Protection for Professionals

by Holly Ramsey-Klawsnik, Ph.D.*

Professionals responding to suspected abuse face hard work and difficult decision-making. Investigating and intervening responsibly, ethically, and thoroughly is challenging, particularly when resources are scarce and caseloads are high. Alleged victims who have difficulty communicating, perpetrators invested in self-protection, and witnesses who are fearful to speak are but a few of the frequent challenges. Professionals also face community pressure, for example, to "do something" about a vulnerable adult who is self-neglecting or a slightly confused yet competent elder refusing intervention in a situation of "undue influence." Occasionally, high-profile cases attract media attention or the concern of public officials. The possibility of ethics violation charges, licensing complaints, and lawsuits also necessitates professional protections.

This column will discuss steps abuse professionals can and should take to protect themselves in the course of fulfilling their job responsibilities. These measures help to insure quality investigation and intervention. They also help to protect abuse professionals facing criticism regarding job performance in specific cases. Additionally, these protections increase job satisfaction.

Education and Information

Professionals from a variety of disciplines may be involved in abuse detection, reporting, investigation, and intervention. It is critical that professionals come to their role in handling abuse cases properly trained, whether this is in nursing, medicine, criminal justice, social work, mental health counseling, geriatrics, law, or other fields. Beyond initial professional preparation, those handling abuse cases also need extensive knowledge specific to their role, such as expertise in investigating allegations. Additionally, appropriate job performance requires knowledge of relevant laws, standards of practice, regulations, and agency expectations. This may be gained through preservice or basic training on the job, along with reading agency manuals and other materials. Ongoing continuing education in both abuse issues and an individual's practice area also provides professional protection. The field of interpersonal violence and abuse is rapidly developing. The wise professional takes advantage of conferences and seminar opportunities, as well as relevant publications. Continually upgrading one's knowledge base helps to ensure that performance is consistent with the standard of care. It also minimizes the likelihood of professional "burn-out."

Individual Supervision

Effective supervision is a professional's first line of defense in the battle to provide appropriate services and defend those services if later criticized. Cases handled by abuse professionals can be extremely challenging. Deciding whether or not abuse has occurred or finding effective remedies to ongoing maltreatment, for example, can stymie even highly skilled workers. Many clients coming to the attention of abuse professionals experience severe, sometimes life-threatening, maltreatment. Two heads usually are better than one in making tough decisions and finding solutions to complex problems. All abuse professionals need and deserve quality, supportive, and readily-available supervision to help them think through their work. A worker whose case plan received supervisory approval is well on the way to demonstrating that decisions were made and interventions offered in an appropriate and thoughtful manner consistent with agency policy.

Group Supervision

Group supervision is an effective method for obtaining additional case guidance and insight. Periodic meetings with one's peers within the agency to discuss problematic situations can provide a fresh perspective on difficult issues. The group process is extremely helpful for sorting out roadblocks and brainstorming interventions. It enables colleagues to support and learn from each other in a formal way. Wise supervisors facilitate periodic group supervision, while not using it to replace individual supervision. In the experience of this author, both are necessary and helpful to staff struggling to identify and assist abuse victims.

Ethical Guidelines

Professional ethics exist to protect clients served as well as the public-at-large, as discussed in a previous Clinical Practice column. (Holly Ramsey-Klawsnik, "Inaugural Column: Ethics," 7 (1) VED1 (May/ Jun. 2004).) Engaging in ethical practice is also excellent protection for the professional. Services provided in an ethical manner are designed and implemented in the best interest of the client using least restrictive alternatives. Ethical guidelines provide a framework within which abuse-related services can best be provided. Among other things, ethical guidelines help professionals practice safely and effectively by knowing the limits of their expertise, staying within their roles, protecting

*Holly Ramsey-Klawsnik is a sociologist and licensed mental health clinician in private practice in Canton, MA. She consults and trains for a variety of APS agencies, researches elder and vulnerable adult abuse, and is a board member of the National Committee for the Prevention of Elder Abuse. She can be reached at (781) 828-9784.

Contacts for organizations mentioned in this column: Elder Justice Coalition (http://elderjustice-coalition.com), National Adult Protective Services Association (information@apswork.org), National Association of Social Workers (http://naswvc.org), National Committee for the Prevention of Elder Abuse (http://preventelderabuse.org).
clients' confidentiality and right to refuse services, and refraining from situations which might be viewed as exploitative.

Professional societies, such as the National Association of Social Workers, establish ethical codes and require their members to practice accordingly. Abuse professionals must abide by the guidelines of their own societies and relevant licensing laws. In addition, the "Adult Protective Services Ethical Principles and Best Practice Guidelines" provided by the National Adult Protective Services Association offer guidance for professionals serving alleged and confirmed victims of adult abuse.

Consultation

Professionals benefit enormously by having access to experts who can review difficult cases and provide recommendations. Medical, nursing, forensic, mental health, legal, financial, and other types of consultation are, at various times, required by those handling abuse cases. A substance abuse expert can help design effective intervention in a case involving an addicted victim or perpetrator, for example. When consultation is arranged, an expert is sought to review one or more cases with involved staff. Consultants can offer outside opinions and expertise not typically available within the agency handling the case. Consultation may be provided to an individual worker or to a group of workers. The availability of regular, ongoing consultation is a great resource for abuse professionals. From the expert they can seek answers to specific questions, suggestions for case handling, diagnostic and referral information, and review of their work.

Multidisciplinary Teams

Multidisciplinary teams are another way to increase problem-solving and available resources for abuse case assessment and intervention. These teams typically operate within communities and bring together representatives from many agencies which are potentially involved in abuse cases. Representatives from hospitals, APS, mental health facilities, aging and disability services, police, courts, domestic violence and sexual assault centers, visiting nurse associations, financial institutions, and animal control may serve as team members. It is a fortunate abuse worker who has a multidisciplinary (or "M") team available for case presentation. The team brings together an enormous amount of expertise and a wealth of case-resolution strategies. Even if a successful outcome does not result, the fact that a worker brought the case before the team and attempted suggested interventions helps to protect that worker from charges of inadequate casework.

Networking

Opportunities to interact with and learn from others in one's field are invaluable. Some of the protections discussed above are examples of networking (conferences, team meetings). The payoffs for the time and travel necessitated by networking are increased knowledge and skills, greater awareness of resources and emerging trends, emotional support gained from colleagues, and an ever-widening perspective. These benefits go a long way in fending off professional burn-out. Participation in organizations devoted to the concerns of those working on behalf of victims of abuse, such as the National Committee for the Prevention of Elder Abuse, provides a wealth of networking opportunities.

Client Evaluations

A critical component of an appropriate case assessment and intervention plan is obtaining necessary evaluations of the involved client. These may include medical, nursing, mental health, substance abuse, capacity, nutrition, and other assessments. Obtaining proper evaluations, and utilizing the results in case planning, enables workers to effectively assist the client. Client evaluations also provide protection for the involved professionals. These procedures document the client's abilities, needs, and limitations. Furthermore, they demonstrate the worker's efforts to fully assess the situation and plan intervention with the input of knowledgeable specialists. Certainly, there are instances in which clients refuse to undergo evaluations. Refusals must be respected from individuals who have mental capacity and pose no immediate danger to self or others. Documenting all requests and recommendations to clients who have refused provides professional protection, and is further discussed below.

Court Involvement

In some situations, involving the court to rule on difficult cases is the best available protection for both the client and the worker. While court intervention should generally be sought as a last resort, some cases absolutely require consideration by a judge having jurisdiction. For example, when a client appears to lack mental capacity, refuses to be evaluated, and is dangerously self-harming.

Multidisciplinary teams are another way to increase problem-solving and available resources for abuse case assessment and intervention.
The process of documenting casework frequently clarifies the worker's thinking about the case. Records facilitate continuity of care in the event of case transfer or staff turnover and during the assigned worker's time off.

Documenting casework is just as important as doing the work. The adage has developed: "In human services, if it isn't documented, it wasn't done."

Timely documentation improves accuracy and helps the professional avoid becoming overwhelmed. It is also efficient. Writing a note immediately following a home visit may take five minutes. Documenting the same visit two weeks later may take 20 minutes—15 minutes to reconstruct what occurred and five minutes to write a note which lacks accuracy due to the time delay.

A person uninvolved in the case should be able to determine from the documentation the essence of what occurred. All important observations, findings, discussions, and tasks accomplished must be clear. A good note answers the questions: who, what, where, when, and how. When, where, and how did the contact occur? Who was present? What happened? Notes must be legible, understandable, signed, dated, and accurate. Sources of information must be identified, and time frames clearly specified. Important observations should be described, and facts must be reported objectively in appropriate detail. Opinions contained in the note should be labeled as such. For example, "The physician offered his opinion that the daughter does a good job taking care of her father."

When casework is properly performed and documented, the record demonstrates that actions were performed ethically in accordance with pertinent laws, regulations, and standards. In the event of litigation or complaint about the professional or the agency, careful documentation can demonstrate that services were offered and provided in a proper manner.

Professional Protections Are Critical to Insuring Quality Service Delivery

Supervisors and administrators are wise to ensure that protections for professionals are available to and utilized by personnel for whom they are responsible. For example, adequate time to complete timely documentation must be provided.

The widespread inadequacy of budgets among agencies serving adult abuse victims is well-documented. While budget problems are not conducive to providing protections for professionals, these protections are critical to insuring quality service delivery. Professional protections benefit the involved staff, result in quality service to clients, and protect agencies employing professionals. Furthermore, professional protections such as quality supervision and opportunities to attend conferences facilitate attracting and retaining quality staff. The need for budget conductions to protections for professionals is one reason to support the Elder Justice Act/Elder Justice Coalition. When passed, the Act will create stable federal funding for services to vulnerable adult victims of abuse. Within existing budget constraints, abuse workers, supervisors, and administrators are encouraged to utilize available professional protections to the extent possible.

Victimization of the Elderly and Disabled
Civic Research Institute, Inc.
478 U.S. Route 27, P.O. Box 585
Kingston, NJ 08528

FIRST CLASS
U.S. POSTAGE
PAID
Princeton, NJ
PERMIT # 299