# Advancing Elder Justice Together: ACL, APS, and State Innovation

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# Overview of OEJAPS, Elder Justice, and APS

# ACL’s Vision for Elder Justice

- Protecting rights and preventing abuse are essential to dignity and independence. ACL’s leadership affirms that every person, regardless of age or disability, should be able to live safely and free from harm. ACL will:
  - Strengthen protection and advocacy systems that safeguard the rights of older adults and people with disabilities.
  - Expand elder justice initiatives that prevent, detect, and respond to abuse, neglect, and exploitation.
  - Enhance collaboration among federal, state, and community partners to improve prevention and accountability.
  - Invest in data and research to understand and address systemic risks to individual rights and safety.

# OEJAPS Portfolio

## APS

- State Grants to Enhance APS
- Voluntary Consensus Guidelines for APS
- NAMRS
- APS Technical Assistance Resource Center
- Formula Grants
- National APS Training Center

## Elder Abuse

- Title VII
- Elder Justice Innovation Grants
- Late Life Domestic Violence
- Elder Justice Coordinating Council
- NCEA
- World Elder Abuse Awareness Day

## Legal Services

- Title III-B
- National Center for Law & Elder Rights
- Legal Assistance Enhancement Program

## Income Security

- Pension Counseling Projects
- National Pension Assistance Resource Center

# APS Federal Regulation

- Published June 7, 2024, Compliance Date: May 8, 2028
- Establishes set of national standards for the operation of APS programs that all state APS systems must meet
- Establishes definitions for terms that are foundational to APS practice
- Creates tiered assessment system to differentiate between cases that represent immediate risk and those that do not
- Requires APS programs to provide at least two ways for reporting adult maltreatment and self-neglect 24/7
- Emphasizes person-directedness and least-restrictive alternatives as core values in APS practice
- Requires robust conflict of interest policies to support ethical APS practice
- Promotes coordination and collaboration with other entities
- Requires state APS entities to create state plans at least every five years and to submit annual program performance data

# Supporting Adult Protective Services Functions and Grants

- Promote high-quality APS
- Improve consistency in APS services across states
- Encourage innovation
- Emphasize person-directedness and least-restrictive alternatives
- Planning for program performance data on APS operations

# ACL Technical Assistance

- Understanding Needs:
  - Needs assessment
  - Assist with developing operational plans

- Deliver technical assistance and guidance:
  - Webinars
  - Briefs/Bulletins
  - Sub-regulatory guidance
  - State and national conference workshops

# Overview of APS

# What is APS?

- Human/Social services program
- Established and authorized by state law
- Operated by state and local government
- Social services program that receives reports of maltreatment, conducts case planning, and provides (or connects people to) a variety of to help them recover
- Until recently, wholly funded and administered at the state or local level

# APS Organizing Principles

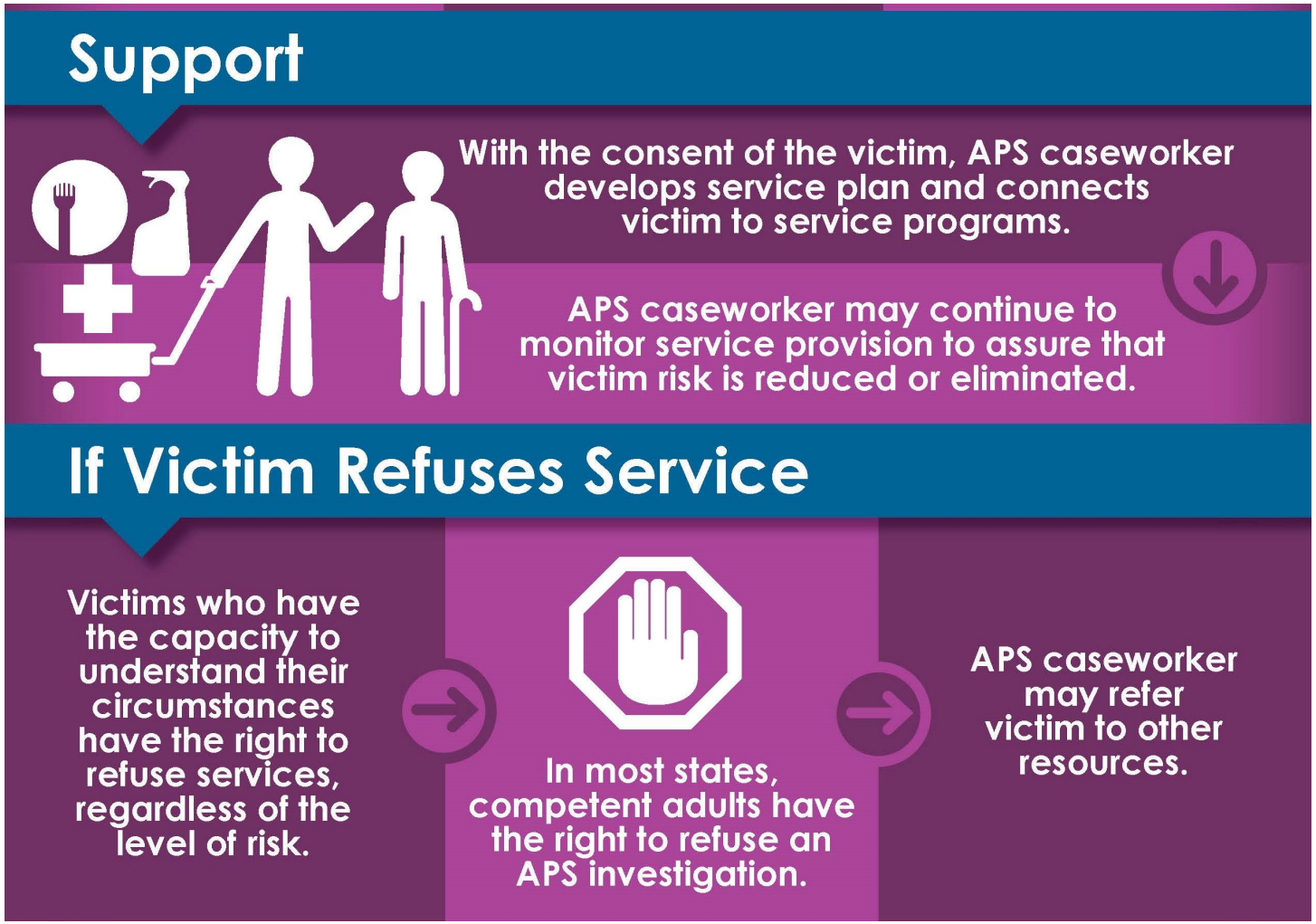
- Holds paramount self-determination and autonomy
  - Victim-centered social services program
  - Services are voluntary
  - An older or disabled adult can refuse services
  - Use the least restrictive alternative

- In most states, APS does not have authority to involuntarily remove older people from their homes

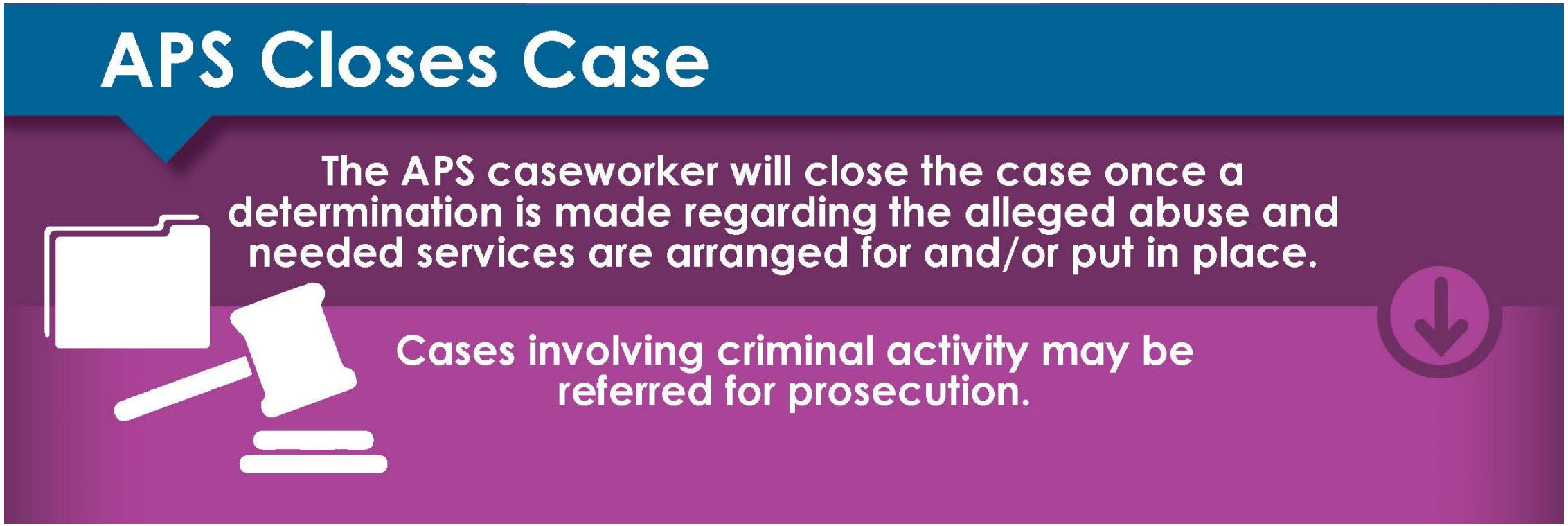
# How APS Works



# How APS Works



# How APS Works



# APS Referrals & Contacting Your Local APS Program

# Accepting Reports

New Federal Requirements requires:

Standardized policies and procedures for receiving reports of adult maltreatment and self-neglect 24 hours per day, 7 days per week, using multiple methods of reporting, including at least one online method.

# Accepting Reports Cont.

- *Adult:* means older adults and adults with disabilities as defined by State APS laws.
- *Adult Maltreatment*: means the abuse, neglect, financial exploitation, or sexual abuse of an adult at-risk of harm.
- *Self- Neglect*: means a serious risk of imminent harm to oneself or other created by an adult's inability, due to a physical or mental impairment or diminished capacity, to perform essential self-care tasks, including one of the following:
  - 1. Obtaining essential food, clothing, shelter or medical care;
  - 2. Obtaining goods and services necessary to maintain physical health, mental health or general safety; or
  - 3. Managing one’s own financial affairs.

# APS Variability

- Eligibility
  - “Vulnerable", age, and other definitions

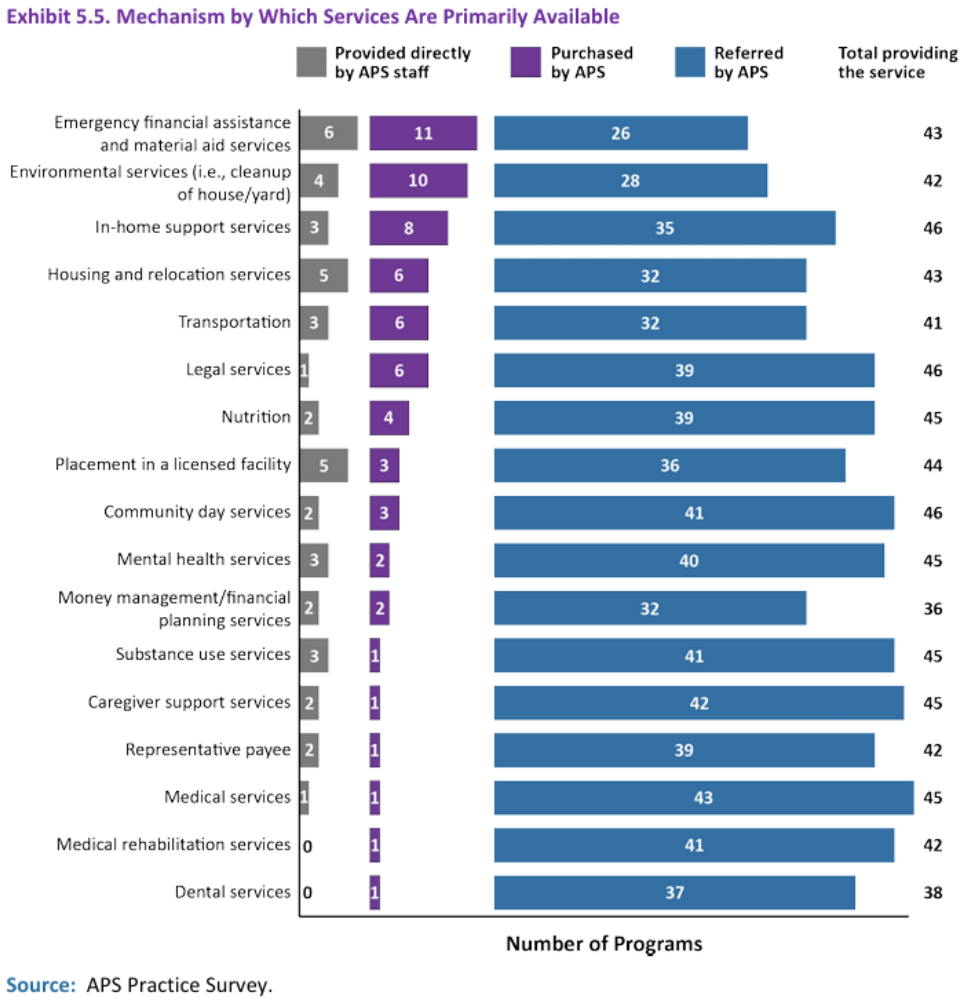
- Settings
  - Licensed facilities/entities and their employees may fall outside APS jurisdiction

- Perpetrators/Actions
  - Some actions may not conform with state-defined abuse, neglect, exploitation
  - May depend on if perpetrator's identity is known and relationship to victim
  - Might be excluded if staff of a congregate residential facility/setting or staff of a home care agency

# APS Referrals

Services and programs made available to clients via:

1. Directly by APS Staff
2. Purchased by APS
3. Referred by APS



# Contacting your Local APS Program

- The nature of APS casework and clients makes APS programs dependent upon a wide range of partnerships.
- Partnerships are often developed at the local level, rather than statewide. The best way place to start is to contact your local APS Program.
- NAPSA's resource "Help in Your Area" can help you find contact information for your specific area:
  - https://www.napsa-now.org/help-in-your-area/
- ACL's Elder Care Locator can also help you find resources in your local community:
  - https://eldercare.acl.gov/resources