

**Adult Protective Services Program  
Quarterly Report  
October 1- December 31, 2013**

Submitted to: Sen. Claire Ayer, Chair, Senate Committee on Health and Welfare  
Sen. Dick Sears, Chair, Senate Committee on Judiciary  
Rep. Ann Pugh, Chair, House Committee on Human Services  
Rep. William Lippert, Chair, House Committee on Judiciary

Submitted by: Susan Wehry, Commissioner, AHS/DAIL  
From: Clayton Clark, Director, DLP   
Prepared by: Veda Lyon, Program Chief, Adult Protective Services

Report Date January 7, 2013

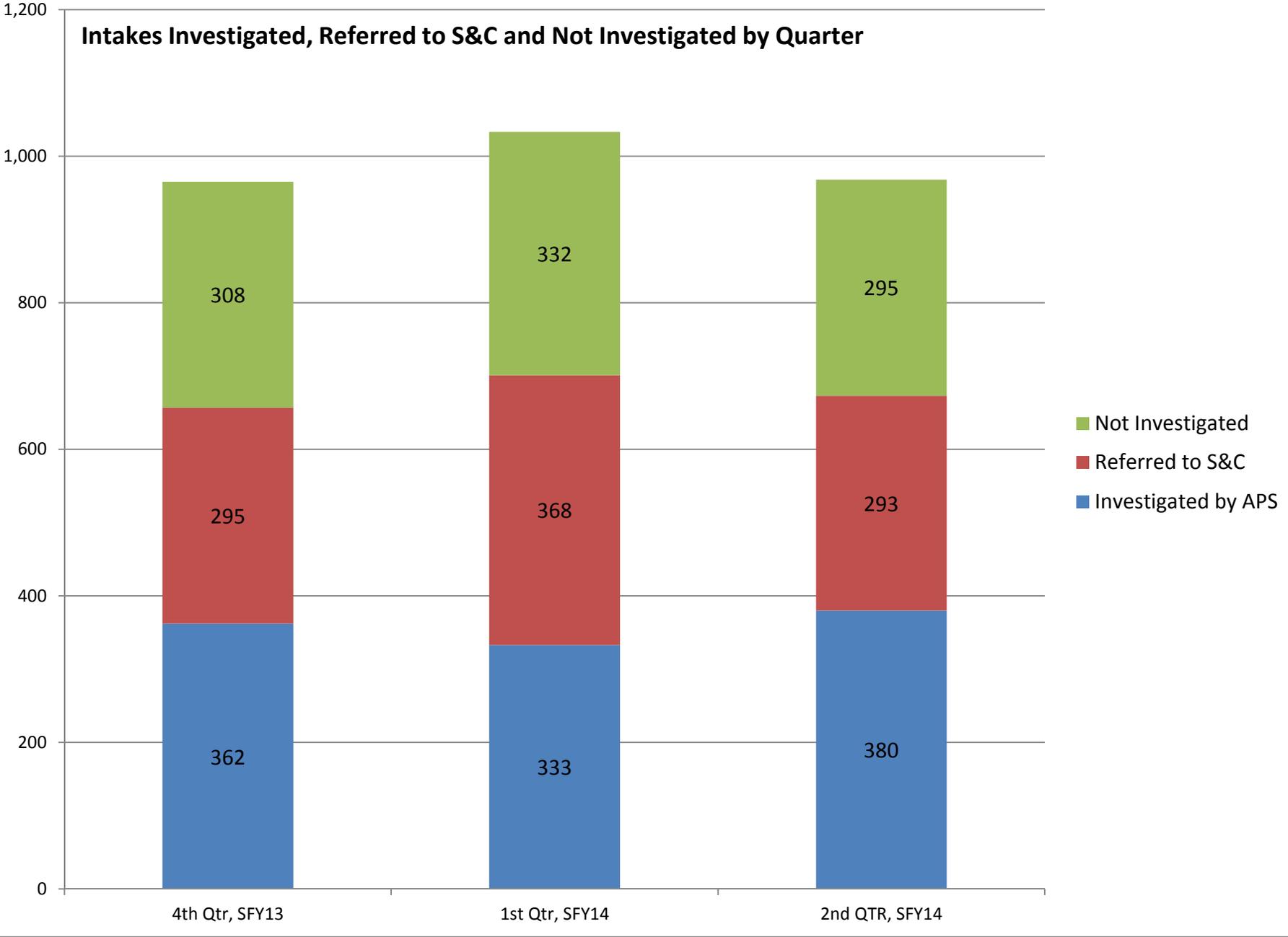
Pursuant to Act 46 reporting requirements, DAIL is pleased to provide the Adult Protective Services (APS) 2<sup>nd</sup> Quarterly Report for SFY 2014 (October 1 – December 31, 2013). During this period APS received a total of 980 reports.

- A) A total of 980 reports were received for the reporting period. Of the total received:
- 1) 380 reports were assigned and opened for APS investigation (39%).
  - 2) 293 reports were regarding a licensed facility and were referred to the Division of Licensing and Protection's (DLP) Survey and Certification Unit (S&C) for review, screening and follow up (30%).
    - a) Of the 293 reports referred to S&C:
      - (i) 144 were allegations of resident to resident or patient to patient abuse; and
      - (ii) 149 were complaints about a licensed facility.
  - 3) 295 reports were not opened for investigation or referred to S&C (30%).
  - 4) 12 reports remained open with a decision for investigation or referral pending at the end of the quarter (1%).
  - 5) 673 cases were assigned for investigation, screening, and/or follow up by APS or S&C (69%).
- B) Of the 588 reports not referred to investigation by APS (including 293 reports to S&C):
- 1) 126 lacked allegation(s) that met the statutory definition of abuse, neglect or exploitation.
  - 2) 6 were reports regarding an alleged victim who was deceased.
  - 3) 23 were reports regarding an alleged victim who was not a vulnerable adult.
  - 4) 26 reports did not contain an allegation of maltreatment.
  - 5) 18 reports of incidents that had already been investigated.

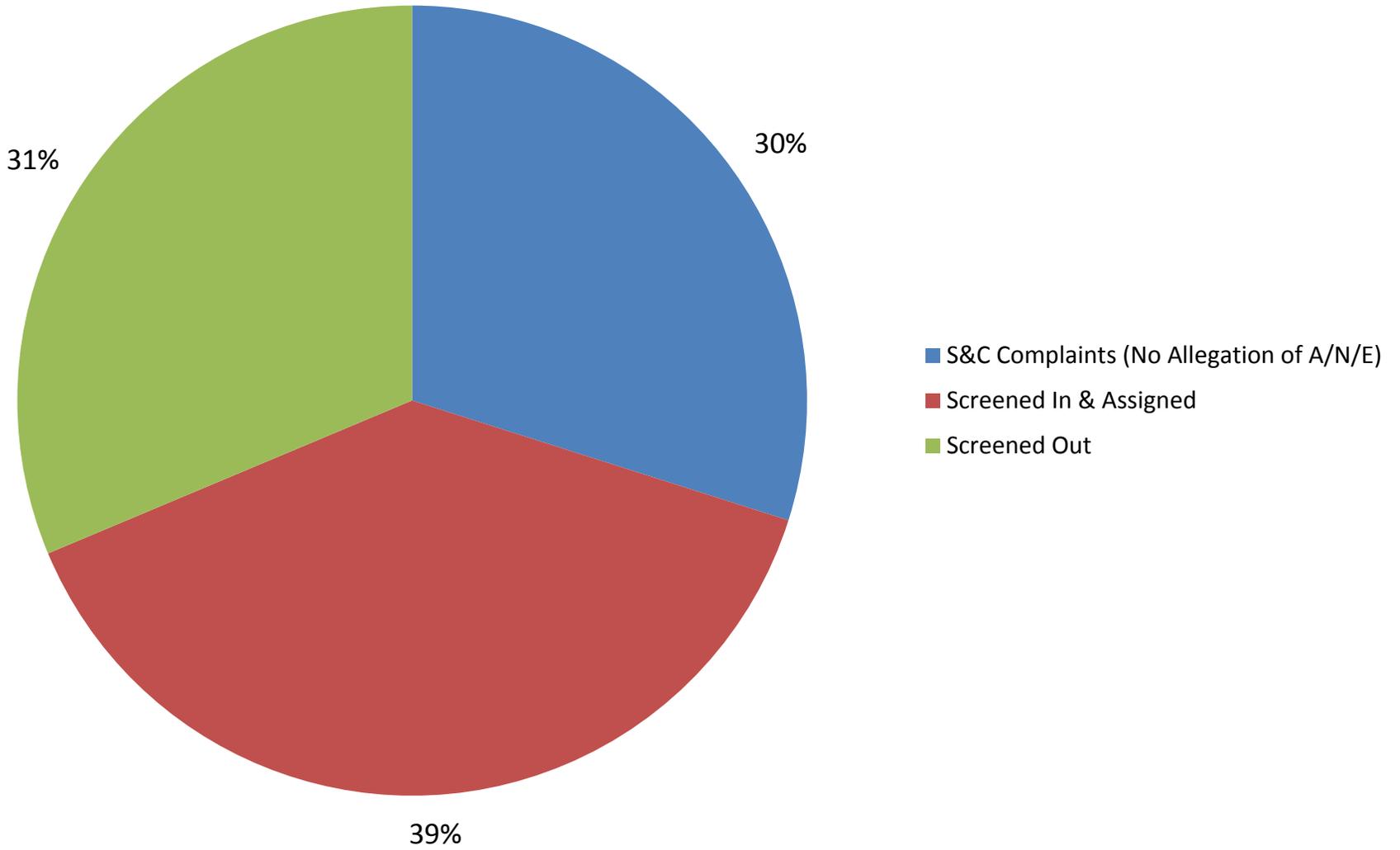
- 6) 16 reports were of past incidents, in which the alleged victim had no current need of assistance.
  - 7) 21 reports were incomplete, in spite of staff attempts to gather sufficient information to complete the intake/screening process.
  - 8) 156 reports were the jurisdiction of another agency.
  - 9) 18 reports were of incidents wherein APS lacked statutory authority to investigate.
  - 10) 144 reports were of resident to resident or patient to patient abuse incidents.
  - 11) 34 reports were of a self-neglecting individual, 60+ years old.
- C) Of the 23 reports closed because the alleged victim didn't meet the statutory definition for a vulnerable adult, the relationship of the reporter to alleged victim included:
- 1) 1 Friend of the alleged victim
  - 2) 4 Health or medical professional staff
  - 3) 2 Other
  - 4) 4 Relative
  - 5) 7 Social Worker
  - 6) 5 Unknown
- D) Of the 588 reports not referred to investigation by APS (including 293 reports to S&C), 399 were referred to another service provider or a referral was made directly to the reporter and/or victim, as follows:
- 1) 58 to Area Agencies on Aging
  - 2) 1 to the Division of Disabilities/Aging Services, DAIL
  - 3) 1 to Disability Rights VT
  - 4) 293 to the Survey/Certification Unit of DLP
  - 5) 19 to a law enforcement agency (VSP and/or local law enforcement)
  - 6) 2 to VT Legal Aid
  - 7) 2 to the Office of Professional Regulation
  - 8) 23 to other services/provider
- E) Of the 380 reports assigned for investigation, 331 were completed at the close of the Quarter. Of these,
- 1) 37 (11%) were recommended as Substantiated.
  - 2) 294 (89%) were recommended as Not Substantiated.
- F) Of the 294 investigations resulting in a Not Substantiated finding, reason(s) for non-substantiation included:
- 1) 27 cases where allegation(s) didn't meet the statutory definition of abuse, neglect or exploitation.
  - 2) 94 cases where available evidence indicated abuse, neglect or exploitation did not occur.
  - 3) 40 cases where an alleged victim (with decisional capacity) asked that the investigation cease and/or refused to cooperate with the investigation.
  - 4) 133 cases where there was insufficient evidence to prove that abuse, neglect or exploitation occurred.

- G) Of the 331 investigations completed, APS investigative staff provided:
- 1) 160 referrals to victims, including:
  - 2) 40 to an Area Agency on Aging.
  - 3) 3 to Disability Rights VT.
  - 4) 10 to the Survey/Certification Unit of DLP.
  - 5) 39 to local or state law enforcement.
  - 6) 10 to VT Legal Aid.
  - 7) 3 to the AG's Medicaid Fraud Unit.
  - 8) 55 referrals to other agencies/service providers; and
- H) In 78 of the investigations, a total of 140 protective services were provided to victims, including:
- 1) 35 referrals and/or arrangement for services to provide increased supervision/supports.
  - 2) 7 requests to a banking institution, to freeze the victim's accounts;
  - 3) 4 services that resulted in the arrangement of a representative payee for the victim.
  - 4) 13 referrals to assist the victim in securing safe/sanitary housing.
  - 5) 21 referrals that resulted in a joint investigation with law-enforcement.
  - 6) 8 temporary relief from abuse orders on behalf of the victim.
  - 7) 17 other types of protective services.
  - 8) 5 petitions for guardianship.
  - 9) 30 referrals to or provision of counseling and supportive services.
- I) In 102 of the completed investigations, the victim declined protective services. Note: In most cases, APS abides by the request of the victim in these situations, if the victim has decisional capacity to make their own decisions.
- J) In 103 of the APS investigations, investigative results included a written, coordinated treatment plan.
- K) 16 perpetrators' names were placed on the Adult Abuse Registry during the reporting period.
- L) At the close of the reporting period 365 investigations remained open and under investigation.

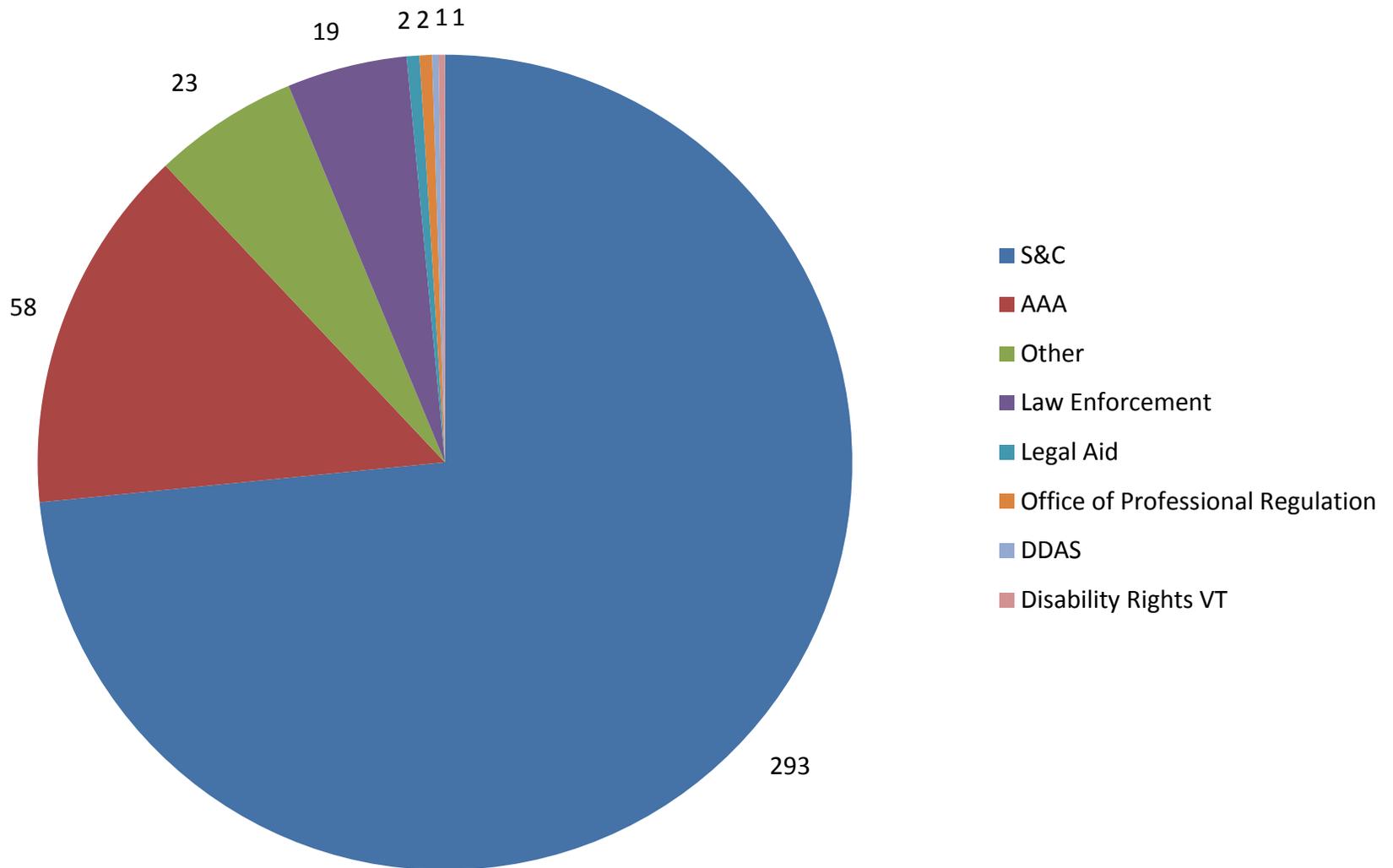
**Intakes Investigated, Referred to S&C and Not Investigated by Quarter**



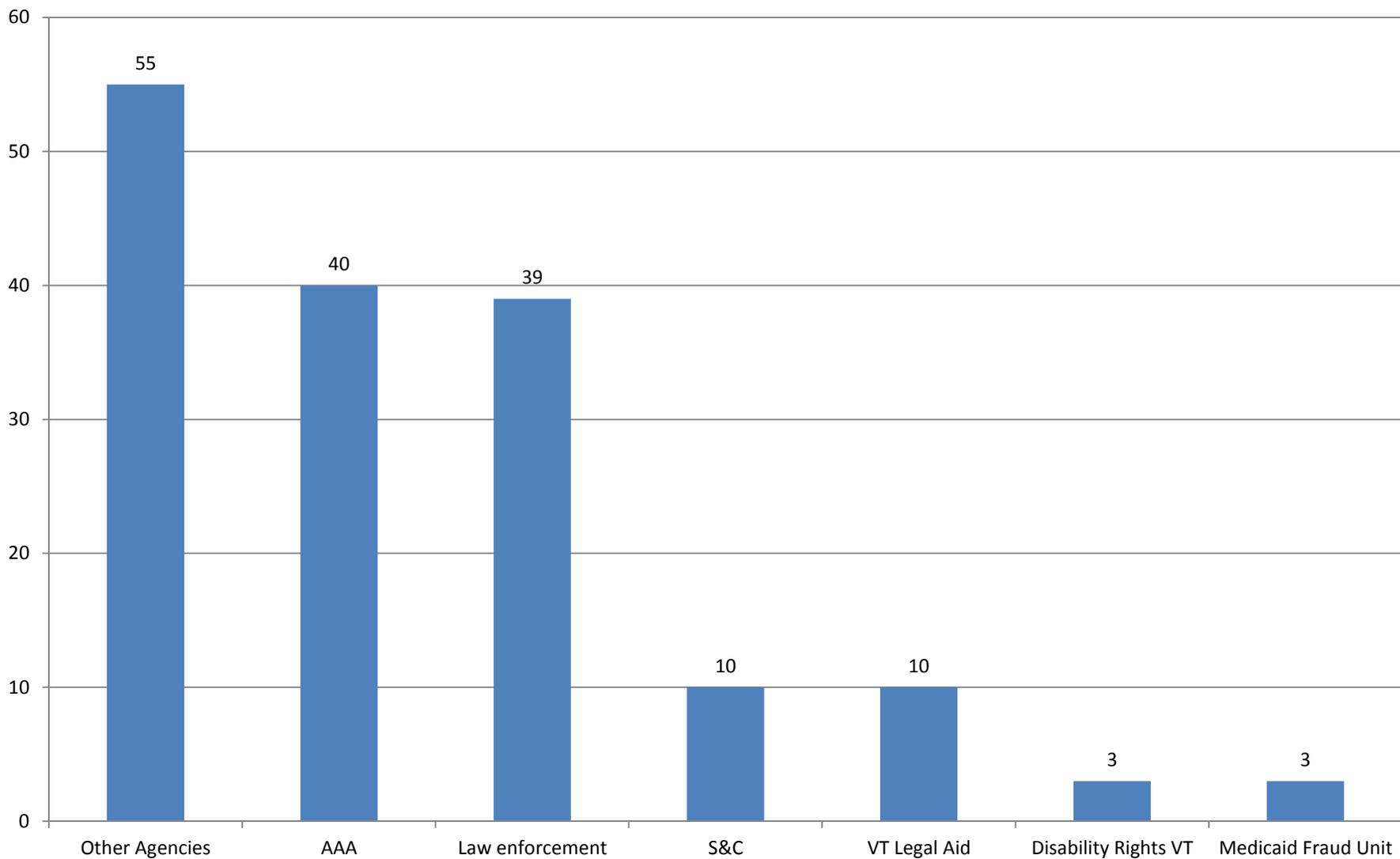
**Total Number of DLP Reports Received  
October- December 2013**



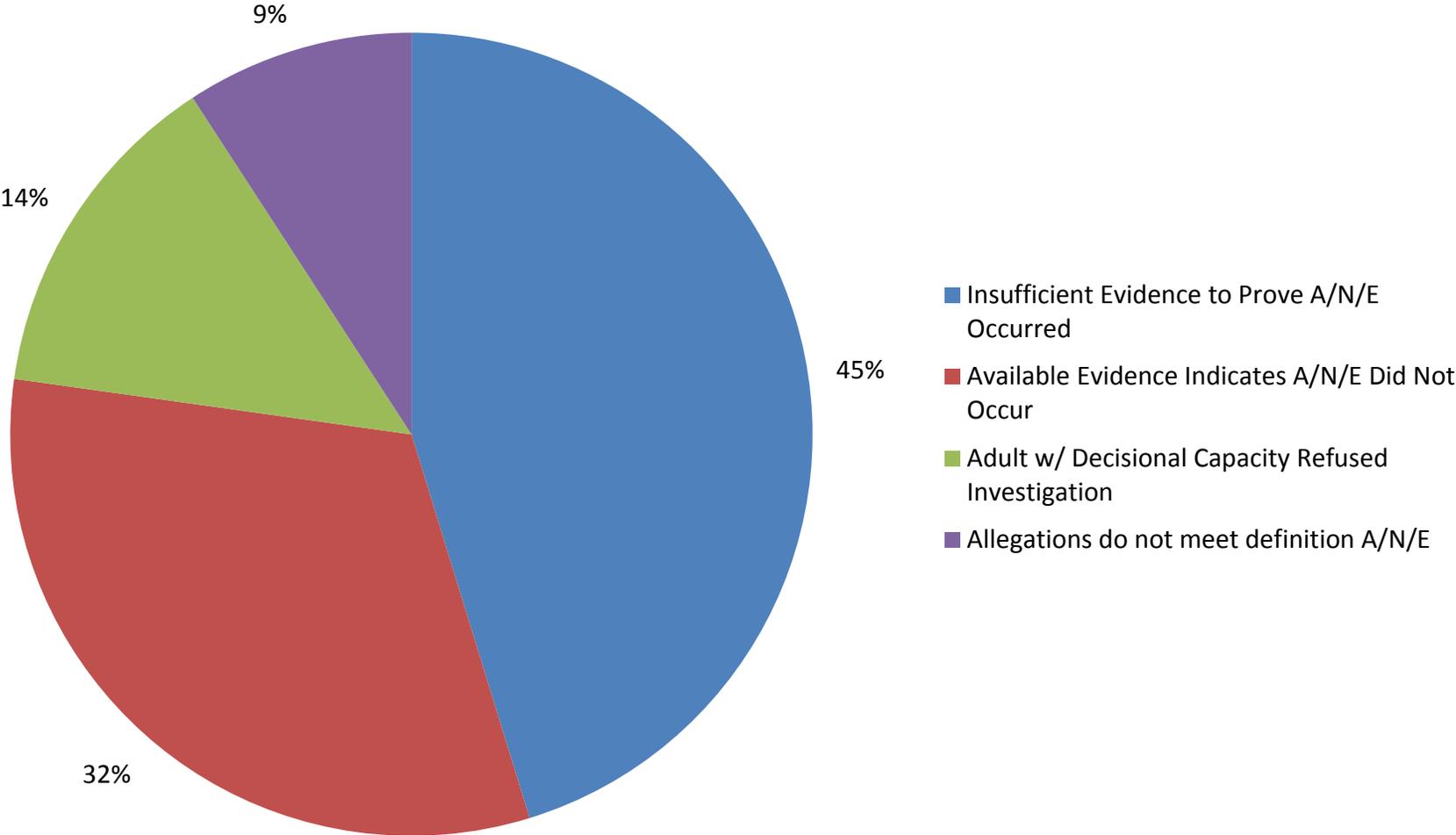
### APS Referrals on Reports Not Assigned for APS Investigation Oct 2013-Dec 2013



# Referrals to Other Agencies-Completed APS Investigations Oct-Dec 2013



# Determination Reasons for Unsubstantiated Investigations Oct 2013-Dec 2013



Adult Protective Services Quarterly Report  
From: 10/1/13 to 12/31/13

<b>Total Reports</b>	
Total Reports	980
<b>Investigations Assigned</b>	
Investigations Assigned	380
<b>Total Open Cases</b>	
Total Open Cases	365
<b>Unsubstantiated Investigations</b>	
Unsubstantiated Investigations	294

<b>INTAKES NOT ASSIGNED FOR INVESTIGATION</b>	
<b>Reports Not Assigned for Investigation by Resolution</b>	
Pending	12
Allegations do not Meet Definition of A/N/E	126
Alleged Victim Deceased	6
Alleged Victim not a Vulnerable Adult	23
Complaint does not Contain an Allegation of Maltreatment	26
Incident Already investigated	18
Incident in Past; No Current Need	16
Incomplete Report	21
Jurisdiction of Another Agency	156
No Statutory Authority to Investigate	18
The report was based on "resident on resident" abuse	144
The report was based on self-neglect	34
Unable to Locate Alleged Victim	0
<b>Total</b>	<b>588</b>
<b>Reporter Relationship to Alleged Victim - (for cases screened out as not a Vulnerable Adult)</b>	
Developmental Disabilities Staff	0
Friend	1
Health/Medical Professional	4
Home Health/VNA	0
Other	2
Relative	4
Residential Care Home Staff	0
Social Worker	7
Unknown	5
<b>Total</b>	<b>23</b>
<b>Alleged Perpetrator Relationship to Alleged Victim (cases screened out as not a Vulnerable Adult)</b>	
Friend	2
Mental Health Staff	0
Non-Family Caregiver	0
Other	2
Relative	7
Spouse	4
Unknown	3
<b>Total</b>	<b>18</b>
<b>Referral on Reports Not Assigned for Investigation</b>	
AAA	58
DDAS	1
Disability Rights Vermont	1
Survey and Certification	293
Law Enforcement	19
Legal Aid	2
Office of Professional Regulation	2
Other	23
<b>Total</b>	<b>399</b>

Adult Protective Services Quarterly Report  
 From: 10/1/13 to 12/31/13

<b>Total Reporters</b>	
Total Reporters	871
<b>Assigned Reports</b>	
Reports Assigned for Investigation	380
<b>Completed Investigations</b>	
Substantiated	37
Unsubstantiated	294
Total	331
<b>Determination Reasons for Unsubstantiated Investigations</b>	
Allegation Does Not Meet Statutory Definition of A/N/E	27
Available Evidence Indicated that A/N/E Did Not Occur	94
Adult with Decisional Capacity Refused Investigation	40
Insufficient Evidence to Prove A/N/E Occurred	133
Total	294
<b>Referrals to Other Agencies - Open Investigation</b>	
AAA	40
Disability Rights Vermont	3
Division of Licensing and Protection (Survey and Certification)	10
Law Enforcement	39
Legal Aid	10
Medicaid Fraud Unit	3
Other Referrals	55
Total	160
<b>Protective Services</b>	
Arranged for increased supervision	35
Asked the bank to freeze accounts	7
Assisted with implementation of Rep Payee	4
Assisted with securing safe and sanitary living conditions	13
Assisted with the execution of POA	0
Conducted joint investigation with law enforcement	21
Obtained Temporary Relief from A/N/E Order	8
Other Protective Service	17
Petitioned for Guardianship	5
Petitioned to Appoint a Successor Guardian	0
Provided counseling or arranged counseling	30
Protective Services were declined by competent adult	102
The vulnerable adult and his/her guardian accepted one or more of the following	78
<b>Written Coordinated Treatment Plan</b>	
Investigation resulted in a written coordinated treatment plan, protective services	103
<b>Placed on Registry</b>	
Substantiated Perpetrators Placed on Registry	16

Adult Protective Services Quarterly Report  
From: 10/1/13 to 12/31/13

**INTAKE INFORMATION**

**Total Intakes** 980

**ALLEGED VICTIM TOTALS**

**Unduplicated Alleged Victims** 914

**REPORTER RELATIONSHIP TO THE ALLEGED VICTIM**

ALLEGATION TYPE:	Chemical Abuse	Emotional Abuse	Exploitation	Fin Explo	Neglect	Physical Abuse	Self Neglect	Sexual Abuse	Sexual Expl.	Unlawful Restrating	Total
AAA	0	3	0	7	2	1	0	0	0	0	13
Anonymous	0	1	0	0	0	0	0	0	1	0	2
Attorney	0	0	0	1	0	0	0	0	0	0	2
Bank	0	0	0	5	0	0	0	0	0	0	5
Developmental Disabilities Staff	0	1	0	1	1	4	0	0	0	0	7
Doctor	0	1	0	0	0	1	0	0	1	0	3
Fellow Resident/Patient	0	0	0	0	0	0	0	0	1	0	1
Friend	0	5	0	4	0	1	0	0	0	0	10
Health/Medical Professional	1	15	0	9	13	27	0	3	3	1	72
Home Health/VNA	0	6	0	15	4	1	0	0	0	0	26
Mental Health Staff	2	17	1	7	3	33	0	6	5	2	76
Neighbor	0	0	0	0	0	0	0	0	0	0	0
Non-Family Caregiver	0	1	0	0	2	1	0	0	0	0	4
Non-Relative	0	2	0	1	0	1	0	0	0	0	4
Nursing Home Staff	0	6	0	4	7	51	0	0	5	0	73
Other	1	15	0	8	11	11	0	0	2	2	50
Other Professional	0	25	0	25	17	14	0	2	8	5	96
Police	1	0	0	5	3	2	0	0	1	0	12
Probation/Parole Officer	0	0	0	1	0	0	0	0	0	0	1
Relative	0	10	0	24	13	3	0	0	0	0	50
Residential Care Home Staff	0	3	0	4	2	7	0	0	1	0	17
School	0	0	0	0	1	0	0	0	1	0	2
Social Worker	1	26	0	28	5	19	0	4	5	1	89
Spouse	0	1	0	0	0	0	0	0	0	0	1
Unknown	3	0	3	65	43	53	0	4	0	7	181

Adult Protective Services Quarterly Report  
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ALLEGED PERPATRATOR RELATIONSHIP TO ALLEGED VICTIM											
ALLEGATION TYPE:	Chemical Abuse	Emotional Abuse	Exploitation	Financial Exploitation	Neglect	Physical Abuse	Self-Neglect	Sexual Abuse	Sexual Exploitation	Unlawful or	Total
Developmental Disabilities Staff	0	0	0	0	1	2	0	0	0	0	3
Doctor	0	0	0	0	1	0	0	0	0	2	3
Fellow Resident/Patient	0	11	0	2	0	81	0	0	7	0	101
Friend	0	7	0	22	2	5	0	0	1	0	37
Health/Medical Professional	1	0	0	0	4	1	0	0	0	1	7
Home Health/VNA	0	1	0	7	0	0	0	0	0	0	8
Home Provider	0	8	0	4	2	4	0	0	1	1	20
Legal Guardian	0	4	0	6	6	1	0	0	0	0	17
Mental Health Staff	0	6	0	0	0	1	0	3	0	2	12
Neighbor	0	1	0	5	0	2	0	0	2	0	10
Non-Family Caregiver	1	4	0	4	7	2	0	0	0	0	18
Non-Relative	0	4	0	8	2	5	0	0	0	0	19
Nursing Home Staff	0	5	0	3	8	10	0	0	0	0	26
Other	0	14	1	18	4	16	0	1	4	1	59
Other Professional	0	3	0	1	1	7	0	0	0	1	13
Relative	5	49	1	64	17	16	0	0	4	1	157
Residential Care Home Staff	0	1	0	2	3	0	0	0	0	0	6
Spouse	0	13	0	4	5	8	0	0	0	1	31
Unknown	1	42	2	45	28	43	0	5	0	5	171
VULNERABLE CONDITION											
ALLEGATION TYPE:	Chemical Abuse	Emotional Abuse	Exploitation	Financial Exploitation	Neglect	Physical Abuse	Self-Neglect	Sexual Abuse	Sexual Exploitation	Unlawful or	Total
Elderly/Frail	2	43	0	70	37	52	0	0	7	0	211
Mentally Disabled	4	72	0	77	44	78	0	10	11	8	304
Physically Disabled	0	39	0	67	37	40	0	0	4	1	188
Unknown	3	94	4	99	66	134	0	10	21	9	440
AGE RANGE											
ALLEGATION TYPE:	Chemical Abuse	Emotional Abuse	Exploitation	Financial Exploitation	Neglect	Physical Abuse	Self-Neglect	Sexual Abuse	Sexual Exploitation	Unlawful or	Total
18 - 59	3	94	0	65	43	101	0	20	24	16	366
60 - 79	4	48	1	75	41	61	0	0	5	2	237
80 +	2	31	0	59	31	61	0	0	6	0	190
Unknown	0	14	3	10	9	5	0	0	0	0	41
RESIDENCE COUNTY											
ALLEGATION TYPE:	Chemical Abuse	Emotional Abuse	Exploitation	Financial Exploitation	Neglect	Physical Abuse	Self-Neglect	Sexual Abuse	Sexual Exploitation	Unlawful or	Total
Addison	1	3	0	10	3	4	0	2	0	0	23
Bennington	0	10	0	15	11	41	0	0	2	0	79
Caledonia	1	16	0	13	5	7	0	0	5	0	47
Chittenden	3	28	0	38	29	35	0	1	3	1	138
Essex	0	0	0	2	2	0	0	0	0	0	4
Franklin	1	15	0	22	11	14	0	0	2	0	65
Grand Isle	0	0	0	4	3	0	0	0	0	0	7
Lamoille	1	7	0	8	7	6	0	0	2	3	34
Orange	0	7	1	8	6	3	0	0	1	0	26
Orleans	0	6	0	2	2	6	0	0	3	1	20
Rutland	1	16	0	21	7	13	0	2	3	2	65
Washington	0	29	1	25	13	40	0	0	5	6	119
Windham	0	15	0	13	10	24	0	8	3	3	76
Windsor	1	16	2	20	6	11	0	2	2	0	60
Unknown	0	20	0	9	11	22	0	3	4	2	71

Adult Protective Services Quarterly Report  
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<b>LIVING ARRANGEMENTS</b>											
	Chemical	Emotional	Exploitation	Financial Exploitation	Neglect	Physical	Self-	Sexual	Sexual	Unlawful	Totals
Alone	0	9	0	26	5	4	0	2	2	0	48
Assisted Living Residence	0	1	0	0	3	0	0	0	0	0	4
Developmental Home	0	1	0	0	1	0	0	0	3	0	5
Homeless	0	0	0	2	0	3	0	1	0	0	6
Hospital	0	0	0	0	2	4	0	0	0	1	7
Licensed Facility	3	21	0	11	9	61	0	5	6	0	116
Nursing Home	0	8	0	7	13	32	0	0	5	0	65
Other	0	8	0	10	10	7	0	0	1	3	39
Own Home	2	42	1	54	24	17	0	1	3	1	145
Psychiatric Facility	1	4	0	2	1	17	0	1	2	1	29
Relative's Home	2	5	0	5	2	2	0	0	2	1	19
Residential Care Home	0	2	1	2	3	3	0	0	0	0	11
Therapeutic Community	0	0	0	0	0	0	0	0	0	0	0
Unlicensed Facility	0	1	0	0	0	0	0	0	0	0	1
With Caregiver	1	6	0	4	9	4	0	0	1	6	31
With Relative	0	21	0	20	9	12	0	0	3	0	65
With Spouse	0	13	0	8	3	5	0	0	0	1	30
Unknown	0	37	2	46	28	54	0	8	7	7	189
<b>Living Arrangements Total</b>											