

Identifying Abuse and Neglect in Home Care

**Satellite Conference and Live Webcast
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Objectives

- **Identify signs of abuse, neglect, and exploitation in the adult population**
- **Understand the process of reporting abuse to the Alabama Department of Human Resources**
- **Learn ways to set boundaries with home health patients**

Objectives

- **Understand the dangers of desensitization to a patient's behavior and home setting**

The Adult Protective Service Act

- **Enacted in 1977**
- **Amendments to the act:**
 - 1989
 - 1994
 - 2000
 - 2008

Coverage

- **Adults: persons 18 years or older**
 - **Mentally incapable of caring for self or managing own affairs**
 - **Because of physical/mental impairment, unable to protect self from abuse/neglect/exploitation**
 - **Have no one willing/able to provide protection to degree needed**

Mission

- **Ensure the protection of vulnerable adults from:**
 - **Neglect**
 - **Including self-neglect**
 - **Physical abuse**
 - **Sexual abuse**
 - **Emotional abuse**
 - **Exploitation**

Neglect

- **Failure of the caretaker to provide food, shelter, clothing, medical services, and/or health care to a person unable to care for him/herself due to mental or physical inability**

Neglect Examples

- **Disconnected utilities**
- **Crowded living conditions**
- **Inadequate housing**
- **Lack of food**
- **Multiple unused prescription medications**

Abuse

- **Infliction of physical pain or injury or willful deprivation of services necessary for the person's mental and physical health by a caregiver or other person**
 - **Bruises or grip marks**
 - **Rope marks or welts**
 - **Repeated unexplained injuries**

Abuse

- **Dismissive attitude**
- **Refusal to go to same doctor or ER**

Sexual Abuse

- Includes rape, incest, sodomy, and indecent exposure
 - Unexplained vaginal or anal bleeding
 - Torn or bloody underwear
 - Bruised breasts
 - Venereal diseases or vaginal infections

Emotional Abuse

- Willful or reckless infliction of emotional or mental anguish or use of physical or chemical restraints or isolation as punishment
 - Unreasonably fearful or suspicious
 - Lack of interest in social contacts
 - Chronic physical or mental health problems
 - Evasiveness

Exploitation

- Expenditure, diminution, or use of property, assets, or resources of a protected person without express voluntary consent of the person or the person's legally authorized representative or provision of care to a protected person who needs to be in the care of a licensed hospital by an unlicensed hospital after a court order obtained by the State Board of Health has directed closure of the unlicensed hospital

Exploitation Examples

- Admission to an unlicensed hospital as defined by Act 208-389
- Large withdrawals from bank account
 - Unusual ATM activity
- Signatures on checks don't match adult's signature

Exploitation Examples

- Presence of adults in home who do not have income but have addictions
- Change of title to property

Increased Protection

- DHR, ADPH, Alabama Nursing Home Association and other interested parties worked to secure passage of Acts 2008-389 and 390
 - Provide increased protection to individuals residing in unlicensed ALFs
 - Such facilities are legally defined as unlicensed hospitals

**Statute Revisions
APS/DPH August 1, 2008**

- **ACT 2008-390:**
 1. Expands the definition of “exploitation” of a protected person to include providing care by, or admission to, an unlicensed hospital after a court order obtained by the State Board of Health has directed closure of the unlicensed hospital

**Statute Revisions
APS/DPH August 1, 2008**

2. Gives court the authority to enter orders giving the Department of Human Resources additional time to locate appropriate licensed facilities for persons living in unlicensed facilities

Perpetrators

- Usually related
- Do not understand care needs
- Misuse drugs or alcohol
- Dependent on victim
- History of domestic abuse
- Multiple stressors present

Mandatory Reporters

- Physicians
- Practitioners of the healing arts
- Caregivers
- Community ombudsman

Where to Report

- Local Department of Human Resources
 - Ask for Adult Protective Services
- Law Enforcement
- Adult Abuse Hotline
 - 1 – 800 – 458 – 7214

**What Information Will Be
Required at Intake?**

- Identification and address of client
- Content of the report
 - What happened: dates, times, frequency
- Reporter’s opinion

What Information Will Be Required at Intake?

- **Physical description**
 - Behavior
 - Availability of resources to meet needs
 - Ability to handle daily affairs, if known

What Information Will Be Required at Intake?

- Information regarding the reporter
- Anonymous reports are accepted

When DHR Does Not Investigate, but Another State Agency Does

- It is a State owned and operated Mental Health facility or a Correctional facility
- Nursing home reports in which an employee is the alleged perpetrator of abuse or neglect (August 1, 2000)

Who Investigates These Cases?

- State owned and operated Mental Health facilities
 - Alabama Department of Mental Health and Mental Retardation
- State Correctional Facilities
 - Alabama Department of Corrections

Who Investigates These Cases?

- A local or county jail
 - Governmental entity that operates the facility
- Nursing home reports in which an employee is the alleged perpetrator
 - Alabama Department of Public Health, Health Care Facilities Division

Statistics for FY 2010

- 3,769 abuse/neglect reports received
 - 12% increase from reports from FY 2009

Statistics for FY 2010

- 1,543 prevention assessments were received
 - Increase may be partially attributed to increased public awareness of elder abuse issues
 - Usually over half the reports are considered indicated

Collaboration

- DHR
- Law enforcement
- Physicians and other health care professionals
- Community resources
- Health department
- Department of Senior Services/AAA

DHR Program Services

- Protective Service Investigation
- Case Management
- Referrals

DHR Program Services

- Homemaker
 - Available in limited counties only
- Adult day care
- Adult foster care
- Emergency shelter
- Diagnosis and evaluation and mental health counseling

How to Contact Us?

- Any County Department of Human Resources
 - Office located in each of the 67 county seats
- State of Alabama Adult Protective Services: 334 – 242 – 1366
- Hotline: 1 – 800 – 458 – 7214
- aps@dhr.alabama.gov

How to Contact Us?

- Local law enforcement
 - Sheriff's office
 - Police department

Abuse Is Suspected, Now What?

- Contact your supervisor
- When in doubt, report!
- Contact Alabama Department of Human Resources
- The person who witnessed the abuse needs to make the report

Abuse Is Suspected, Now What?

- Follow-up verbal report to DHR with a written report
- Remember
 - All reports to DHR are confidential
 - It may or may not be appropriate to inform patient of report

Documentation

- Documentation needs to be:
 - Accurate
 - Detailed
 - Straightforward
- Do not include:
 - Opinions
 - Judgmental statements

Boundaries

- Boundaries are a line where the worker ends and the client begins
- Boundaries allow clients to feel and know they are in professional hands
- Befriending vs. Empowering
- Hurting through disclosure

Boundaries

- Factors that signal violations in the worker/client relationship
 - Giving cell/home number to client
 - Lengthy calls during the day or on personal time
 - Using personal funds to support client's needs
 - Client's family begins to talk about time worker spends with client

Boundaries

- Why are boundaries hard to set?
 - Fear that not complying could cause harm
 - Fear of hurting others' feelings
 - Fear that we will look selfish or uncaring

Boundaries

- Fear we will be overwhelmed with guilt
- Fear our boundaries will not be honored

Boundaries

- Common mistakes with boundaries
 - Ignoring boundaries as a worker
 - Gifts
 - Social media

Desensitization

- Definition
 - Make less sensitive
 - Make less likely to feel shock or distress at scenes of cruelty, violence, or suffering by overexposure to such images

Desensitization

- How does this impact me as a Home Care Professional?
 - We become desensitized to difficult situations over time
 - We fail to protect our patients
 - After all, it isn't so bad, is it?

Preventing Desensitization

- Keep your perspective
- Ask yourself:
 - Would the situation seem worse when I began home health?
 - Would I want my mother, spouse, or child in this situation?
 - Is there a potential for danger in this environment?

Examples of Desensitization

- Patient has been living in a cluttered environment for several years
- Family members having been leaving patient alone for a gradually long period of time over several months
- Patient's son has been taking small amounts of money in account over a period of time