



APS Laws and Regs:

“Did You Ever Think It Would Be This Much Fun?”



Lisa Amador
Hawaii APS Trainer/Curriculum Developer

Paul Needham
TCS Services
Training, Consulting, Speaking

**28th Annual
NAPSA Conference**

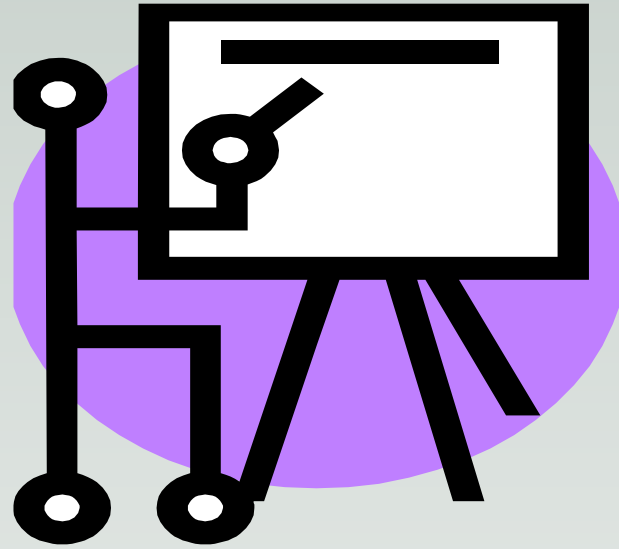
**Justice for All:
Protecting Vulnerable
Adults**

August 28 – 30, 2017



WELCOME AND INTRODUCTIONS

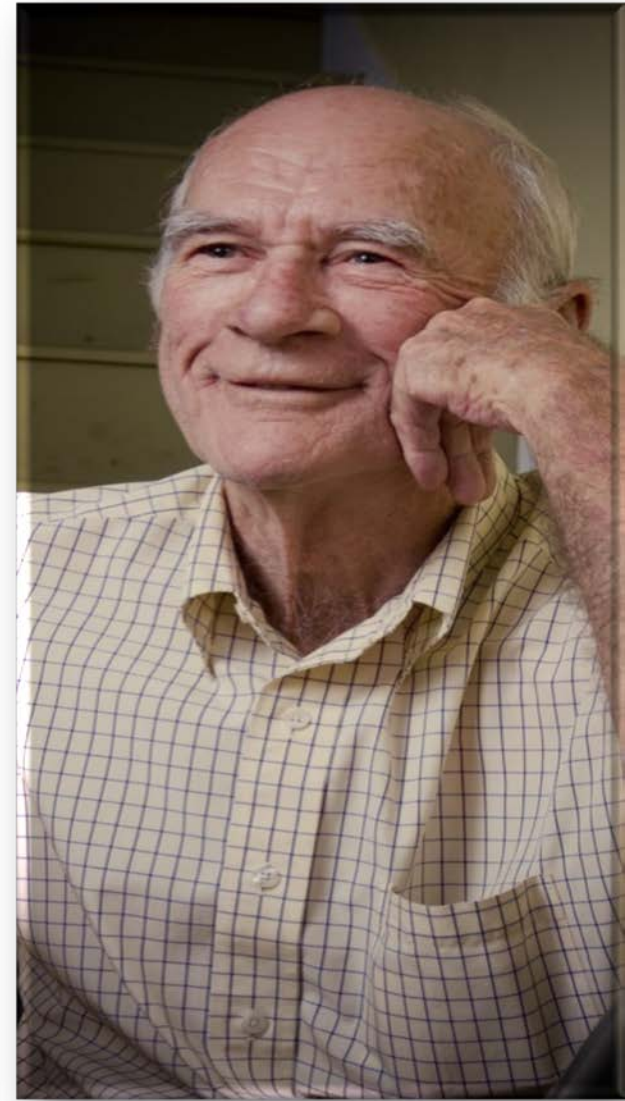
- Trainer
- Participants
- Housekeeping
- Training Overview
- Participant binder
- Expectations for interactive and fun



NAPSA Module #3: Adult Protective Services; Agency Standards and Procedures

Agency Standards: California Regulations e-learning by Carol Kubota, LCSW, Adapted and revised by IHS for Ohio Human Services (2015)

**Adapted and revised by: Lori Delagrammatikas & Paul Needham
for Hawaii APS (2016)**





National Adult Protective Services Association

- **NAPSA is the only national organization which represents APS professionals, programs and clients**
- **NAPSA is the national voice of APS**
- **NAPSA is a partner in the National Center on Elder Abuse**
- **NAPSA has members in 49 states and DC**

APS CORE COMPETENCIES

- NAPSA has identified 23 core competencies for APS; each has a training module.
- *Agency Standards and Procedures, is Module #3*
- Portions of this training in Hawaii will be the template used to develop the NAPSA In-class Module for Agency Standards.
- Other modules cover other topics in depth.

APS CORE COMPETENCIES

1. APS Overview – Sharee Rines Completed and available
2. APS Values and Ethics
3. Agency Standards and Procedures / Hawaii - Paul Needham Completed and available Soon
4. The Aging Process – Steve Field – Still in process - available 2017
5. Physical and Developmental Disabilities Colleen Beach
6. Mental Health Issues – Master/SDSU – Completed and Available Soon
7. Substance Abuse – Michelle Gayette – in process – available in 2017
8. Dynamics of Abuse
9. Professional Communications
10. Self Neglect
11. Caregiver Neglect

APS CORE COMPETENCIES

12. *Financial Exploitation*

13. **Physical Abuse** - _____

14. Sexual Abuse

15. Case Documentation/Report Writing

16. Intake Process

17. Investigation: Client Capacity

18. Investigation: Risk Assessment

19. Voluntary Case Planning and Intervention

20. Involuntary Case Planning and Intervention

21. Collaboration and Resources

22. Legal Issues and Law Enforcement

23. Case Closure

24. **Supported Decision Making ??**

What Does Your Regulations Training Look Like?





LEARNING OBJECTIVES

This workshop is a Demonstration of the full day (7 hour) In-class instructor led training Module on Rules and Regulations. The purpose being to show the effective interactive approach to training Rules and Regs and thereby improving the transfer of Learning

The original E-learning course on Master is California Specific.

This in-class version will make conversion to individual states much easier and free.

The original course Objectives were:

1. the basic laws and regulations related to APS jurisdiction and case management practice
2. “best practices” for case management and rationale for these practices

LEARNING OBJECTIVES = ROAD MAP

- ✓ Define Adult Protective Services - In Your State
- ✓ Define the different types of abuse – In Your State
- ✓ Describe APS clients - In Your State
 - ✓ demographics of the aging and disabled population & criteria to be an APS client

LEARNING OBJECTIVES = ROAD MAP

- ✓ Explain APS worker's roles and responsibilities in an APS case – In Your State
 - ✓ Accepting referrals,
 - ✓ conducting the investigation,
 - ✓ making a determination,
 - ✓ arranging for services,
 - ✓ closing the case
- ✓ Recognizing your two roles as an APS worker (investigator/advocate) and when they come into conflict

LEARNING OBJECTIVES = ROAD MAP

- ✓ Evaluate referrals in APS
 - ✓ What is and is not an APS case – In Your State
- ✓ Develop a basic care plan - In Your State
- ✓ Understand key terminology used in APS – In Your State
- ✓ Identify community, state and national resources

**DEFINE AND DESCRIBE
WHAT IS APS?**

NAPSA CODE OF ETHICS

PROGRAM BASICS



APS History

Eligibility Requirements

Abuse Definitions

Program Requirements

Mandatory Reporters

Types of Settings & Facilities

History of APS

Title XX of the Social Security Act

- Enacted in 1975
- Permitted states to use funds, known today as Social Services Block Grants (SSBG), for advocacy and services to:

Adults who, “as a result of physical or mental limitations, are unable to act in their own behalf; are seriously limited in the management of their affairs; are neglected or exploited; or are living in unsafe or hazardous conditions. ”

Congressional hearings prompted states to enact reporting laws.



National Center on Elder Abuse

APS - STATE MANDATE



- Hawaii Revised Statutes Chapter 346 > Part X
- Adult Protective Services



When did Your State Name Here join the fight against Adult Abuse by Adding APS?

Team-Write it on a piece of paper.

5 Points for the team that gets it right or closest to right



Financial Exploitation



Neglect



Sexual



Self Neglect

Types



Physical



Verbal/Emotional



DEFINITIONS EXERCISE



The Match Game



TYPES OF ABUSE EXERCISE



The APS Client



Definition Hawaii – Vulnerable Adult



ASK?

- *Where in your Policy or Law do you find the definition of a Vulnerable adult?*
- **5 Points for the team who gives the correct answer first!**
- *Have them read the definition to the group.*

ELEMENTS OF AN INVESTIGATION

- Intake and Screening
- Reasonable effort to contact AV
- Visits and interviews with the AV and AP
Consultation with others—COLLATERALS
- Risk-Needs-Capacity and other assessments
- Provision of Services
- Disposition and Notice
- Document –
 - Interviews, evaluations and other evidence
- Follow-up
- Law Enforcement

Who Reports?

Which of the following individuals do you think are mandated reporters?

Coroner

Friend

Doctor

Bank Teller

Neighbor

Son (who is
a doctor)

Clergy

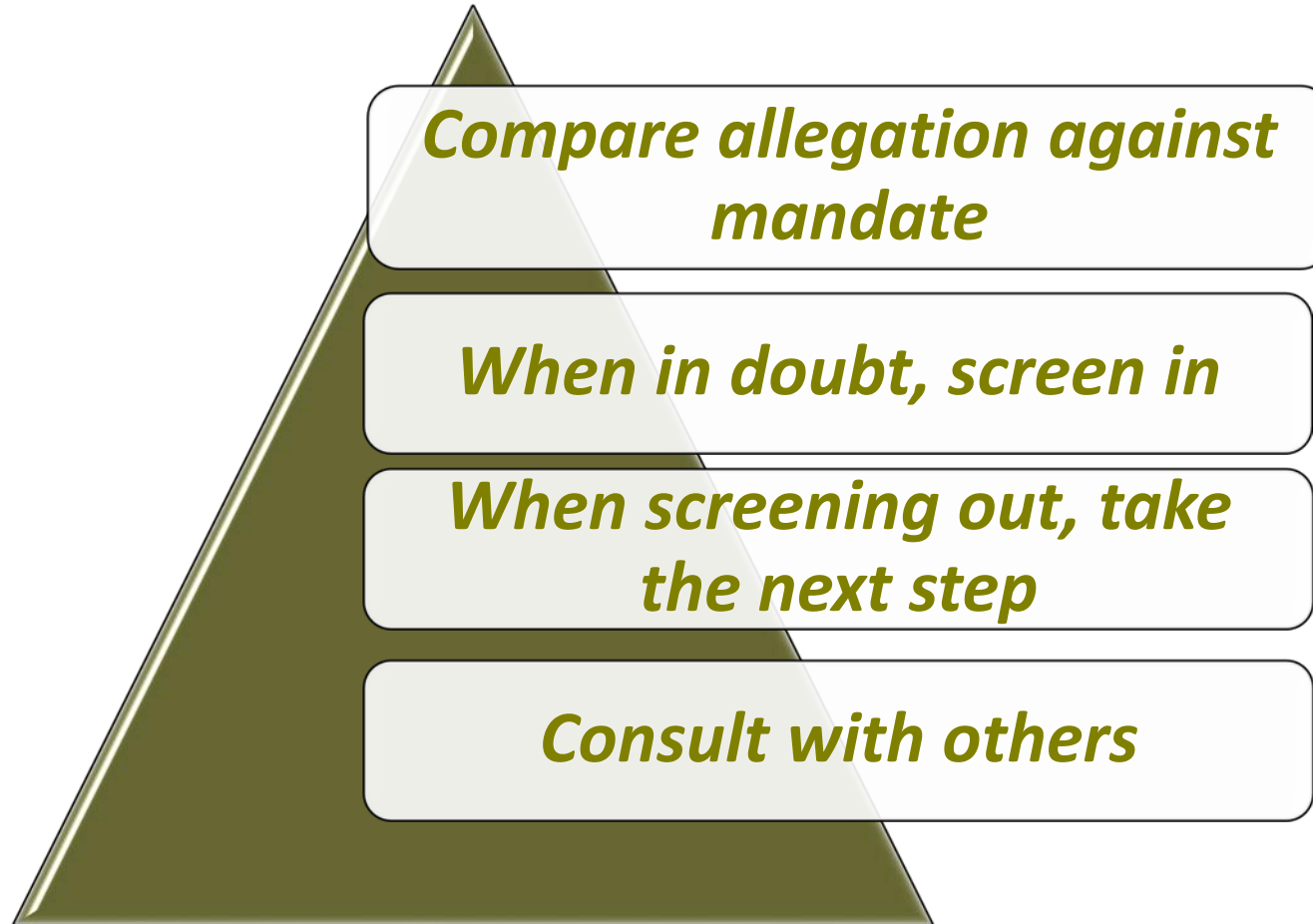
Disability
advocate

How is Intake Done in *YOUR* agency?

- Who takes initial call?
- Where does that information go?
- Who assigns the case?
- What is the assigned worker's first step?



Screen In or Out?



SCREENING REPORTS

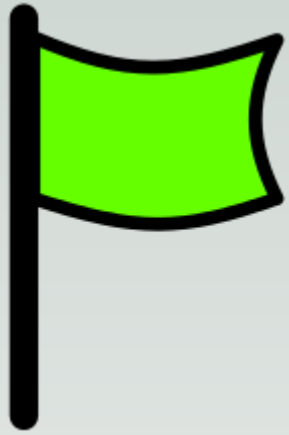


Review each report on the “Screening Reports Exercise” and determine:

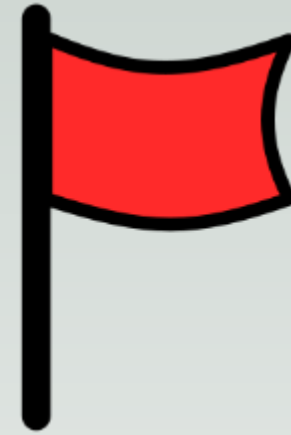
- Does it meet the requirements to be accepted as a report? Yes/No
- Can you release the reporter’s identity? Yes/No
- Does it need to be reported to law enforcement? Yes/No

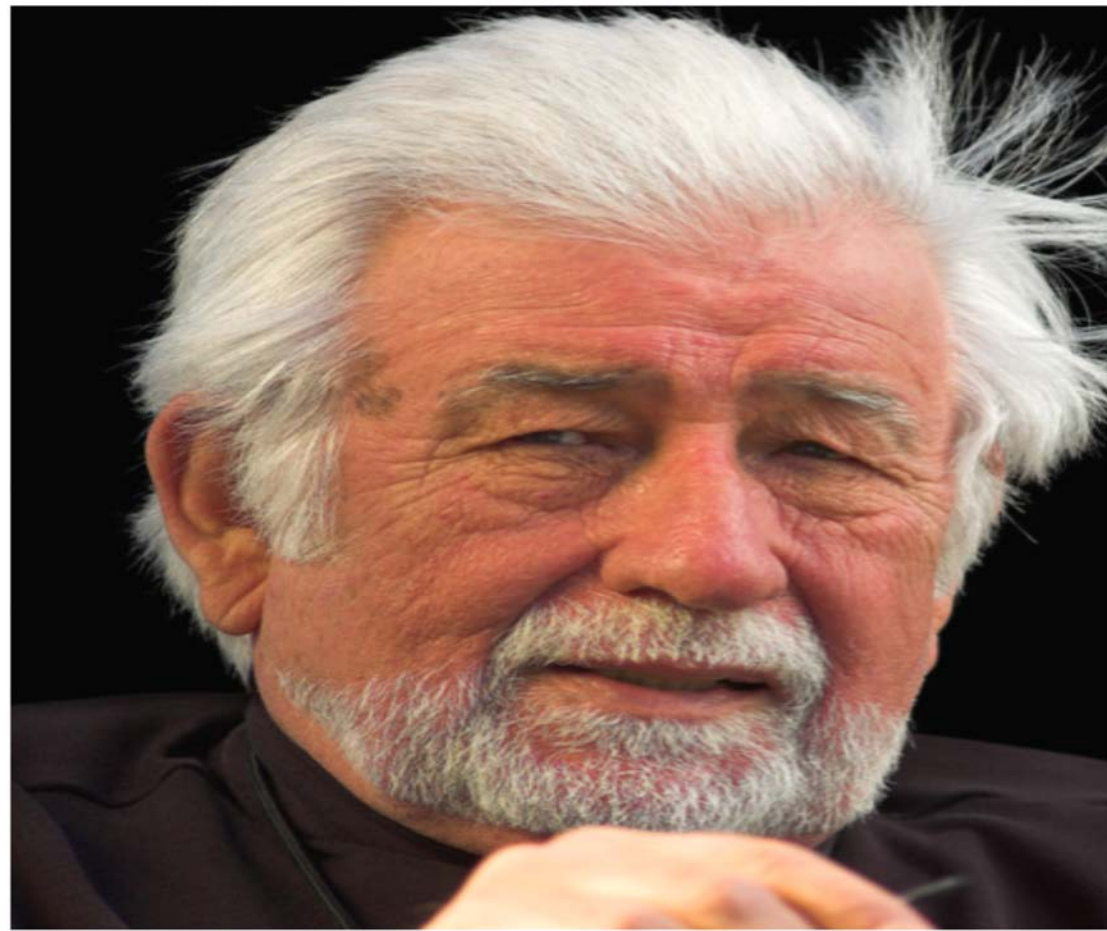


INVESTIGATION- REASONABLE EFFORTS



“Flag Tag”





Risk Assessment of Victims of Elder Abuse



ASSESSMENT- VA? CAPACITY? CAN CONSENT?



EXAMINING HOW CAPACITY CAN IMPACT YOUR INTERVENTION

- Does your client understand their situation?
- Does your client understand the benefits of accepting help?
- Does your client understand the risk of their behavior?

DOCUMENTATION



THE ROLE OF APS



RESPONDING TO ELDER ABUSE AND NEGLECT

WHY CASE PLANS ARE IMPORTANT

- Ensures capable adult involved in planning interventions
- Helps worker ensure client aware of available services and support
- Facilitates case review by supervisor
- Facilitates communication with partner agencies and ensures coordinated services
- Enables periodic review of progress of interventions with client

Required Elements for a Confirmed Report



A vulnerable Adult
+
Confirmation of ANE

Confirmed

ALLEGATIONS, EVIDENCE AND THE PREPONDERANCE OF EVIDENCE

- Where do you find this?
You do the research



- What does Preponderance of evidence mean?
- What does it mean when it says “credible”, first hand, hearsay”
- What does it mean when it says fact and opinion?
- What does a persons expertise have to do with the evidence?
- Who has a stake in the outcome and why does that matter?

WHEN TO CLOSE A CASE...

- Client risk of abuse/neglect is reduced or eliminated.
- A client with capacity requests it.
- Client dies or leaves jurisdiction.
- Other jurisdiction specific situations.



GUARDIANSHIP



Objective and Professional Documentation





Knowledge Keepers Wanted!





LET'S PRACTICE!



...A MOMENT TO REFLECT

Questions?

What have you
learned?



THANK YOU FOR YOUR ATTENTION!

Please remember to
complete the course
evaluation.

**END OF
WORKSHOP
MAHALO!!!**



**P
O
S
T
-
T
E
S
T**

REVIEW & EVALUATION