The ABC’s of Elder Abuse

Elder abuse is a grossly unreported and undermanaged disease and public health problem. Abuse affects individuals, families, communities and professionals (e.g., adult protective services, health care, law enforcement). To help increase awareness, encourage personal responsibility, and safeguard older adults from abuse, mistreatment and exploitation we offer the following ABCs.

AWARENESS: It is believed that the number of reported cases of elder abuse and exploitation are only the tip of the iceberg. Elder abuse is a growing problem due to the silver tsunami and stressors such as the economy, high unemployment, etc. (See “T” to learn about the specific types of elder abuse.)

BELIEF: No doubt it is easier to turn a blind eye and pretend it never happens. The problem is that we know better. Elder abuse happens regardless of gender, race, neighborhood, socioeconomic status, etc.

CRIMINAL vs. CIVIL: Abuse does not have to be unlawful to be awful. In situations where evidence is not sufficient for criminal charges to be filed, actions still need to be taken to protect and safeguard older adults so they do not live their life in fear and frustration. (See box below)

DEFINITIONS: One of our favorite definitions of Elder Abuse (EA) is from the Dept. of Health in the United Kingdom. They define EA as ‘a violation of an individual’s human and civil rights by another person or persons’. It sub-categorises abuse into physical, psychological, sexual, financial, discriminatory abuse and neglect and specifies that abuse is either an individual or repeated act(s) or omission(s).

One of the reasons we like this definition is that it addresses human and civil rights.

- **Natural rights** (a.k.a. human or moral rights) are not contingent upon the laws, customs, or beliefs of a particular society or government.
- **Legal rights** (a.k.a. civil or statutory rights) are rights conveyed by laws, legislation, etc.

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**Elder Abuse is when someone...**

- Constantly yells at an older adult, tells her that she smells and her cooking stinks.
- Makes repeated deep voice threats that come winter he’ll put her out on the street if she keeps playing talk radio.
- Hides an older man’s cane so when the mail comes the pension check can be intercepted and then cashed.
- Hides an older lady’s dentures so she stops going outside to feel fresh air and is unable to eat many/most foods.
- Grabs an older person’s arm to push him/her out of the way or onto the sofa.
- Uses an older person’s medicines to soften his own misery.
- Uses intimidation and constant threats that if she doesn’t go to the bank and withdraw money for him he’ll...
- Demands an older person sign papers under duress so that he starts drawing against the mortgage, thus depleting equity she has in the house.
- Gives the poor pitiful me sob story in order to extort money.
While definitions of abuse vary by state, per the Ohio Revised Code (Section 5101.60):

- **“Abuse”** means the infliction upon an adult by self or others of injury, unreasonable confinement, intimidation, or cruel punishment with resulting physical harm, pain or anguish.
- **“Adult”** means any person sixty years of age or older...
- **“Exploitation”** means the unlawful or improper act of a caretaker using an adult or his resources for monetary or personal benefit, profit or gain.
- **“Neglect”** means the failure of an adult to provide for himself the goods and services necessary to avoid physical harm, mental anguish, or mental illness or the failure of a caretaker to provide such goods and services.

**EVALUATE**: If there is suspicion of possible abuse, **make a report** with the county Adult Protective Services (APS) office, a division of Job & Family Services. An APS representative is required to make an unannounced personal visit within three business days. APS will evaluate/assess the situation and provide services and/or initiate action as deemed necessary.

**FACTORS**: Some of the factors that limit the reporting of abuse include: shame or embarrassment, dependency on others for assistance or financial support, family secrecy, fear of consequences or retaliation, cognitive or physical impairment, isolation, self blame, and self-determination. As a result, many people minimize, rationalize, avoid or overlook potentially abusive situations.

**GUTS**: It takes guts for people to pick-up the phone and make a report of possible abuse. **“Better safe than sorry.”** For the safety and well-being of an older adult, make a report whenever you are suspicious of a situation. While threats of nursing home placement or broken relationships sound harsh, living in constant fear is likely worse. To find a number for APS in any county across the country call the national ElderCare Locator HOTLINE at (800) 677-1116 or visit their website at ElderCareLocator.gov.

**HEALTH**: Many older adults are at higher risk for abuse, mistreatment and exploitation because of new or worsening health challenges such as natural age-related changes (e.g., diminished vision, hearing, mobility), and disease that affects physical functioning, the senses, and cognitive performance. Health and lifestyle challenges within the family such as substance abuse, mental abuse, history of family violence, caregiver coping and stress, cultural taboo against outside help, dependence (e.g., caregiving, financial resources, housing), also contribute to diminished health of both older adults and adult children/family members.

**INVESTIGATION**: Investigations (e.g., assessment, interventions) need to focus on both the victim and the alleged perpetrator. Older adults need to be interviewed apart and away from the alleged abuser/caregiver(s)/family members so there is no undue influence. The investigation should also note any discrepancies in the information given.

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**Bonus “D” – Declaration of Independence**: “We hold these truths to be self-evident (meaning proof is not required), that all men (and women of all ages) are created equal, that they are endowed by their Creator with certain unalienable (natural) Rights, that among these are Life, Liberty (implies the freedom to act, believe and live each day to the fullest) and the pursuit of Happiness (joy and peace, not fear and frustration).”

**Bonus “I” – Interdisciplinary Team**: Ideally coordination of services needs to be an interdisciplinary effort. The interdisciplinary team could include a nurse, physician, social worker, APS personnel, mental health professional, law enforcement, clergy, Medicaid/Medicare counselors, legal service, etc.
**JUDGEMENT:** To help ensure justice is served, the training and education needs of county prosecutors and judicial officials cannot be overlooked. Likewise, there is a need to respond to reported abuse and mistreatment promptly to ensure maximum safety for the older adult along with documenting any evidence related to the abuse. Based on initial findings by APS, law enforcement and the prosecutor's office may be engaged to conduct an official criminal investigation.

**KNOWLEDGE:** In Ohio alone, financial exploitation is one critical element within the threat to public health, family violence, which directly costs Ohio a reported $1.1 billion in health care and social service costs each year. We each have a personal responsibility to do our part to safeguard older adults from financial exploitation and other types of elder abuse and mistreatment. What code of ethics do you live by? For example, Citizens: the Golden Rule, Clergy: responsibility for their flock, Health care: do no harm (e.g., by not reporting), Judicial/Legal: investigation and truth, Police: protect and serve, Social services: advocacy and service, etc.

**LAWS:** Many of the laws designed to protect older adults from abuse are outdated and inadequate. As an example, according to the North Carolina Center for Public Policy Research, North Carolina was the first state with an elder abuse law in 1973, but it has not been updated since 1981. Laws are also needed to address the abuse of Power of Attorney and Guardianship. Also, not all states have mandatory reporting requirements. For example, in Ohio (ORC 5101.60) any attorney, doctor (all types), nurse, employee of a health care (and mental health) provider/organization, senior service provider (social workers/counselor), peace officer, coroner, clergyman, ... are mandatory reporters. If they have reasonable cause to believe that an adult is being (had been) abused, neglected, or exploited they are required by law to immediately report such belief to the county department of job and family services.

**MARGINAL EXISTENCE:** The Centers for Disease Control and Prevention (CDC) consider elder abuse to be a serious public health problem. The consequences of abuse, exploitation and mistreatment have a long lasting effect and people are often forced into a marginal existence for the remainder of their lives. For example, when older adults are financially exploited there is a lack of time and income to make up the losses, sometimes resulting in poverty or reliance on Medicaid. With emotional, physical and sexual abuse anxiety often impairs a victim's ability to carry out routine tasks or activities. There may also be a loss of independence, self-esteem, peace of mind and even health. In addition, the trauma from elder abuse may cause significant stress and lead to depression, substance abuse, exacerbated health problems, and premature death.

**NEWS:** Turn on the TV or open up a newspaper and you can’t help but come across stories of abuse. To view a recap of significant stories across the U.S. visit our website (www.CareAdvocate.org) and click on Elder Abuse Prevention and In The News. We salute the newspapers and television stations that have been actively reporting on cases of (alleged) abuse.

**OUTRAGE:** The awful and unlawful actions involved in elder abuse demands righteous indignation and outrage. This outrage needs to be channeled into actions focused on prevention. Civil rights are considered sacred to citizens and must be protected, especially important for vulnerable people. Also, how the most vulnerable are cared for tends to define a civilization. Elder abuse, exploitation, and mistreatment must stop!

Our responsibility is for both
- **Beneficence** – “acting with charity and kindness” (taking action to do good)
- **Nonmaleficence** – “do not harm” (refraining from doing something that harms).
**PROSECUTION:** Prosecution of crime depends on documented evidence. If a criminal investigation leads to charges and the prosecution takes the case, the verdict is in the hands of the judicial system. Whenever a perpetrator is found guilty and punished for a crime, others will perhaps be deterred from abusing an older adult – whether unlawful or awful. Public display of abuse perpetrators will serve to demonstrate consequences of crime. It is possible that civil litigation may also be pursued if the evidence of elder abuse does/does not meet statutes for criminal behavior. We believe that through prosecution a clear message needs to be sent that says abusing, mistreating or exploiting older adults is NOT okay and there are severe consequences.

**QUESTIONABLE BEHAVIORS:** Be suspicious and suspect that anyone could be a potential perpetrator. If any behavior appears questionable or suspicious, act on your gut instinct. Make a report with APS. NOTE: You do not have to give your name. Do not try to investigate a situation yourself. Turn to the APS experts if there is any suspicion so an investigation can be initiated. In the case of an emergency where an older adult may be in imminent danger call 911.

**REPORTING:** While the number of reported cases of elder abuse is up across America for 2009, the number of reported cases is still believed to be only the tip of the iceberg. For every case of elder abuse that is reported, it is estimated that between 5-25 other cases are NOT. We salute the media that have been reporting about elder abuse and hope the awareness and attention lead to increased reporting.

**SCREENING:** Be less trusting and more suspicious. While the general public should follow their intuition and gut instincts, there are a number of tools designed to help professionals assess situations. Two of the most widely used tools are the *Elder Mistreatment Assessment* which is a 41-item assessment instrument of key abuse indicators. This assessment tool is available for download free of charge at [www.consultgerirn.org/uploads/File/trythis/issue15.pdf](http://www.consultgerirn.org/uploads/File/trythis/issue15.pdf). Another screening tool is the *Principles of Assessment and Management of Elder Abuse* (a.k.a. Bomba tool). This tool features a decision tree along with screening considerations and questions and is available for download at [www.yourlongtermcare.com/resources/elder_abuse_neglect_tool.pdf](http://www.yourlongtermcare.com/resources/elder_abuse_neglect_tool.pdf).

**TYPES OF ABUSE:** While the following is a list of the various types of abuse, remember it doesn't have to be unlawful to be awful.

- **Emotional** – use of pressure, intimidation, harassment, isolation, etc. which leads to distress.
- **Financial or Material Exploitation** – use of funds or personal property through acts of coercion, deception or theft without benefit to the older adult.
- **Neglect** – failure to care for someone unable or unwilling to care for self, whether intentional or not.
- **Physical** – use of force resulting in bodily injury.
- **Self-Neglect** – behaviors of an older person that threaten his/her own health or safety.
- **Sexual** – unwanted or threatened sexual contact.

**UNIFORM APPROACH:** Various published reports recommend programs be developed and operationalized to help prevent elder abuse before it occurs and to recognize and deal with abuse effectively when it occurs. Many reports acknowledge a lack of community-based, best-practice programs and collaboration between community agencies, legal and judicial resources, social services and health care organizations. While some processes are in place, most were developed by individual organizations and lack uniform application and coordination. As a result, there is a lack of consistency among and between organizations, and as a result, some older adults may experience elder abuse but fall through the cracks. (*See box on top of page 5.*)
The Center for Aging with Dignity at the University of Cincinnati College of Nursing has assembled a team of subject matter experts and is currently pursuing grant funding for a project to collaboratively develop and operationalize a pilot elder abuse prevention program in five Ohio counties. Then once feasibility is demonstrated steps will be pursued to encourage statewide adoption and offer the program nationally.

**VULNERABILITY:** Older adults are vulnerable and face an increased risk for elder abuse. The following are some of the factors that increase vulnerability:

- Cognitive impairment (e.g., dementia, excessive anger, frustration)
- Having wealth desired by others (e.g., adult children denying parents of products and services that could reduce or deplete inheritance)
- Having medications that abusers need to support addictions
- Lack of social support (e.g., being isolated, living alone, no one checking in)
- Lack of oversight of legal powers (e.g., guardianship, POA)
- Physical or sensory impairments affecting mobility and functional ability

**Ws:** The following recap addresses the 5 Ws and 1 H.

- **Who** – Be alert, people age 60+ are being abused, exploited, mistreated, and neglected in communities across America and the world.
- **What** – Share and apply your knowledge about elder abuse and take action to help prevent it.
- **Where** – Older adults are being abused regardless of whether they live in the community, with family, residential care communities, medical centers, etc.
- **When** – The time is NOW. Every day matters. If you suspect elder abuse, exploitation or mistreatment, make a report. Remember “Better safe than sorry”.
- **Why** – We all have a responsibility, personally and/or professionally, to speak-up for those who may be unable or unwilling to speak-up for themselves.
- **How** – To find a number for Adult Protective Services (APS) in any county across the country call the national ElderCare Locator HOTLINE at (800) 677-1116 or visit their website at ElderCareLocator.gov.

**XTREME URGENCY:** Elder abuse is on the increase and older adults face an increased risk of awful and unlawful treatment. The perpetrators are often family members, relatives, trusted friends and advisors. Time is of the essence. Don’t put off making a report thinking a situation may correct itself over time or the suspected abuse is an isolated situation.

Another urgent issue involves being vocal about state funding and supporting proposed legislation. Contact your elected officials (contact information available at www.usa.gov/Contact/Elected.shtml) to voice your opinion and ask for their backing. The following are few pieces of proposed legislation:

- Elder Abuse Victims Act (HR 448)
- Elder Serve Act (HR 973)
- Elder Justice Act (HR 2006 or S 795)
- Patient Safety and Abuse Prevention Act (HR 1374)
For more information about pending federal legislation visit [http://thomas.loc.gov](http://thomas.loc.gov). In addition to federal efforts to better safeguard older adults from abuse, exploitation and mistreatment many states are also pursuing legislation. For example, in Washington State a bill is pending the Governor’s signature (4/09) that would prevent those who exploit elderly or otherwise vulnerable persons from inheriting money or property from their victims.

**YOU** are an important cog in the intervention wheel of public health. Be a part of the solution to this serious public health problem. Be aware, spread the word, support the legislation at the state and local level by staying informed and email, phone or write letters to elected officials and express your views about the need to Stop Elder Abuse. Remind others of the responsibility of citizenship that includes the protection of rights and resultant responsibilities. Ensure the rights of older adults are as respected as the rights of children and all other age groups because there is no age limit on citizen rights.

**ZEALOUS:** Be zealous in efforts to advocate for this cause. Share your story or those published to get the word out. Speak up and be part of the solution because “The squeaky wheel gets the grease”. Volunteer your time and direct your energy to assist and help safeguard older adults. Contact a senior or social services agency in your area and inquire about volunteer opportunities. It may be your efforts that serve as a catalyst for others to volunteer or get into the fight to stop the awful and unlawful acts that harm older people and instead, turn the tide toward a safer world for all of us.

**OTHER RESOURCES** you may find helpful include:

**Books:**

**Documentary:**

**Websites:**
- National Center on Elder Abuse (NCEA) – [www.ncea.aoa.gov](http://www.ncea.aoa.gov)
- National Committee for the Prevention of Elder Abuse (NCPEA) – [www.preventelderabuse.org](http://www.preventelderabuse.org)
- International Network for the Prevention of Elder Abuse (INPEA) – [www.inpea.net](http://www.inpea.net)
- Ohio Coalition for Adult Protective Services (OCAPS) – [www.ocapsohio.org](http://www.ocapsohio.org)

**The Center for Aging with Dignity** ([www.CareAdvocate.org](http://www.CareAdvocate.org)) at the University of Cincinnati College of Nursing is devoted to keeping people “SAFE After 60” by advocating for, advancing and developing best-practice programs on the safety and mistreatment of older adults.

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