

**Comments of the National Adult Protective Services Association  
for  
The White House Conference on Aging “Listening Session”  
Washington, DC**

**By  
William F. Benson  
National Policy Advisor**

**September 2004**

It is an honor to be speaking with you this morning. Thank you for this opportunity. My name is Bill Benson. I am the National Policy Advisor for the National Adult Protective Services Association – or NAPSA -- and am a former Assistant Secretary for Aging at the Administration on Aging. NAPSA is very grateful to have this opportunity to share a few thoughts with you.

As a volunteer non-profit organization NAPSA’s membership consists of the senior administrators of states’ Adult Protective Services systems. APS are those services provided to elderly and disabled adults who are in danger of abuse, neglect or exploitation; and who are unable to protect themselves, and have no one to assist them. Some of these services include: Investigation of reports of abuse, financial exploitation and neglect of vulnerable adults; taking immediate action to protect victims’ safety and property; and also arranging for a wide variety of supportive services such as emergency housing, homemaker, food, medical and health treatment and other essential services.

NAASPA represents the interest of these programs, conducts national research projects relating to the abuse of vulnerable adults and provides training to state Adult Protection Administrators.

- Each year, Adult Protective Services (APS) programs in all the states receive more than 500,000 reports of elder and vulnerable abuse, exploitation and/or neglect. As Senator Breaux, author of the pending Elder Justice Act, noted in introducing the EJA, “84% of all elder abuse cases are never reported” and “as many as 5 million seniors are abused each year in the United States.” Two-thirds of allegations received and cases opened by APS involve elderly individuals.

- Elders who are mistreated are three times more likely to die within ten years than those who are not mistreated.<sup>1</sup> Compared with the general US population, victims of violence have twice as many physician visits, 2.5 times the outpatient costs, and a diminished sense of well-being.<sup>2</sup>
- Abuse, exploitation and neglect impacts victims of every race, socioeconomic level and living situation.
- In 44 states, reporting elder and/or vulnerable abuse, exploitation and neglect to APS is mandated by state statute.
- APS is the only public service authorized and empowered by state laws to respond to and investigate allegations of abuse, neglect and exploitation of the elderly and vulnerable adults.
- States' APS programs are administered by state governments. In most states, APS service delivery occurs at the local county or municipal level.
- There is no federal funding dedicated to APS.
  - Although federal Social Services Block Grant (SSBG) funds can be used for funding APS the decision is left to the states. Some states use SSBG to support their APS program. As SSBG funds a wide array of social services for children, the disabled, homeless, elderly and others, competition for the funds is huge. As SSBG has been reduced by over \$1 billion in recent years, APS (and other aging services) often are cut to offset cuts to children's' services including child protective services.
  - Older Americans Act elder abuse prevention funds (approximately \$5 million appropriation split among 57 states and 655 area agencies on aging) are not used for APS or intervention in cases of abuse, neglect and exploitation.
- APS caseloads continue to grow and will do so in the years ahead as the population ages. At the same time, state and local resources

---

<sup>1</sup> Lachs, Williams et al.

<sup>2</sup> Berrios, D and Grady, D

for APS are increasingly more limited and the caseloads grow more complicated and labor-intensive for APS workers.

- Senator Breaux (D-LA) together with Senator Orin Hatch (R-UT), on a bi-partisan basis have introduced along with more than 40 cosponsors S. 333, the Elder Justice Act. HR 2490, sponsored by Representative Rahm Emanuel is the companion bill in the House.
- This legislation, which may well be marked up by the Senate Finance Committee next week (September 15) includes many essential features related to elder abuse including provisions of immense importance to states' Adult Protective Services Programs (APS). The EJA would be to states' APS what federal law is to states' Child Protective Services programs by providing funding, technical assistance and a federal focus on APS.
- Highlights of the legislation include:
  - The APS provisions in the EJA represent the only non-criminal justice direct service or intervention in the EJA for responding to elder abuse, neglect & exploitation.
  - The Elder Justice Act would authorize direct grants to states to support the investigation of cases of elder abuse by states and local APS programs.
  - For the first time, a federal Office of Adult Protective Services would be established at the U.S. Department of Health and Human Services to oversee the award of grant funds and to provide technical assistance about APS to states and perform other long-needed national support services for APS.
- Enactment of this vital legislation in this Congress is now a race against the clock. If it should not make it before time runs out, we hope that the WHCOA would provide a focus on the terrible social ill of elder abuse. The Elder Justice Act represents a very significant but modest attempt to address elder abuse in a meaningful way under federal law.
- Regardless of the outcome of the EJA in this Congress the White House Conference on Aging should consider in its deliberations the blemish of elder abuse on this society, in all its forms. Even if

enacted into law, the EJA represents only a beginning step in addressing elder abuse. Consider the following: The 1990 congressional report, "Elder Abuse: A Decade of Shame and Inaction," noted that states spent about \$45.03 per child resident for child protective services in 1989, and \$3.80 spent per elderly resident for APS. There is no reason to believe that that disparity has not widened in the past 15 years.

- The SSBG has lost over \$1 billion in the past few years. At its present level of \$1.7 billion it is the most significant source of discretionary funding for human services in the nation providing for services to vulnerable kids, people with disabilities, the homeless, seniors, and others. For APS programs, SSBG funds are not only vital for APS directly but also because they support services that victims of abuse need, from transportation, emergency shelters, meals, case management, in-home support and others. The role of SSBG in meeting the needs of the elderly, whether in APS or in ways, badly needs consideration. The White House Conference on Aging is the ideal forum for this.
- While the OAA provides limited funding (approximately \$5 million) for elder abuse prevention activities, it is an important part of Title VII. Its funding has been fixed for a number of years now and severely limits the potential education and outreach that could be accomplished through this program. The importance of Title VII's elder abuse provisions should be addressed by the White House Conference on Aging.

On behalf of NAPSA and the APS workers struggling with their caseloads across the country, I thank you for this opportunity to share our thoughts with you.