey testifying in front of Senate Hearing on Financial Exploitation

- An action involving the misuse of an adult's **funds, property or personal dignity** by another person

COMPETENCY VS CAPACITY DEFINITION

Competency

- competency is the mental ability to understand the general effects/results of a transaction, document or action.

Capacity

- An ability to comprehend both the nature and consequences of one's acts.

COMPETENCY VS CAPACITY

Competency

- ▶ Legally determined by Probate Court Judge
- ▶ Requires medical professional assessment of person's capacity be submitted to Probate Court

Capacity

- ▶ Person has the right to make poor choices
- ▶ Person has the right to refuse any, and all services



MANDATORY REPORTERS

Definition:

- ▶ Those employed, licensed, registered or certified to provide or employees of an agency licensed to provide:

Services Provided

- ▶ Health Care
- ▶ Education Services
- ▶ Social Welfare Services
- ▶ Mental Health Services
- ▶ Other Human Services

MANDATORY REPORTERS CONTINUED

Mandatory Reporters

- ▶ Physicians
- ▶ Law Enforcement Officers
- ▶ Employees of the County Medical Examiner

Not Mandatory Reporters

- ▶ Attorneys
- ▶ Long Term Care Ombudsman
- ▶ Clergy
- ▶ Financial Institutions

MANDATORY REPORTERS

Why Should I Report

- ▶ Make a difference in the life of an adult and the adult's family
- ▶ Stop abuse, neglect and exploitation as soon as possible
- ▶ Support and Services are available to adult and family

Concerns About Reporting

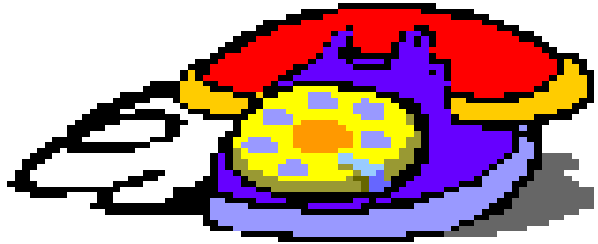
- ▶ I don't want to interfere in someone else's life
 - ▶ If you don't who will?
- ▶ What if I cause someone to be moved out of their home?
 - ▶ What if an adult continues to be hurt?
- ▶ They will know it was me who called
 - ▶ Referral Source is kept confidential

APS REFERRAL REPORTING REQUIREMENT & PROTECTIONS

- ▶ Must be an Oral Report to Centralized Intake
- ▶ Immunity from Civil Liability (Good Faith Clause)
- ▶ Referral Source kept Confidential
- ▶ \$500 Fine for Failure to Report (Misdemeanor)

WHERE TO REPORT AN APS REFERRAL

- ▶ **CENTRALIZED INTAKE FOR
ABUSE & NEGLECT**



- ▶ **855-444-3911**



WHAT TO REPORT

Required Information

- ▶ Name of the adult
- ▶ Address where living
- ▶ Description of the alleged abuse, neglect or exploitation
- ▶ Cause and manner of the abuse, neglect or exploitation

Information if Available

- ▶ Adult's age, DOB and/or SSN
- ▶ Contact Information of next of kin or collateral contact
- ▶ Others residing in the home and relationship to adult
- ▶ Alleged Perpetrator

APS REFERRAL DECISION PROCESS

Two Criteria Required

- ▶ Vulnerability while **unable to protect him/herself**
- ▶ Harm or threaten Harm by abuse, neglect or exploitation

Decision Path

- ▶ **Vulnerability and Harm** referral assigned, and acknowledgement letter sent
- ▶ **Only One Criteria Met** referral denied and denial letter sent

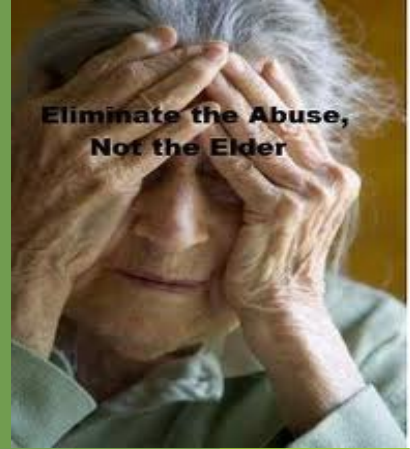
APS INVESTIGATION

DETERMINE:

- ▶ Nature, extent and cause
- ▶ Adult's capacity for self care
- ▶ Management of personal and financial affairs
- ▶ Willingness and capacity to use available resources and services

PROCESS

- ▶ Immediately if imminent danger
- ▶ Contact within 24 hours
 - ▶ Adult or Collateral Contact who is **not the Referral Source**
 - ▶ Either in person or by phone
- ▶ Face to Face within 72 hours with Adult
- ▶ Investigation approximately 30 to 90 days, longer with court intervention



Eliminate the Abuse,
Not the Elder

APS INVESTIGATION

PROCESS

- ▶ Substantiate or not all allegations identified
- ▶ Offer referral to services for unmet needs
- ▶ Coordination of services
- ▶ Limited APS financial assistance \$1000 per Fiscal Year

SERVICES

- ▶ **Referral to Services**
 - ▶ Meals on Wheels
 - ▶ Transportation
 - ▶ Home Help/Home Health
- ▶ **Coordination**
 - ▶ Community Resources
 - ▶ Natural Support Network
- ▶ **Legal Interventions**



ADULT PROTECTIVE SERVICES



- ▶ “Our Society must make it right and possible for old people not to fear the young or be deserted by them, for the test of a civilization is **the way that it cares for its helpless members.**”

Pearl S. Buck



APS Contact Information

Statewide CI Abuse and Neglect Number

855-444-3911

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