

WHAT WE DO *makes a difference*

Elder Rights Protect—and Affect—Us All *Safeguards for the Most Vulnerable Among Us*



More and more Americans are being confronted with the challenge of protecting themselves or their loved ones from the threats of elder abuse, neglect, and exploitation. A 2000 survey of investigations conducted by Adult Protective Services programs across the U.S. revealed an increase over 1996 in the number of adult abuse allegations nationally.

A former police officer recently confronted this growing problem firsthand. “After my father died, my brother agreed to care for my mother who was diagnosed with Alzheimer’s disease. However, he began to neglect her, overmedicating her, leaving her in soiled underclothing, un-bathed and hungry.”

Because of his background, the former officer knew where to turn for help. “Our

family had to do something about it, and we sought advice on handling it. If we hadn’t, who knows what would have happened.”

These challenges are extremely difficult—and yet until 1965, most older Americans had to rely mostly on themselves and were often subject to mistreatment and unfair practices that inhibited dignity and respect for older age.

The Older Americans Act (OAA) provided protection of vulnerable older adults, decreeing that older Americans were entitled to certain

basic rights and benefits. The law provided for the coordination and funding of a vast network of state and area agencies on aging and local providers that would implement programs to protect the rights of older persons. The U.S. Administration on Aging (AoA) was established at the federal level within the Department of Health and Human Services in 1965 to oversee the development of the programs called for in the OAA. Today AoA’s aging network includes over 29,000 national, state, local, and tribal organizations that work to keep older Americans healthy and in their homes, protect their rights, and assure their access to benefits and services.

The OAA has been amended several times. In 1992, Congress approved amendments that created Title VII—Allotments for Vulnerable Elder Rights Protection Activities. Title VII brought

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together the advocacy programs of the OAA and authorized development of a system of services, programs, and personnel designed to help older persons understand their rights, exercise choice through informed decision making, and benefit from the support and opportunities promised by law.

As the effective and visible advocate for older Americans and their concerns, AoA is committed to protecting the rights of older Americans. "One of my top priorities is to ensure the rights of older people and prevent their abuse, neglect, and exploitation. We are working to heighten awareness among other federal agencies, organizations, groups, and the public about

the needs of vulnerable older people," said Josefina G. Carbonell, assistant secretary for aging.

Specific Programs to Protect Elder Rights

AoA administers the Prevent Elder Abuse, Neglect, and Exploitation program. This program specifically promotes the rights of seniors and protects them from abuse, neglect, and exploitation. The program is organized and coordinated on the national level by AoA and implemented at the state and local level by members of the aging network. Activities include funding for state and local public awareness campaigns, training programs, and multidisciplinary teams. For example, OAA funding is used to support Orange County, California's Fiduciary Abuse Specialist Team. This team meets monthly to discuss cases, and last year the program coordinator offered 38 community and law enforcement education sessions to nearly 1,800 people.

To support and enhance these activities, AoA funds the National Center on Elder Abuse (www.elderabusecenter.org). NCEA disseminates information to professionals and the public, and it provides technical assistance and training to states and to community-based organizations.

The Long-Term Ombudsman Program, under the OAA advocates for older residents in nursing homes, assisted living and other residential settings. Every state has a Long-Term Care Ombudsman, and most states have local ombudsmen, as well. These dedicated professionals help citizens obtain the assistance they need to voice concerns and correct conditions

What Is Elder Abuse?

Elder abuse is an umbrella term used to describe one or more of the following:

Physical abuse is the willful infliction of physical pain or injury, e.g., slapping, bruising, sexually molesting, or restraining.

Sexual abuse is the infliction of non-consensual sexual contact of any kind.

Emotional or psychological abuse is the infliction of mental or emotional anguish, e.g., humiliating, intimidating, or threatening.

Financial or material exploitation is the improper act or process of an individual, using the resources of an older person, without his/her consent, for someone else's benefit.

Neglect is the failure of a caretaker to provide goods or services necessary to avoid physical harm, mental anguish, or mental illness, e.g., abandonment, denial of food or health-related services.

Self-neglect is characterized as the behavior of an elderly person that threatens his/her own health or safety.

affecting the quality of care in long-term care facilities.

Working through almost 600 grassroots programs, ombudsmen and 13,500 ombudsman volunteers serve the residents of long-term care facilities by educating consumers, family members, and providers, about residents' rights and good care practices, including alternatives to chemical and physical restraints. AoA also supports the National Long-Term Care Ombudsman Resource Center (www.ltombudsman.org), where state and local ombudsmen receive training and technical assistance.

“Long-term care ombudsmen make a difference every day by being a voice for residents who are often frail, isolated, and vulnerable,” said Alice Hedt, director of the Ombudsman Resource Center.

In addition to funding abuse prevention programs and providing ombudsman services, the OAA provides for legal assistance services as another essential element in protecting elder rights through the State Legal Assistance Development program.

The OAA is one of the top funding sources for low-income senior legal assistance. There are approximately 1,000 OAA legal services providers nationwide—which provide over one million hours of assistance to seniors per year on a range of legal issues. The State Legal Assistance Development program coordinates the availability of legal representation and advice to elders, especially those in the greatest social or economic need.

Predatory lending, home repair scams, and other types of financial exploitation continue to be a major problem for older

Americans. Many victimized older adults lose their life savings or their homes and then require nursing homes. AoA's legal providers and hotlines protect seniors from these threats to home ownership by providing them with prevention information and help seeking restitution. For example, in Georgia an elderly couple was charged nearly \$11,000 for minor home repairs that were never completed. Senior legal services assisted the couple in canceling the contract.

Today too many older Americans are confronted by the threats of abuse, neglect, and exploitation. AoA's programs attempt to ensure the rights of seniors and protect them from these threats to their well-being.

As the nation celebrates Older American Month in May, you can learn more about these and other programs by visiting www.aoa.gov. This year's theme—“What We Do Makes a Difference”—highlights the critical roles each of us play in our own older years and those of others. For information about what resources are available locally, contact the Eldercare Locator at 1-800-677-1116 or www.eldercare.gov.

Learn More during Older American Month

These are just some of the ways the members of the national aging network work to protect the rights and improve the quality of life for the country's rapidly growing older population. As a result of the work of these organizations, situations for older Americans have improved markedly.