

Adult Protective Services

WV Geriatrics Society Scientific Assembly 2015

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APS-Intake Eligibility Criteria

- ❖ **MUST BE AN EMANCIPATED MINOR OR EIGHTEEN YEARS OF AGE OR OLDER, AND INCAPACITATED OR A FACILITY RESIDENT; AND,**
- ❖ **MUST BE REPORTED TO BE THE A VICTIM OF ABUSE, NEGLECT (INCLUDING SELF-NEGLECT) OR IN AN EMERGENCY SITUATION**
- ❖ **THE INVESTIGATION OF A REPORT OF ABUSE, NEGLECT OR AN EMERGENCY SITUATION INVOLVING AN INCAPACITATED ADULT OR FACILITY RESIDENT IS NOT VOLUNTARY AND MUST BE BROUGHT TO CONCLUSION IN ALL CASES THAT ARE ASSIGNED FOR INVESTIGATION.**

- ❖ **Imminent Danger/ Emergency Situations - 0 to 2 Hours**

- ❖ When a situation or set of circumstances which present a substantial and immediate risk of death or serious injury to an incapacitated adult exists based on the referral information

- ❖ **Potential for Danger - Within 72 Hours**

- ❖ Based on the referral information, an emergency situation does not currently exist but circumstances are severe enough that without prompt intervention, an emergency situation could result.

- ❖ **No Imminent Danger or Potential Danger - Within 14 Days**

- ❖ Based on referral information, an emergency situation does not currently exist and/or is not expected to develop without immediate intervention.

- ❖ **This is the most common timeframe assigned in Adult Services**

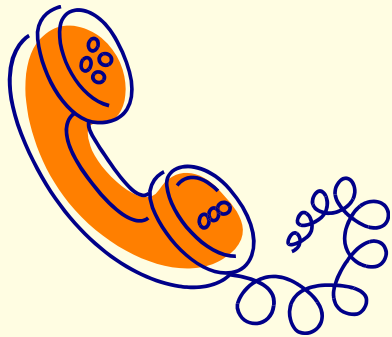
What Will The APS Worker Do?

- ❖ **INTERVIEW THE CLIENT**
- ❖ **INTERVIEW THE ALLEGED PERPETRATOR**
- ❖ **INTERVIEW WITNESSES AND MEDICAL PROFESSIONALS AS APPROPRIATE**
- ❖ **DETERMINE IF ABUSE/NEGLECT/SELF NEGLECT/FINANCIAL EXPLOITATION OCCURRED**
- ❖ **MAKE REFERRALS TO APPROPRIATE RESOURCES**
- ❖ **ASSESS FOR THE NEED OF A DECISION MAKER— FAMILY/DHHR, ADULT GUARDIAN/HEALTH CARE SURROGATE**
- ❖ **ASSESS FOR THE NEED FOR HIGHER LEVEL OF CARE**
- ❖ **DETERMINE IF AN APS/PREVENTATIVE APS SHOULD BE OPENED**

- ❖ **HAS REASONABLE CAUSE TO BELIEVE THAT AN INCAPACITATED ADULT IS NEGLECTED, ABUSED, OR IN AN EMERGENCY SITUATION, OR**
- ❖ **OBSERVES AN INCAPACITATED ADULT BEING SUBJECTED TO CONDITIONS LIKELY TO RESULT IN ABUSE, NEGLECT, OR AN EMERGENCY SITUATION, OR**
- ❖ **HAS PROBABLE CAUSE TO BELIEVE THAT AN INCAPACITATED ADULT HAS DIED AS A RESULT OR ABUSE OR NEGLECT.**



- ❖ **THESE REPORTS MAY BE MADE DIRECTLY TO THE DHHR CENTRALIZED INTAKE 24 HOUR HOTLINE PROVIDED FOR THIS PURPOSE.**
- ❖ **IN ADDITION, IF THE INCAPACITATED ADULT IS WILLING AND ABLE, THEY MAY MAKE A REPORT ON THEIR OWN BEHALF.**



1-800-352-6513

WHO ARE MANDATORY REPORTERS?

- ❖ **MEDICAL PROFESSIONALS**
- ❖ **DENTAL PROFESSIONALS**
- ❖ **MENTAL HEALTH PROFESSIONALS**
- ❖ **CHRISTIAN SCIENCE PRACTITIONERS**
- ❖ **RELIGIOUS HEALERS**
- ❖ **SOCIAL WORKERS, INCLUDING THOSE EMPLOYED BY THE DHHR**



- ❖ **LAW ENFORCEMENT OFFICERS**
- ❖ **HUMANE OFFICER**
- ❖ **STATE OR REGIONAL OMBUDSMEN**
- ❖ **ANY EMPLOYEE OF A NURSING HOME**
- ❖ **ANY EMPLOYEE OF A RESIDENTIAL FACILITY**

- ❖ **INDIVIDUALS MAY MAKE REPORTS ON THEIR OWN BEHALF.**
 - ❖ **ANY PERSON MAY MAKE A REPORT.**
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If **the referral is made by a mandatory reporter,** a notification letter must be sent to the mandatory reporter. The notification letter advises the mandatory reporter of whether the referral was accepted or screened out. A second letter is sent at the conclusion of the investigation.

- ❖ **ALL REPORTS OF NEGLECT, ABUSE OR EMERGENCY SITUATIONS SHOULD BE MADE IMMEDIATELY.**
- ❖ **REPORTS BY MANDATORY REPORTERS MUST BE MADE IMMEDIATELY TO THE DHHR CENTRALIZED INTAKE HOTLINE, **1-800-352-6513**.**
- ❖ **MANDATORY REPORTERS MUST FOLLOW UP WITH A WRITTEN REPORT TO THE LOCAL DHHR WITHIN 48 HOURS.**
- ❖ **THE CURRENT “ADULT PROTECTIVE SERVICES REPORTING FORM” IS TO BE USED BY ALL MANDATED REPORTERS.**

- ❖ **AS STATED IN WV CODE §9-6-14, FAILURE TO MAKE SUCH A REPORT CAN BE PUNISHABLE BY A FINE OF UP TO ONE HUNDRED (\$100.00) OR**
- ❖ **IMPRISONMENT OF UP TO TEN (10) DAYS IN THE COUNTY JAIL OR BOTH.**

SCENE 1: THIS IS A GOOD TIME TO DISCUSS WITH MS. PERKINS' DAUGHTER THAT HER MOM NEEDS A CAREGIVER. IF THE DAUGHTER IS GOING TO ASSUME THIS ROLE, THEN SHE HAS A RESPONSIBILITY TO MAKE SURE HER MOTHER IS GETTING THE CARE SHE NEEDS. IF THE DAUGHTER IS UNABLE TO DO THIS, THEN SHE NEEDS TO SEEK RESOURCES TO HELP. BECAUSE WHEN SHE FAILS TO SEEK THOSE RESOURCES AND SHE HAS ACTED AS A CAREGIVER, THEN SHE CAN BE INVESTIGATED BY APS FOR NEGLECT.

SOMETIMES JUST THE EDUCATION ON THE POSSIBLE CONSEQUENCES CAN CHANGE THE COURSE.

SCENE 2: WHEN THE NURSE SEES THE DAUGHTER SHOOTING HER MOTHER, MS. PERKINS, WITH THE SQUIRT GUN SHE SHOULD MAKE A REPORT TO APS. IN THE SCENE THE NURSE INDICATES SHE FEELS THAT A REPORT SHOULD BE MADE—SHE SUSPECTS ABUSE, SO SHE SHOULD REPORT. IT IS UP TO APS TO DETERMINE IF THE ACTIONS MEET OUR DEFINITIONS OR TO SUBSTANTIATE ABUSE/NEGLECT.

SCENE 3: THE DAUGHTER THREATENS TO GAG HER MOTHER AND THEN TAKES STEPS TO INDICATE SHE WILL FOLLOW THROUGH ON HER THREAT. THIS DOES MEET THE APS DEFINITION OF VERBAL ABUSE. AGAIN, THOUGH THE REPORTER DOES NOT HAVE TO KNOW THE DEFINITIONS—IF THIS SEEMS LIKE ABUSE, THEN REPORT.

Questions

