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

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Justice for All:
Protecting Vulnerable Adults
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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)

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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
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
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
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?
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.
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

Types

Self Neglect

Physical

Verbal/Emotional

Sexual
DEFINITIONS EXERCISE

The Match Game
TYPES OF ABUSE EXERCISE
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
- Son (who is a doctor)
- Doctor
- Clergy
- Bank Teller
- Disability advocate
- Neighbor
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?

- Compare allegation against mandate
- When in doubt, screen in
- When screening out, take the next step
- Consult with others
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
RESPONDING TO ELDER ABUSE AND NEGLECT

THE ROLE OF APS
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 person's 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!!!
REVIEW & EVALUATION