

# Introducing MEJC Identifying and Preventing Abuse in Later Life

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Minneapolis Area Senior Workers Association Board

February 25, 2021

MINNESOTA  
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# Today's Agenda

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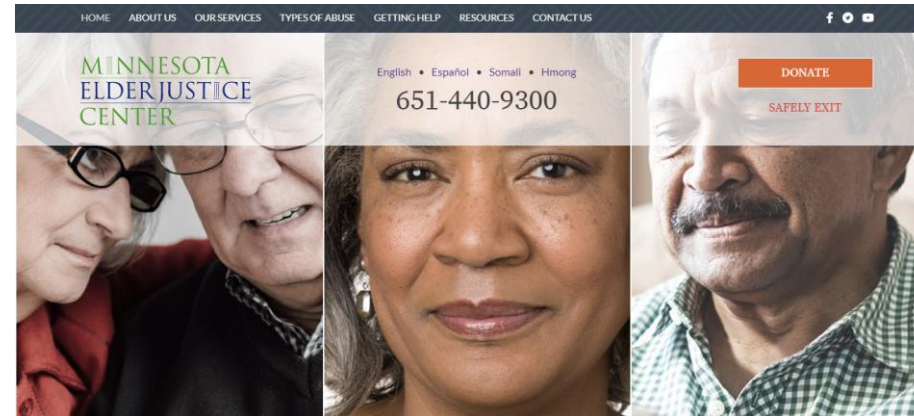
- Introduce the MEJC
- Review definitions and statistics to better understand impacts of abuse and maltreatment on older adults
- Recognize the common dynamics of abuse in later life
- Identify unique barriers that may exist for older adults seeking assistance
- Share additional resources

# The Minnesota Elder Justice Center

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Mobilizing communities to prevent and alleviate abuse, neglect and financial exploitation of older and vulnerable adults.

- › Public Awareness
- › Professional Education
- › Public Policy
- › Direct Service



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# The Minnesota Elder Justice Center

- › Public Awareness
  - › Website/Social Media
  - › Consumer-oriented content
  - › Technical Assistance (messaging, outreach)
  - › World Elder Abuse Awareness Day Conference
- › Professional Education
  - › Training and curricula
  - › Technical Assistance for professionals working with victim/survivors and supporters
  - › Weekly webinars

# The Minnesota Elder Justice Center

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- Public Policy
  - Legislative advocacy
  - Technical Assistance: legislation and policy impacts
  - “Systems Change” work: such as Center Partners

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## Victim Services

- Locate needed resources
- Help make sense of complicated systems and processes
- Make a plan for what comes next
- Legal Service Supports

# Victim Services at the Minnesota Elder Justice Center

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A cornerstone of MEJC's work is direct victim services. We work to provide victim-centered advocacy services including:

- Supportive Listening
- Safety Planning
- Systems Navigation
- Domestic Violence Support
- Economic Advocacy
- Community Support Groups
- Limited Legal Representation: funding for 1 FTE and another adding soon

# The Minnesota Elder Justice Center

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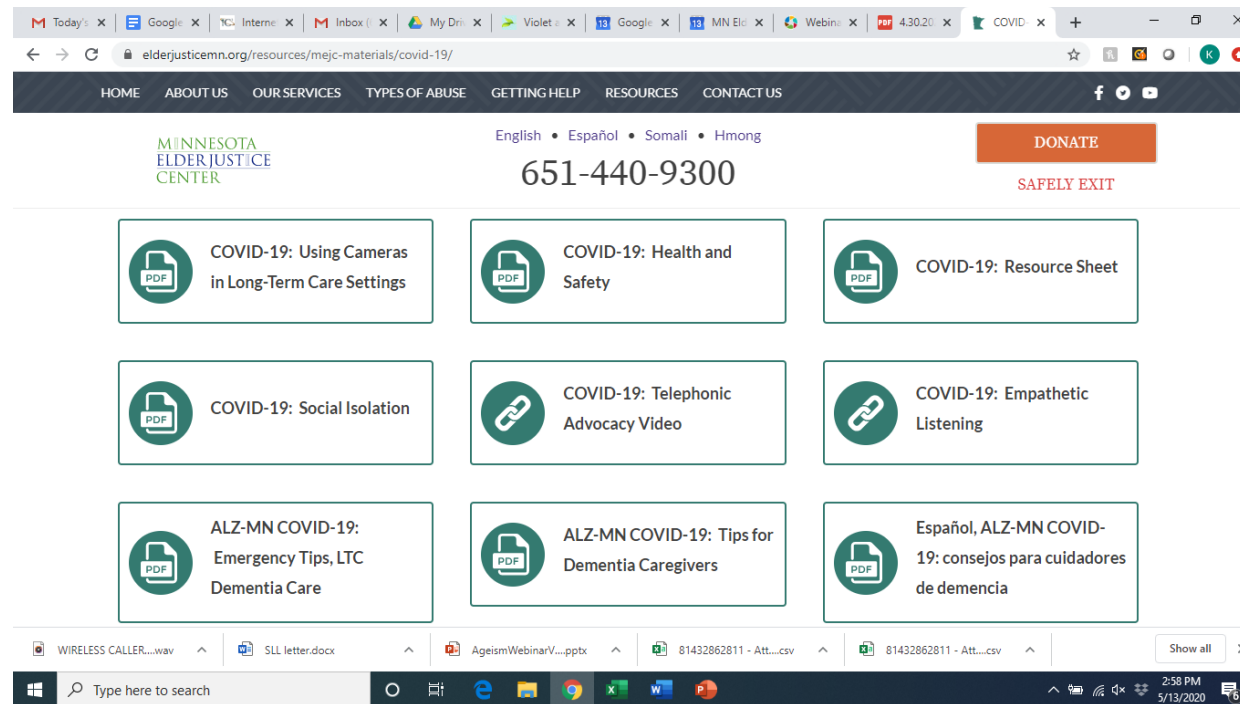
To access a Victim Services advocate:

- Call 651-440-9312
- “Contact us” form on website
- All advocacy and legal services are free to participants



# The Minnesota Elder Justice Center

## MEJC COVID-19 Resources



The screenshot displays the website [elderjusticemn.org/resources/mejc-materials/covid-19/](http://elderjusticemn.org/resources/mejc-materials/covid-19/). The page features a dark navigation bar with links for HOME, ABOUT US, OUR SERVICES, TYPES OF ABUSE, GETTING HELP, RESOURCES, and CONTACT US. Below the navigation bar, the Minnesota Elder Justice Center logo is on the left, the phone number 651-440-9300 is in the center, and a DONATE button is on the right. A SAFELY EXIT button is also visible. The main content area is a grid of nine resource cards, each with a PDF icon and a title:

- COVID-19: Using Cameras in Long-Term Care Settings
- COVID-19: Health and Safety
- COVID-19: Resource Sheet
- COVID-19: Social Isolation
- COVID-19: Telephonic Advocacy Video
- COVID-19: Empathetic Listening
- ALZ-MN COVID-19: Emergency Tips, LTC Dementia Care
- ALZ-MN COVID-19: Tips for Dementia Caregivers
- Español, ALZ-MN COVID-19: consejos para cuidadores de demencia

The browser's taskbar at the bottom shows several open applications, including a wireless caller, SLL letter.docx, Ageism Webinar, and two CSV files. The system tray indicates the time is 2:58 PM on 5/13/2020.

# Elder Abuse: toward a definition...

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- › Knowing, intentional or negligent act
- › Causes harm or serious risk of harm to an older or vulnerable adult

# Elder Abuse: toward a definition...

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- › Defined by age, relationship, type of abuse
- › Victims are often on a continuum from active to having various medical, cognitive, mobility issues
- › 2/3 of perpetrators of elder abuse are family members, trusted individuals and/or caregivers

# Prevalence

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- › 1,000,000 – 2,000,000 adults in later life in U.S. are victims of abuse<sup>1</sup>
- › 1 in 10 persons over the age 60 are victims of elder abuse<sup>2</sup>
- › Victims of elder financial abuse in U.S. lose close to \$3 Billion each year<sup>3</sup>

<sup>1</sup>National Center of Elder Abuse:2005 Elder Abuse Prevalence and Incidence

<sup>2</sup>National Institute of Justice: Elder Abuse as a Criminal Problem

<sup>3</sup>Blancato, Robert: Violence Against Older Women and The Elder Justice Act; 3/04/12

# Prevalence

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- › Family members are most common perpetrators of financial exploitation of older adults (57.9%).<sup>1</sup>
  - › And yet, 51% of news articles related to elder financial exploitation concern instances of fraud perpetrated by strangers.<sup>2</sup>
- › Perpetrators of elder abuse most likely to be adult children or spouses.<sup>3</sup>

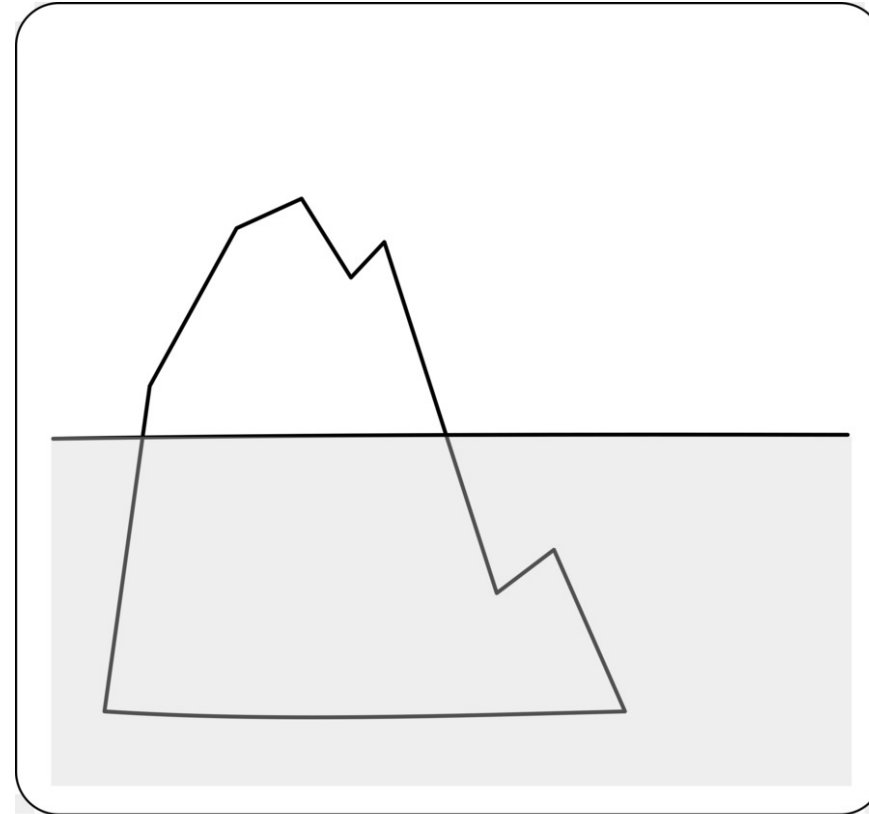
<sup>1</sup>Peterson, J., Burnes, D., Caccamise, P., Mason, A., Henderson, C., Wells, M., & Lachs, M. (2014). Financial exploitation of older adults: a population-based prevalence study. *Journal of General Internal Medicine*, 29(12), 1615–23. doi: 10.1007/s11606-014-2946-2

<sup>2</sup>MetLife Mature Market Institute. (2011). *The MetLife Study of Elder Financial Abuse: Crimes of Occasion, Desperation, and Predation Against America's Elders* (PDF).

<sup>3</sup>Lachs, M., & Pillemer, K. (2015). Elder abuse. *New England Journal of Medicine*, 373, 1947–56. doi:

# Elder Abuse: Under the Radar

For every **1** case of elder abuse that comes to the attention of a responsible entity...



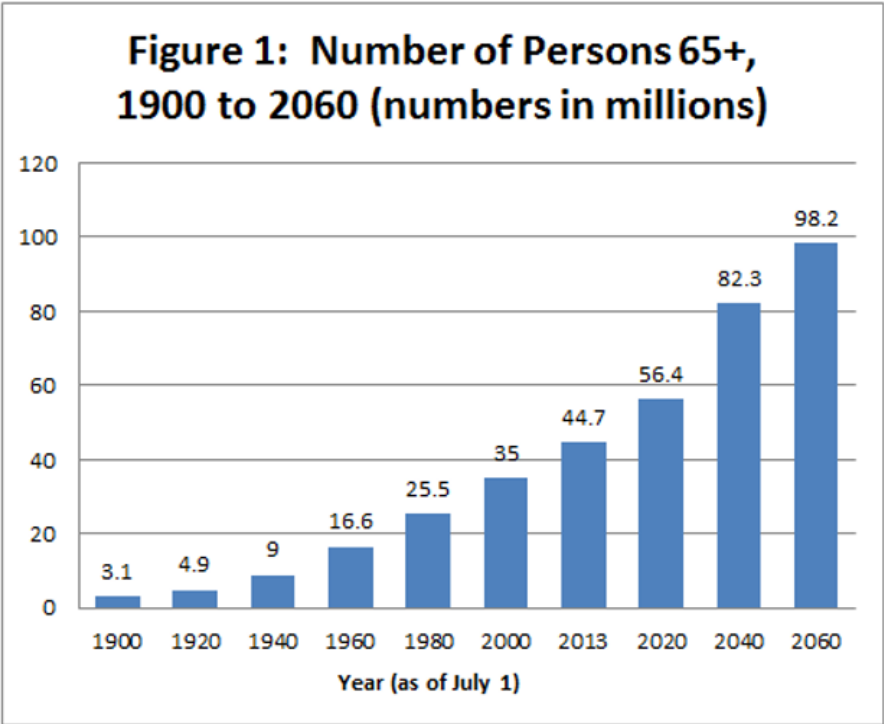
...another **23** cases never come to light.

# Growth of Older Adults

The Administration on Aging expects that by 2030, the U.S. population over age 65 will have doubled from 2000, with older adults representing 19% of the population.

# U.S. Population Age 65 & Older is on the Rise: 1990-2050

Figure 1: Number of Persons 65+: 1900-2060 (numbers in millions)



Note: Increments in years are uneven.

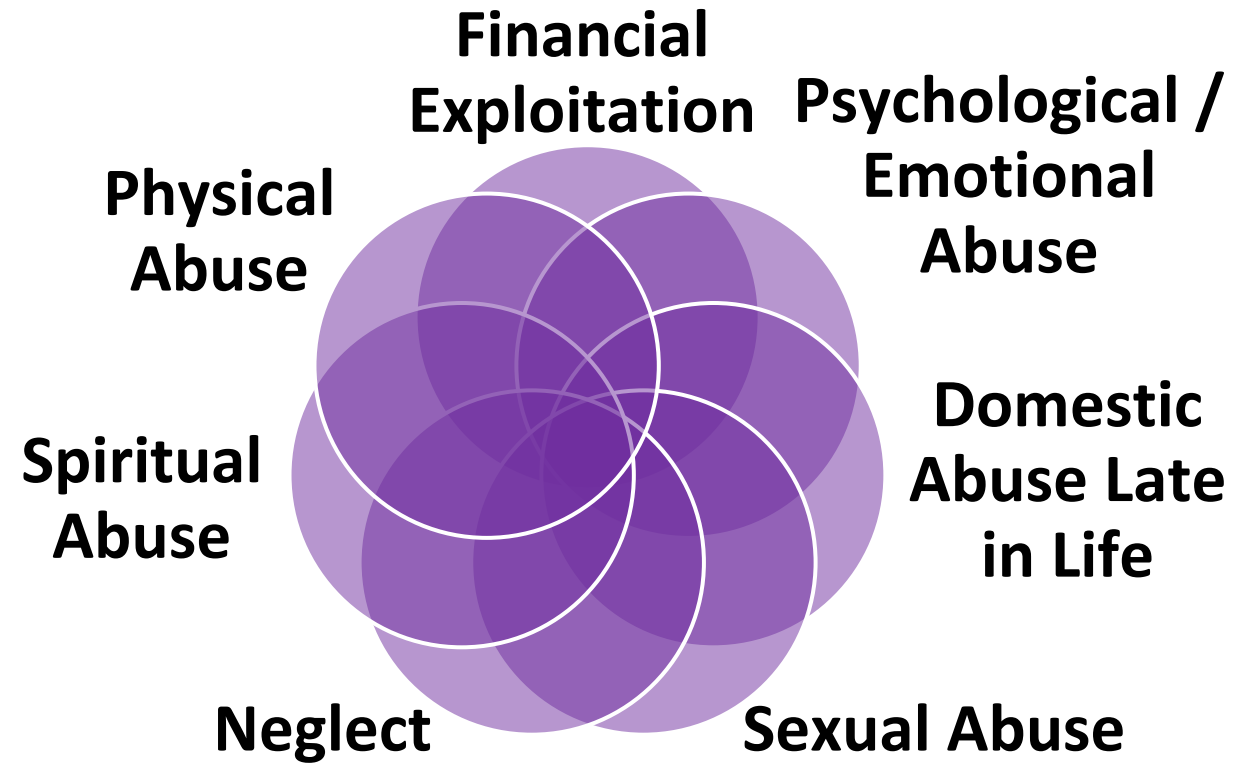
Source: U.S. Census Bureau, Population Estimates and Projections.



# Types of Abuse

- › Domestic Violence Late in Life
- › Physical abuse
- › Emotional abuse
- › Sexual abuse
- › Spiritual abuse
- › Financial Exploitation
- › Neglect
- › Self Neglect

# Poly-victimization



\* Dong, X., Simon, M. A., & Gorbien, M. Elder abuse, neglect, and exploitation: Risk factors and prevention strategies. *Journal of Gerontological Social Work*, 33, 5-25. (2007).

# Warning Signs

- Isolation
- Hints at being alone or afraid
- Repeated “accidental” injuries
- Presents as “difficult” patient or client
- Has vague, chronic complaints
- Is unable to follow-through on treatment plans; missed appointments

# Perpetrator Profile

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- Often family members or caregivers
- Always with victim
- Controlling
- Short-tempered
- Under/unemployed
- Prior history
- Overly involved
- Gambling/substance abuse addiction
- Dismissive
- Unusual relationship with victim

## Someone who might be an abuser

- Verbally abusive to the older adult while charming to others
- Says things like, “she’s clumsy” “he’s just stubborn” “she doesn’t listen” or “he’s so stupid”
- Overly attentive to older person
- Talks about the person as if they aren’t there

## Someone who might be an abuser

- Controls activities and contacts of the older adult
- Portrays self as victim
- Sabotages efforts to attend services, meetings, events and appointments
- Threatens to harm themselves or the older adult or both

# *Is it abuse?*

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- You may not be able to observe any of these red flags or the indicators could be explained by other causes.
- Look for patterns or clusters of indicators that suggest a problem

# Reframing Caregiver Stress and Abuse

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- Everyone experiences stress, but most do not abuse.
- Abusers target only the older adult – not others.
- Abusers tend to use caregiver stress as an excuse to create sympathy for themselves.

OVW, FLETC and NCALL (2012)



# Outcomes if Perpetrators' Justifications Are Believed...

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- Offenders are not held accountable
- Message to abusers: no consequences
- Offering services to address perpetrator stress, anger or substance abuse doesn't address power and control or greed as motive
- Victims may not seek help again
- **Victim safety is not addressed**

OVW, FLETC and NCALL (2012)

# Minnesota Statutory Protections

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# Vulnerable Adult Act: Minn. Stat. 626.5572

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## Categorical

- Inpatient at a facility
- Receives services at or from a facility
- Receives services from a home care provider, or person that acts as a personal care/medical assistant

## Functional Definitions

- Possesses a physical, mental, or emotional infirmity/dysfunction

# Criminal Neglect: Minn. Stat. 609.233

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- Intentionally permit conditions that allow abuse/neglect
- Knowingly fail to provide food, clothing, shelter, health care, supervision
- Felony: substantial harm; or extended time

# Financial Exploitation

- Scams
- Identity theft
- Theft
- Coercion and extortion
- Fraud and deception
- Abuse of legal authority (i.e. Power of Attorney)

# Financial Exploitation: Minn. Stat. 609.2335

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- In addition to identifying theft and other basis for charges:
  - Breach of fiduciary duty – i.e Power of Attorney
  - Use of property for something other than the benefit of the vulnerable adult
  - Fails to use property for benefit for vulnerable adult
  - Deprives vulnerable adult of financial resources

# Warning Signs of Financial Exploitation

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- An elder who is agitated before a family member or friend comes to see them or take them to an “appointment”
- An elder who lacks the basics even though he or she should have sufficient resources
- An elder pressured to sign a document
- An elder, family member, or friend with a known gambling, drug or alcohol dependency

# Warning Signs of Financial Exploitation

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- The creation of a new Power of Attorney document
- The erratic use of an elder's funds or personal needs allowance by family members or fiduciaries
- The sales of an elder's valuables to friends, facility staff or others



# What is a Fiduciary?

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Clients will benefit by understanding this basic definition:

- A Fiduciary is someone who manages money or property for someone else.
- A Fiduciary has four basic duties:
  - To act only in the best interest of the person he or she is helping.
  - To manage the other person's money or property carefully.
  - To keep the other person's money or property separate from his or her own.
  - And to keep good records.

# Types of Fiduciaries

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- Attorney in Fact (under a Power of Attorney document)
  - Statutory Short Form
  - General Durable
- Trustee
- Representative Payee
- VA Fiduciary (Veterans' Affairs)
- Conservator

# Who? Why?

- Trustworthiness
- Responsibility
- Discernment
- Empathy
- Organization
- And if all those...
- **AVAILABILITY**

# Common Consumer Scams

- Banking/IRS imposter
- Family member imposter
- Prize or gift voucher
- Tech Support
- Fraudulent charity
- Sweetheart scams

# COVID-19 Consumer Scams

- Testing
- Fraudulent vaccines/treatments
- Economic Impact Payment (i.e. stimulus check)
- False PPE (unsafe or not actually available)

# Unique Barriers to Reporting

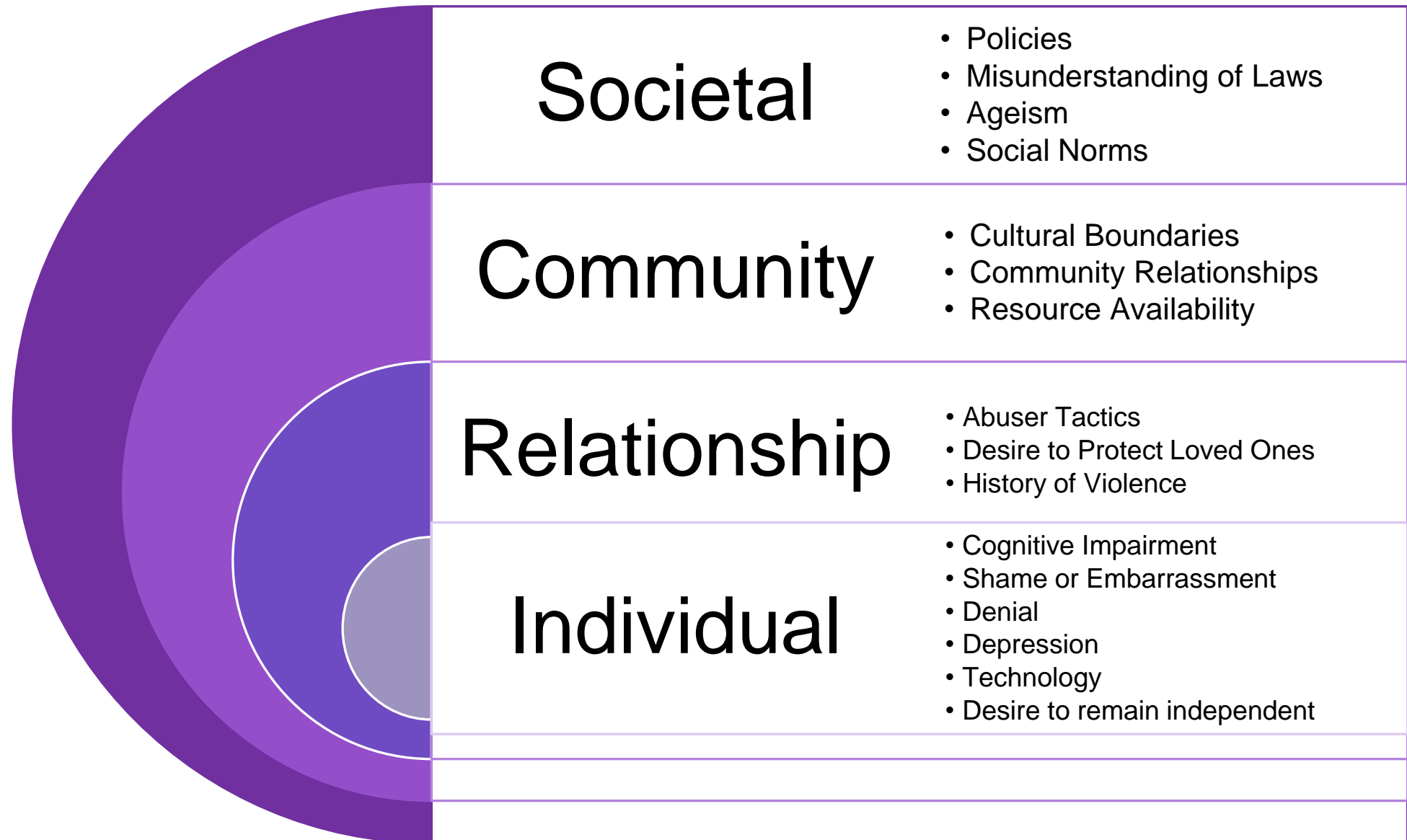
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# Reporting Barriers

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- Denial
- Depression
- Fear (of escalation, isolation, destruction of property, injury to pets, death)
- Cognitive impairment / Capacity issues
- Incredulity of others
- Pride and desire to maintain autonomy
- Shame or embarrassment
- Desire to protect relatives
- Cultural boundaries
- Belief that institutional care is only alternative
- Feeling that abuse is somehow appropriate response to victim's own action recently or prior in life

# Reporting Barriers: Social-Ecological Model





# Minnesota Adult Abuse Reporting Center (MAARC)

Single toll-free number: **844-880-1574**

- Available 24 hours per day
- Immediately notifies county agency (EPS); law enforcement (crime); Med Ex, Ombudsman for MH (suspicious death)
- Refers directly to Lead Investigative Agency

Feedback to: [dhs.adultprotection@state.mn.us](mailto:dhs.adultprotection@state.mn.us)

# Mandatory Reporting

Minn. Stat. § 626.5572 Subd. 16

## Mandated Reporters

- Professional/delegate: Social Services, Law Enforcement, Education, Care of Vulnerable Adults
- Licensed by Health Board under 214.01
- Employee MDH or DHS licensed facility/service; including jobs & training
- MA Enrolled Provider
- Medical Examiner or Coroner

## Voluntary Reporters

- Everyone else

# Additional Resources

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## Minnesota Resources

- Senior LinkAge:  
[www.mnaging.net](http://www.mnaging.net)
- Minnesota Department of Commerce:  
[www.mn.gov/commerce](http://www.mn.gov/commerce)
- Minnesota Office of the Ombudsman:  
<https://mn.gov/omhdd/>
- Cornerstone Minnesota:  
[www.cornerstonemn.org](http://www.cornerstonemn.org)

## National Resources

- National Center on Elder Abuse: [www.ncea.acl.gov](http://www.ncea.acl.gov)
- Consumer Financial Protection Bureau:  
[www.cfpb.gov](http://www.cfpb.gov)
- National Clearinghouse on Abuse in Later Life:  
[www.ncall.us](http://www.ncall.us)
- Internet Crime Complaint Center (IC3): [www.ic3.gov](http://www.ic3.gov)



Society is like a building; we can improve it with support beams working together that keep everyone safe!

- › Adult Protective Services
- › Advocacy Organizations
- › Law Enforcement
- › Financial Institutions
- › Medical Staff
- › Facility Staff
- › Concerned Citizens

# The Minnesota Elder Justice Center

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To access a Victim Services advocate:

- Call 651-440-9312
- “Contact us” form on website
- All services are free of charge for our participants.

# The Minnesota Elder Justice Center

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*Follow us on Social Media:*



@elderjusticemn



<https://www.facebook.com/elderjusticemn>

*Join our Mailing List:*

Email: [katie.behrens@elderjusticemn.org](mailto:katie.behrens@elderjusticemn.org)

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# Thank You!

Questions?

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Please complete this quick evaluation:

<https://survey.alchemer.com/s3/2902395/f27b237233ef>

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