

## DEFINITIONS

**ADULT IN NEED OF PROTECTIVE SERVICES.** A person 18 years of age or older whose behavior indicates that he is mentally incapable of adequately caring for himself and his interests without serious consequences to himself or others, or who, because of physical or mental impairment, is unable to protect himself from abuse, neglect, or exploitation by others, and who has no guardian or relative or other appropriate person able, willing, and available to assume the kind and degree of protection and supervision required under the circumstances.

**CARETAKER.** An individual who has the responsibility for the care of the elderly or handicapped person as a result of family relationship, or who has assumed the responsibility for the care of the person voluntarily, by contract, or as a result of the ties of friendship.

**ABUSE.** The infliction of physical pain, injury, or the willful deprivation by a caretaker or other person of services necessary to maintain mental and physical health.

**EMOTIONAL ABUSE.** The willful or reckless infliction of emotional or mental anguish or the use of a physical or chemical restraint, medication or isolation as punishment, or as a substitute for treatment or care of any protected person.

**NEGLECT.** The failure of a caretaker to provide food, shelter, clothing, medical services, and health care for the person unable to care for himself; or the failure of the person to provide these basic needs for himself when the failure is the result of the person's mental or physical inability.

**EXPLOIT.** The expenditure, diminution or use of the property, assets or resources of a person subject to protection under the provisions of this chapter without the express voluntary consent of that person or his legally authorized representative.

**PROTECTED PERSON.** Any person over 18 years of age subject to protection under the provisions of this chapter or any person including but not limited to persons who are senile, mentally ill, developmentally disabled, mentally retarded, or any person over 18 years of age that is mentally or physically incapable of adequately caring for himself and his interests without serious consequences to himself or others.

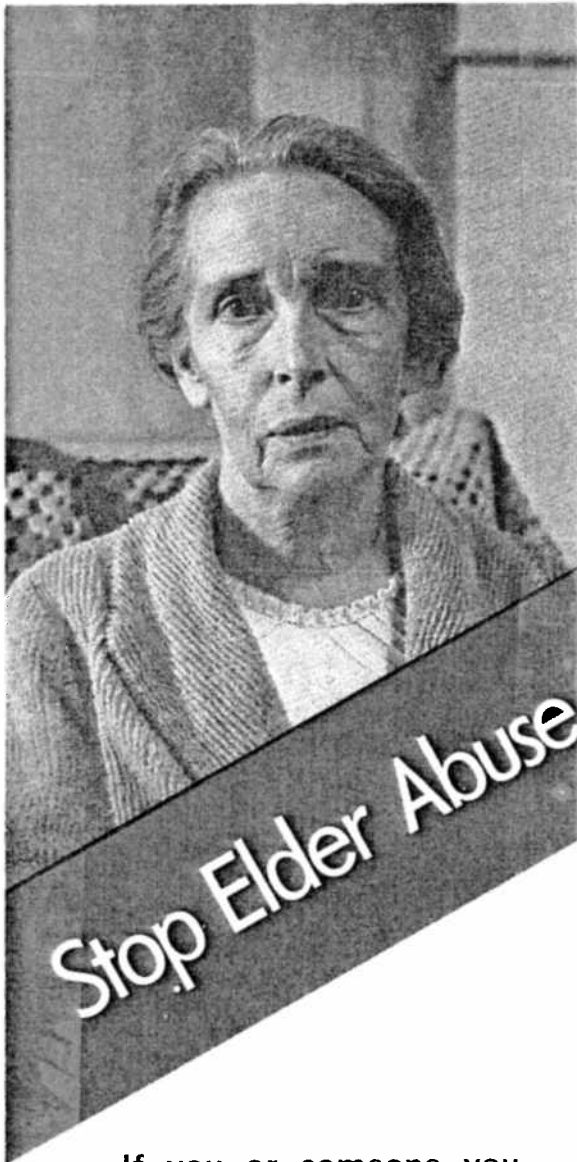
**PROTECTIVE SERVICES.** Those services whose objective is to protect an incapacitated person from himself and from others.

**PHYSICAL INJURY.** Impairment of physical condition or substantial pain.

**SERIOUS PHYSICAL INJURY.** Physical injury which creates a risk of death, or which causes serious and protracted disfigurement, protracted impairment of health, or protracted loss or the impairment of the function of any bodily organ.

**INTENTIONALLY.** A person acts intentionally with respect to a result or to conduct described by a statute of defining an offense, when his purpose is to cause that result or to engage in that conduct.

**RECKLESSLY.** A person acts recklessly with respect to a result or to a circumstance described by a statute defining an offense when he is aware of and consciously disregards a substantial and unjustifiable risk that the result will occur or that the circumstance exists. The risk must be of such nature and degree that disregard thereof constitutes a gross deviation from the standard conduct that a reasonable person would observe in the situation.



If you or someone you  
know is being abused, call  
your County Department  
of Human Resources

or

1-800-458-7214

#### ELDER ABUSE

Elder abuse in Alabama is an ugly and growing problem. Abuse can take the form of physical pain or injury through either willful or careless acts, or the misuse of an older person, his money, or his property.

Elder abuse can occur in all racial and ethnic groups, and among families in all income levels. It typically takes place among families, between grown children and their aging parents. However, older persons may be abused by health care or social service providers.

Families experiencing stress are prime candidates for elder abuse. Stress caused by the emotional and financial demands of caring for an elderly person can be tremendous.

Many abusers want and need help. Help is available in many communities through human service organizations for the abused and the abuser.

If you or someone you know needs help, call your county Department of Human Resources or call the toll-free number

1-800-458-7214.

#### Sponsored by:

The Governor's Task Force on  
Elder Abuse  
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