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3

() USE COMMITTEE REPORT

(7)

Date Referred: May 13, 1991

FURTHER REFERRALS:

Finance

Date of Committee Action: 5-18-91

The JUDICIARY Committee considered:

CSSB 3(JUD)

CS FOR SENATE BILL NO. 3 (JUDICIARY)

VULNERABLE ADULTS AND ELDER ABUSE

"An Act relating to protection of elderly persons from harm."

RECOMMENDATIONS:

[] the same title

be replaced with _____

[] a new title

[] have attached amendments(s)

do pass

[] do not pass

[] no recommendations

[] individual recommendations

[] additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(s): (Dept)

APPROVES PREVIOUS: (Dept/Date)

[] fiscal impact _____

[] fiscal note(s) _____

[] zero fiscal note _____

*H:SS-4-15-91; LAW 4-2-91
Court-3-29-91; Pub SAF-3/29/91*
If so zero fiscal note(s)

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Larry Matthews</i>	<input checked="" type="checkbox"/>				
<i>Kevin P. O'Rourke</i>	<input checked="" type="checkbox"/>				
<i>[Signature]</i>	<input checked="" type="checkbox"/>				
<i>William J. O'Neil</i>	<input checked="" type="checkbox"/>				

William J. O'Neil
CHAIRMAN'S SIGNATURE

FISCAL NOTE

No. 6
 Bill Version: CS SB 3 (JUD)
 (S) Publish Date: 4/15/91

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL 1

Revision Date: _____ Dept. Affected Health and Social Services
 Title: An Act relating to protection of BRU: Family Services
elderly persons from harm. Component: All components
 Sponsor: Kerttula
 Requestor: Senate Judiciary COMPONENT SERIAL NO. 0254

Expenditures/Revenues

(Thousands of Dollars)

OPERATING	FY92	FY93	FY94	FY95	FY96	FY97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
REVENUE	0.0	0.0	0.0	0.0	0.0	0.0

FUNDING:

(Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME						
TEMPORARY						

Estimate of current year impact: **NONE**

ANALYSIS: (Attach a separate page if necessary)

Implementation of the provisions of this committee substitute for Senate Bill No. 3 will have no fiscal impact on the Division of Family and Youth Services.

Prepared by: Michael L. Price, Director
 Division: Family and Youth Services
 Approved by Commissioner: Tommy Branstetter for
 Agency: Department of Health and Social Services

Phone: 465-3170
 Date: 4/12/91
 Date: 4/12/91

Distribution (by preparer):
 Legislative Finance OMB
 Legislative Sponsor Impacted Agency(ies)
 Requestor

Revision Date: _____
Title: An Act relating to protection of elderly persons from harm.
Sponsor: Senator Kerttula
Requestor: Senate Judiciary

Department Aff
BRU: Village Public Safety Officers
Component: Contracts

COMPONENT SERIAL NO.

	5	1	6
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EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not Included)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER/PROG RCPT						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact None

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact is anticipated.

Prepared by: Gayle A. Horetski Phone: 465-4322
Division: Office of the Commissioner Date: 3/27/91
Approved by Commissioner: Gayle A. Horetski for Richard L. Burton
Agency: Department of Public Safety Date: 3/27/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

FISCAL NOTE

No. 4

Bill Version: CSS B3(JUD)

(S) Publish Date: 3/29/91

STATE OF ALASKA
1991 LEGISLATIVE SESSION

Revision Date: _____ Department Affected: Alaska Court System
 Title: An Act relating to protection of BRU: Trial Courts
elderly persons from harm Components: _____
 Sponsor: Kerttula
 Requestor: _____ COMPONENT SERIAL NO.

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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUNDS	0.0	0.0	0.0	0.0	0.0	0.0
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

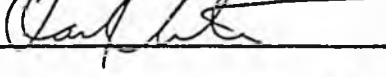
POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact.

Prepared by: C. S. Christensen III, Staff Counsel  Phone: 264-8228
 Division: Alaska Court System Date: 03/22/91

Approved by: Arthur H. Snowden, II, Administrative Director  Date: 03/22/91
 Agency: Alaska Court System

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

STATE OF ALASKA
1991 LEGISLATIVE SESSION

Revision Date: _____ Department Affected: Department of Law
 Title: "An Act relating to protection of elderly persons from harm." BRU: Legal Services
 Component: Operations
 Sponsor: Senator Kerttula
 Requestor: Senate Judiciary COMPONENT SERIAL NO.

		9	3
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

Please see the attached analysis.

Prepared By: Richard I. Pegues, Director Phone: 465-3672
 Division: Administrative Services Date: March 27, 1991
 Approved by Commissioner: Richard I. Pegues/for
 Agency: Department of Law Date: March 27, 1991
 Approved by Commissioner: Charles E. Cole, Attorney General

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSSB 3 (Jud)

This bill amends AS 47.24.020(a) and AS 47.24.020(b) to provide that, before an investigation of a report of harm to an elderly person can be terminated, a face-to-face interview with the elderly person who is the subject of the report must be conducted. Although this mandatory personal interview may result in some additional cases of harm against an elderly person, the number of new cases is not expected to be great enough to require any additional legal resources. The bill is intended, rather, to prevent an elderly person from being coerced into requesting the termination of an investigation. Consequently, there will not be a fiscal impact for the Department of Law.

() USE COMMITTEE REPORT

(7)

Date Referred: April 17, 1991

FURTHER REFERRALS:

Judiciary
Finance

Date of Committee Action: 5-10-91

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

CSSB 3(JUD)

CS FOR SENATE BILL NO. 3 (JUDICIARY)

VULNERABLE ADULTS AND ELDER ABUSE

"An Act relating to protection of elderly persons from harm."

RECOMMENDATIONS:

be replaced with CSSB 3 (JUD) the same title

a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(s): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal impact _____

fiscal note(s) _____

zero fiscal note _____

(x4) zero fiscal note(s) DHSS 4/12/91 DOL 3/27/91
AK COURT SYS 3/22/91 DPS 3/27/91

SIGNING <u>DQ</u> PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Cheri Davis</i>	<input checked="" type="checkbox"/>	<i>[Signature]</i>		<input checked="" type="checkbox"/>	
<i>Mary Miller</i>	<input checked="" type="checkbox"/>	<i>[Signature]</i> (LINCOLN)			
<i>Bettye Davis</i>	<input checked="" type="checkbox"/>				
<i>J. B. Gonzales</i>	<input checked="" type="checkbox"/>	(GONZALES)			
<i>[Signature]</i>	<input checked="" type="checkbox"/>	(CARNEY)			

[Signature]
CO-CHAIRMAN'S SIGNATURE (LINCOLN)

MEMORANDUM

TO: Rep. Pat Carney, Co-Chair
Rep. Georgianna Lincoln, Co-Chair
House HESS Committee

RE: SB 3 -
Elder Abuse

FR: Senator Jay Kerttula

D: April 22, 1991

I would appreciate it if you would schedule Senate Bill 3, relating to Elder Abuse.

Alaska Statute 47.24.020 requires the Department of Health and Social Services to investigate reports of elder abuse, interview the elderly person and prepare a written report. The law directs the department to stop the investigation at the elderly person's request.

Senate Bill 3 requires an in-person interview prior to termination of an investigation of elder abuse. While this requirement is implied in existing statute, the long-term care ombudsman has stated that many investigations are currently terminated after telephone interviews. The long-term care ombudsman testified to situations of older Alaskans who were subjected to extended periods of abuse after being coerced by their abuser into requesting termination of investigations over the telephone. Senate Bill 3 clarifies the meaning of "personal interview" which is required by existing statute.

Senate Bill 3 has a "0" fiscal note from the Department of Health and Social Services and is supported by both the administration and the long-term care ombudsman.

Thank you for your consideration of this request.

SPONSOR statement

Senate Bill 3 is aimed at helping alleviate the first problem, and I urge the Senate HESS Committee to pass the bill. For your information I have attached some background information on elder abuse which was contained in report which Legislative Research did at my request. I have also attached several newspaper articles on the topic for your information.

HISTORY IN THE SENATE

HISTORY IN THE HOUSE

1991
1/21 Read first time and referred to: HES and Judiciary

2/4 HES RPT() CS 4 DP NR DNP AM
New Title Same Title Previous FN
FN OFN To Jud

3/29 Jud RPT() CS 5 DP NR DNP AM
New Title Same Title Previous FN
1 FN 2 OFN To Rules

RPT() CS DP NR DNP AM
New Title Same Title Previous FN
FN OFN To

4/12 R Rules Calendar() CS AM Other
New Title Same Title Previous FN
FN OFN New FN

4/15 Read second time

4/15 CS Adopted Jud New Title
Amended Advanced

4/15 Read third time

Letter of Intent adopted
Return to second for specific amendment

4/15 PASSED EFD Same ___ or
Yeas 17 Yeas
Nays Nays
Excused 2 Excused
Absent 1 Absent

Reconsideration
Reconsideration not taken up

PASSED EFD Same ___ or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

4/15 Reported correctly engrossed
Signed by President, to House
Nancy Green
Secretary of the Senate

1991
4/17 Read first time and referred to: HES Jud FIN

RPT CS() New Title
DP DNP NR AM
FN OFN Previous FN

RPT CS() New Title
DP DNP NR AM
FN OFN Previous FN

RPT CS() New Title
DP DNP NR AM
FN OFN Previous FN

Read second time
CS() Adopted

Amended

Advanced

Read third time

Return to second for specific amendment

PASSED EFD Same ___ or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

Intent adopted

Reconsideration
Reconsideration not taken up

PASSED ON RECON. EFD Same ___ or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

Intent adopted

Reported correctly engrossed, signed by the Speaker
and returned to the Senate

Chief Clerk of the House

ELDER ABUSE BACKGROUND

Nationally, the most common forms of elder abuse are physical abuse (including neglect) and financial exploitation. They are followed by emotional abuse or neglect, and sexual abuse. Elders also are often victims of self-neglect. Elders who are abused physically may be beaten, slapped, cut, burned or shoved; they may be deprived of food, supervision or medical care; they may be sexually abused; or they may be forcibly confined to a bed, a chair or a room. Those who are emotionally abused may be assaulted or threatened verbally. They also may be frightened, humiliated, intimidated, isolated or treated as children.

Profiles of the Typical Victim and Elder Abuser

The typical victim is a frail, 75-year-old woman who cannot care for herself. The victim generally depends on the family or an unrelated person for care and protection. Victims may have a drinking problem and a tendency to take the blame for the abuse. They may be excessively loyal to the caregiver. They may also have a history of abuse and be unpleasant or demanding.

The typical abuser is under stress, has a substance abuse problem, and frequently was abused as a child. Three out of four elder abusers are members of the victim's family. The son of the victim is the most likely abuser, followed by the daughter of the victim.

Data from the National Aging Resource Center on Elder Abuse indicate that two-thirds of the victims in reported cases in 1988 were female. Almost one-third of the abusers were adult children of the abused (30 percent). About 15 percent of abusers were the abused's spouse and about 13 percent were identified as the "service provider." Other reported abusers included friends or neighbors, other relatives, siblings and grandchildren.

Reporting

Most elder abuse is not reported, and this situation is worsening.. In 1980, an estimated one in six cases were reported; in 1985, one in five were reported; and in 1990, one in eight were reported. Nationally, elder abuse is far less likely to be reported than child abuse.

Alaska reports the second highest rate of elder abuse among the 43 states (including Washington, D.C.) with mandatory reporting laws. Alaska reports 9.18 cases of abuse per 1,000 elderly residents. If national estimates hold true for Alaska (one case reported for every eight which occurs), there were about 2,200 actual cases of elder abuse in Alaska in 1988. In that year, 273 cases were reported.

ADULT PROTECTIVE SERVICES

INCIDENCE

In the fall of last year, the Division of Family and Youth Services in collaboration with the Older Alaskan's Commission sponsored the first Adult Protective Services Conference held in Alaska. More than 100 concerned Alaskans attended.

Dr. Sue Parkins of St. Vincent Medical Center of Toledo, Ohio, spoke on Elder Abuse: A Front Line and National Perspective. She noted that Alaska's reporting of abused and neglected elders and other vulnerable adults is higher than reporting in other states. Yet she also noted that the actual incidence of abuse and neglect to elders is believed to be much higher than the number reported in any state.

Alaska's abused and neglected vulnerable adult profile can be seen in the attached chart of statistics. Due to a transition in statistical record keeping, adult protective services reports of harm statistics after 1989 are not available.

In the conference last fall, Dr. Parkins indicated nationally there are 9.8 incidents reported per 1000 seniors or about 10 per thousand. About one in eight cases of abuse are actually reported, so perhaps 80 cases per 1000 seniors would reflect actual incidence of abuse and neglect. National incidence for abused dependent adults younger than age 65 is not available. Conferees set about exploring actual incidence and an Alaskan response to the problem. Rough projections for Alaska's elder abuse situation follow:

CITY	# SENIORS	PROJECTED ELDER ABUSE/YEAR
Statewide	20,000	1,600
Anchorage	7,300	584
Fairbanks	2,300	184
Mat-Su	1,600	128
Kenai	1,900	152
Juneau	1,200	96
Bethel	700	56
Wrangell/Petersburg	500	40

All other communities in Alaska: probably fewer than 40 cases.

PROTECTIVE SERVICES RESPONSE

As the state agency responsible to carry out protective services, the Division of Family and Youth Services or grantee in the case on Manniilaq or Kavarek generally conducts the following activities:

- (1) the operation of a system to receive reports and referrals of suspected elder abuse, as defined by state law (i.e., abandonment, abuse, neglect, and economic harm); younger vulnerable adults are included under the division's Title XX Plan;

Adult Protective Services

- (2) the investigation of cases of maltreatment by gathering evidence from the victim, family members, appropriate professionals, neighbors and friends, and others determined to be appropriate;
- (3) the substantiation or unsubstantiation of abuse reports based on evidence and agency policy;
- (4) the provision of emergency services to victims or their family members, as needed and as resources permit;
- (5) the administration of assessments, tests, or evaluations, as needed;
- (6) the preparation of legal procedures, as needed;
- (7) the referral of cases to treatment and rehabilitation programs, substitute care programs, long-term care programs, and law enforcement agencies, as appropriate;
- (8) arrangements for the removal of the victim or the perpetrator from the home, when necessary;
- (9) the provision of support, protective, and advocacy services;
- (10) the training of agency staff, related professions, and volunteers;
- (11) the administration of public awareness programs; and
- (12) the collection of statistics for clients and services.

There are currently three workers specializing in Adult Protective Services (two in Anchorage and one in Fairbanks). In all other areas of the state adult protective services are provided by staff who are assigned to provide protective services to both children and adults.

ADULT PROTECTIVE SERVICES CLIENTS AND DFYS SERVICES

<u>Age</u>	<u>FY87</u>	<u>FY88</u>	<u>FY89</u>	<u>FY90*</u>
18-59	609	577	568	362
60 & up	1326	1326	1272	894
 <u>Sex</u>				
Female	1268	1289	1256	810
Male	666	656	625	446
 <u>Race</u>				
AK Native	792	790	672	461
Black	58	59	69	42
Caucasian	1020	1000	976	603
Unknown	65	91	117	148
 <u>Services Turnover</u>				
<u>Clients Exiting</u>				
System in the FY	556	438	445	177
Clients Began in the FY	301	487	446	122
Clients Continued Thru to the next FY	554	543	566	871
Clients Interrupted During the FY	87	47	51	2
Clients Entered and Exited in the FY	437	428	371	84
 <u>Homemaker Services</u>				
Number of Clients	1260	1430	1363	76
 <u>Adult Foster Care</u>				
Number of Clients	27	41	38	28
 <u>Adult Residential Care</u>				
Number of Clients	66	69	70	77

*Homemaker Services were transferred to Public Health in FY90, resulting in a substantial drop in DFYS delivered services to "at risk" elders and vulnerable adults under the APS program.

DEPARTMENT OF HEALTH AND SOCIAL SERVICES
Division of Family and Youth Services

Adult Protective Services Reports of Harm*

<u>Number of Reports:</u>	<u>1985</u>	<u>1986</u>	<u>1987</u>	<u>1988</u>	<u>1989</u>	<u>Avg.</u>	<u>%</u>
65 and over:	137		155	275	226	198	54
60 - 64	21		40	28	39	32	9
18 - 60	87		122	185	143	134	37
<u>Sex of Victim:</u>							
Male	85		118	185	161	137	38
Female	160		199	303	247	227	62
<u>Type of Harm:</u>							
Abandonment	10	11	11	17	7	11	3
Abuse	128	117	65	171	126	121	34
Economic Harm	40	69	133	127	98	93	26
Neglect	67	129	100	173	177	129	37
<u>Relationship of Perpetrator to Victim:</u>							
Wife	18		8	7	8	10	4
Husband	41		30	40	31	36	14
Son	40		24	43	64	43	17
Daughter	16		18	19	41	24	10
Other Male Family Member	32		10	30	34	27	10
Other Female Family Member	25		15	19	25	21	8
Other Male	31		64	46	63	51	20
Other Female	20		38	62	51	43	17
<u>Did the Victim Request That the Investigation be Terminated?</u>							
Yes	61		80	117	163	105	44
No	116		85	160	183	136	56
<u>Type of Report</u>							
Mandatory	88		123	169	151	133	67
Other	63		79	77	48	67	33
<u>Was the Report Confirmed?</u>							
Yes	142	202	152	150	222	174	62
No	31	94	145	124	129	105	38

REPORTS OF HARM*

	<u>65 and older</u> (all ages combined)	<u>60-65</u>	<u>18-59</u>	<u>TOTAL</u>
FY84				72
FY85	137	21	87	245
FY86	98	39	195	332
FY87	155	40	122	317
FY88	275	28	185	488
FY89	226	39	143	408

*Due to a transition in data collection to Prober, Reports of Harm to adults data is not available for FY90.

Conference renews battle against elder abuse

by Pamela Craves

A new elder abuse task force in Ketchikan is steaming ahead with plans to coordinate services among agencies to provide more help to neglected or abused adults.

Palmer social workers are talking about applying for grants to help abused elders in the Mai-Su Valley.

And the Division of Family and Youth Services (DFYS) has gathered statewide support for a budget increase to add four more social workers in adult protection.

These efforts to beef up services for seniors and vulnerable adults are just part of the enthusiasm to combat elder abuse generated by an October conference in Anchorage.

"I think a lot of people came away from (the conference) with a real sense of excitement and awareness that there have been too few services available to a real at-risk population," said Becky Smith, a social worker with DFYS in Ketchikan.

Smith said about 130 other social service providers, seniors, members of the Older Alaskans Commission (OAC) and hospital workers attended the conference, "Elder Abuse: A Front Line Perspective," sponsored by Providence Hospital, DFYS and the OAC.

Keynote speaker Dr. Sue M. Parkins, an emergency room

protective team in Toledo, Ohio, discussed the signs and symptoms of elder abuse.

"The classic victim is a 75-year-old frail woman who has some medical problems," Parkins said. "The profile of the abuser is characterized by stress... substance abuse, financial stress," she said.

Most abuse occurs in families which have always been abusive, Parkins said. The family may have an abusive member or just be dysfunctional.

Parkins gave an example of how an abusive situation may evolve. A young man loses his job and moves in with his mother because he can no longer manage financially. He probably has a substance abuse problem which gets worse the longer he is unemployed.

As long as the mother is healthy the situation is okay, but as she gets older and more frail things deteriorate.

"Mom becomes more and more of a burden and starts being neglected or frankly abused," Parkins said.

"Mom may get dependent to the degree that she can't care for herself and really needs professional care or placement. If mom gets placed then her assets have to be liquidated," Parkins said, referring to Medicaid requirements to spend down assets before a person may receive nursing home coverage.

There is no incentive for the son

Most abuse occurs in families which have always been abusive. The family may have an abusive member or just be dysfunctional.

to place the mother since he then loses his place to live. Instead, he starts collecting his mother's Social Security checks and other entitlements. And the mother steadily declines without the help she needs.

Unreported abuse

In 1983 there were 273 reported cases of elder abuse in Alaska, Parkins said. But she is uncomfortable with these statistics.

"We can see those abused and try to imagine how many others there are," she said.

Typically, one out of every eight victims reports abuse, according to Parkins. Seniors are hesitant to report abuse for a number of reasons. Often it is their own family members abusing them, Parkins said.

Abused seniors also are fearful of what will happen if they report. Will they have to leave their home and enter a nursing home?

Not only are seniors hesitant to report abuse, health care professionals and service providers

may not recognize signs of abuse.

"A lot of elder abuse findings relate to hygiene," Parkins said. Look for bed sores, she suggested.

Dehydration and malnutrition also are indicators. Seniors are more fragile than children when it comes to nutritional needs, Parkins said. If dentures are fitting improperly, it could mean the person has lost a lot of weight.

Look at a person's skin, Parkins said.

Are there bruises? Burn or frostbite injuries?

If there are injuries, ask the person what happened.

"Listen to the story you're being told and if it doesn't make sense... then you have to wonder (if abuse is occurring)," Parkins said.

Documentation is key to getting more resources for combatting elder abuse, Parkins said.

Coordinating services

In a later panel discussion, conference participants discussed ways to improve the current system for dealing with elder abuse in the state.

"One of the keys that people identified at the conference was greater coordination of already existing services for elders and other vulnerable adults," said DFYS director Russ Webb.

Strategies for increasing coordination include community organizing, case assistance, increasing basic services such as foster homes, and developing a

central office responsible for coordinating services at the state level.

Conference participants spent much time in individual groups hashing over the best ways to tackle the elder abuse problem.

"The group I went to was on community organization," said social worker Becky Smith.

"(The group) identified some criteria on how to make that happen. In a sense that's what we're doing," Smith added, referring to the elder abuse task force she later started in Ketchikan.

The Ketchikan task force is one of four elder abuse task forces in the state. Others are located in Anchorage, Fairbanks and Juneau.

"Our goals are to identify what services are being provided and what the criteria for receiving those services are," Smith said.

People may be denied services because they don't fit income or age requirements, Smith said. She and the 11 other members of the Ketchikan task force want "to do some brainstorming" on how to provide services to these people.

"Our goal is to line up all service agencies to do a coordinated public presentation," she said.

For more information on the Ketchikan task force call Becky Smith at 223-6611.

For information on elder abuse in your community or to report elder abuse, call the Division of Family and Youth Services.

**THE FOLLOWING PAGES MAY
NOT FILM LEGIBLY BECAUSE OF
THE POOR QUALITY OF THE ORIGINAL**

May 13, 1990

ANCHORAGE TIMES



Elderly remain silent to abuse ^{Kott}

By JULIA SOPALSKI
Times Writer

Abuse of the elderly in Alaska is a quiet problem. Its victims mostly are silent.

State officials are aware of incidents involving senior citizens, but the extent of the problem is unknown because official reports are never filed, said William O'Connor, an ombudsman for the Older Alaskans Commission. Senior citizens in trouble often are too intimidated to admit they are in an abusive situation, O'Connor said.

The Division of Family and Youth Services in 1989 received 265 reports of abuse of adults over 60 years of age, down from 303 in 1988. But O'Connor said the statistics can be misleading because there is not enough money for social workers to follow up and investigate the reports. There may be more than the numbers indicate, he said.

A mandatory reporting law was passed in Alaska in 1983, requiring health and social workers to report suspected abuse of an elderly person. Failure to do so can result in a fine.

But the report is only recorded in division statistics if a caseworker has time to check it out, O'Connor said.

"I remember a case in the Kenai a few years back where a physician tried for more than six months to report a case of elderly abuse," O'Connor said. "If they won't listen to a physician, what happens when the person calling is only a concerned neighbor?"

The big problem is the shortage of workers in adult protection services, O'Connor said. Across the state, only three social workers are employed full time in adult protection — two in Anchorage and one in Fairbanks. All other caseworkers with the DFYS carry a combined load of child and adult cases.

"With all the children we have being sexually and physically abused, with blood like that running under the door, of course they take priority," he said.

Establishing the prevalence and needs of children in abusive situations is easier, partially because of staff resources, said Pat O'Brien, DFYS social services program officer in Juneau. O'Brien has worked for the agency for 18 years.

Alaska's mandatory reporting law was passed with little funding to back it up, O'Brien said. When the division was deluged with reports of child abuse several years ago, the state cut back

on Adult Protective Services, O'Brien said, and the program has never recuperated.

Social workers with Adult Protective Services say working for a child in an abusive situation can be easier than helping a senior in trouble. The social worker can investigate a report of child abuse with or without the agreement of the child or parents.

For adults, the social worker is in an advocacy role, said John Burke with the DFYS office in Anchorage. Adults are considered competent to make their own decisions, and an investigation of reported abuse cannot be continued if the suspected victim denies the allegation, he said.

Burke said abuse of the elderly, physical abuse in particular, is not a severe problem in Anchorage. When there is abuse, it often is a result of alcohol or drug abuse and a dysfunctional family setting, the man said. Conditions that give rise to child abuse.

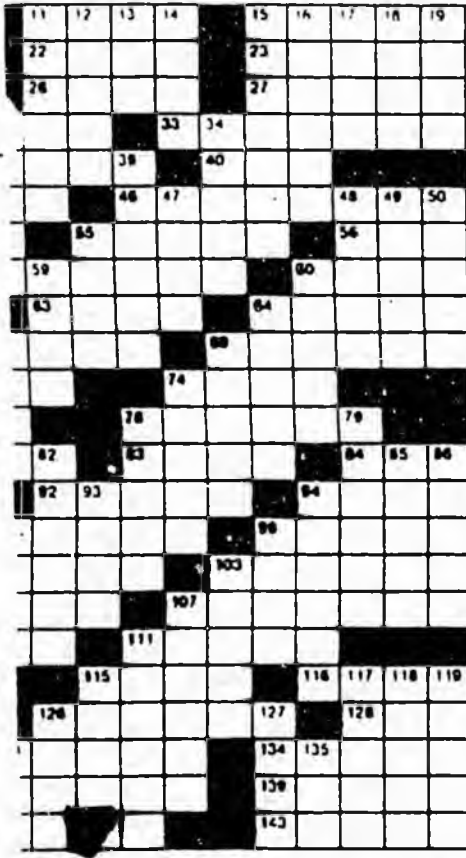
The problem of abuse of the elderly also existed in the past, Burke said, but today there are options allowing senior citizens more control over their situation. The elderly in the Anchorage area inform each other of public health and housekeeping services and gather at the cen-

AGE OLD

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Every day, at 11 a.m., three vans packed with hot meals begin their daily trips to the homes of housebound senior citizens scattered from Government Hill to Potter's Marsh.

In April, these Meals on Wheels vans delivered 274 main meals.

Judy Moor, regional supervisor of Alaska Management Technologies, oversees 25 homemakers who go out each day to help 120 senior citizens with their laundry, shopping and house cleaning.

These are organizations that provide daily necessities allowing senior citizens to remain independent in their own homes. Without the help, many would be forced to enter nursing homes.

But as these workers and drivers go about their daily routine of providing clean living spaces and nutritious meals, they perform another invaluable task.

For a lot of these seniors we are the only contact with other people they have on a daily basis. So the drivers become my eyes and ears," said Scott Earl, home-care manager for the Salvation Army.

Moor's business is contracted by the Alaska State Homemaker Program to provide domestic services throughout the state. The homemakers for Moor's agency are trained to spot neglect, trouble and possible abuse, she said.

"They tell me if something seems wrong. For example, Mr. Jones had \$3,000 in his account, but it's suddenly gone, and then I can ask a state social worker to check on the senior," she said.

These in-home, community-based services are lifelines for many senior citizens, and both organizations have a waiting list. Social workers and senior advocates believe the services also can be a preventive measure in the area of abuse of the elderly.

Such abuse is a process that builds over a period of time, said John Burke. Burke is an adult-protection social worker for the Division of Family and Youth Services in Anchorage. A young family may decide that a grandparent would be better off living with them, and have all the best intentions, he said.

gated to add a pension check to the family finances. With hard economic times, the situation can deteriorate, he said.

With help from home services or senior day-care, the family is given relief from the stress that comes from the constant care needed by some seniors or the senior can live independently and not become a burden," Burke said.

Lare Farmer-Lamm, DFYS social worker in Fairbanks, uses in-home services to stabilize homes where she sees an elderly person may be at risk but does not want to leave the family, she said. Workers coming into the home take pressure off the family and can keep an eye on the welfare of the elder.

Older Alaskans Commission ombudsman William O'Connor said there is a need for more of these services. He said additional funding for helping seniors in their own homes would help avoid the larger cost of having these same people in nursing homes. The passage of a bill this year to provide more community based in-home services is a step in the right direction, he said.

"I knew a lady who used to pay her attorney his \$125 an hour fee to come over and change her light bulbs," O'Connor said. A person who is 70 or 80 years old and living alone knows they cannot take the chance of climbing up on a chair to change a light bulb. If they fall, they know they will end up in the hospital and they may wind up staying in the hospital until they are transferred to a nursing home, O'Connor said.

"There are seniors all over town who sit with burned out light bulbs. How much would it cost us to provide that service?" he asked.

If the state spent \$100 a month providing this type of service for senior citizens, allowing them to stay in their own home, the cost would be much less than the \$7,000 or \$8,000 a monthly bill for a nursing home, O'Connor said.

"We're faced with a situation where we have to consider the more preventive approaches," he said. "We're going to run out of funds otherwise."

Elderly

Continued from page C-1

ior centers where they can exchange information.

In-home services available to seniors allow them to live independently and not become dependent on families, or vulnerable to situations that could put them at risk, Burke said.

Ronald Parker, regional manager for DFYS in Nome, has worked for 15 years in social services in rural Alaska. He said he sees very little physical abuse with seniors and actually has recorded a decrease in cases reported to his office. He said the re-emergence of interest in Native cultural values is responsible for the decrease, specifically Native respect for elders.

"There are not enough health and social services available in the villages so people get together and co-operatively provide the help and services their elders need," Parker said. Of the reports received by the office in Nome, which oversees the western section of the state, only two or three a year are substantiated. Those usually are linked to alcohol and substance abuse, Parker said.

But Lare Farmer-Lamm, an adult-protection social worker

who has worked with the division in Fairbanks for seven years, disagreed with Parker's estimate.

"I know from what I hear in the community and on the streets that there is physical abuse out there," she said. "The problem is the same as in the rest of the country. Seniors are ashamed to talk about it."

"Older people don't want to tell on their kids, or they're afraid we'll take them away from their family," Farmer-Lamm said.

Farmer-Lamm said her office often hears about the abuse too late, when the senior is in the hospital and the police have taken the case.

Statistics collected by the Fairbanks office show a slow, but steady, increase in cases of abuse of the elderly, she said. During the first three months of 1985, the office had about 29 clients who were victims. For the same period this year, there are 55 clients.

People are starting to report more incidents, Farmer-Lamm said, but without funding for more field workers to check more reports, collecting statistics is impossible. She is the only adult-protection worker for a large area covering Interior Alaska. She said, for now, the program has to be crisis-oriented, giving the most severe cases priority.

O'Connor agreed with

Farmer-Lamm. As long-term care ombudsman he travels the state investigating complaints concerning senior citizens. He said his focus is on problems of seniors in nursing home facilities, but added that the problem of abuse is not in institutions.

"Our nursing homes and other facilities for seniors are non-profit. This avoids a lot of the problems that occur in homes down below where they must cut corners to make a profit," he said.

The high standards of Alaska's Pioneers Homes are a model for facilities outside Alaska, O'Connor said.

Medicaid reimbursement for nursing home care in Alaska is the highest per diem reimbursement in the nation, and that allows the homes to hire better-qualified staff, he said. That helps make nursing homes in Alaska a safer place to live.

It is the elderly living in private homes that concerns him, O'Connor said.

Sixty percent of the complaints he investigates come from people who live in private residences, he said. When O'Connor has a social worker check out a complaint, the elderly person often is too intimidated to admit they are in an abusive situation.

"They think, 'I should have raised my children better than this,' and don't want to tell on their own kids," O'Connor said.

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Rep. Dan Glickman, a Democrat from Kansas who was first elected in 1978, believes his colleagues have grown increasingly timid and speculates that the grass-roots firestorm Ronald Reagan stirred up in 1981 "terminated" Democrats. (He fails to

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Elder abuse law not solving growing problem

It's been five years since the Alaska legislature tackled the problem of elder abuse and passed a reporting law. But just about everyone dealing with the law says it hasn't even come close to solving the problem.

The law encourages people to report abuse. It requires people in a number of professions, such as doctors, police officers, pharmacists, administrators of nursing homes, social workers and employees of projects funded by the Older Alaskans' Commission to report suspected abuse.

But many of these people aren't reporting.

For example, said Anita Stevens, assistant supervisor for the Anchorage office of the Division of Family and Youth Services (DFYS), the office has received no reports from the Anchorage Police Department, even though there has been at least one case involving the department. The case was later reported by another social service agency. (See story, page 11.)

There are all kinds of reasons why people aren't report-

ing, said Pat O'Brien, statewide DFYS coordinator for adult services in Juneau.

"We don't realize that elders are vulnerable," she said. It's hard to tell whether a senior is being abused or if they are just "crotchety," she added.

Many victims are reluctant to "tell on" their abusive relatives, O'Brien said. They look at it as confirmation that they are "losing it," she said. And others just don't want to get the abuser in trouble.

"Some of them are afraid of reporting it," O'Brien said. "They're afraid of doing anything."

Even though elder abuse is not being reported every time it occurs, the tally of abuse reports from July 1987 through June 1988 shows an alarming problem. DFYS received more than 800 reports of abuse of people age 60 and older. That was more than 60 percent of all adult abuse reports.

By most accounts this is only the tip of the iceberg.

"In this state we have a long way to go," said O'Brien, who just returned from a national conference on elder abuse.

Stories by Pamela Cravez

"The field is booming," O'Brien said.

The lack of reporting in Alaska is a real scrambling block, according to Luke Pihlfina, head of the Elder Abuse Task Force in Anchorage.

Trainer statistics are needed before programs can be developed to deal with elder abuse, Pihlfina said. Even though there seems to be ample need for an elder abuse shelter and elder abuse respite care, you can't get money to deal with the problem without first having statistics that show the extent of the need, she explained.

In Juneau there used to be a fairly active elder abuse task force. But the lack of reporting made it hard to keep working on the problem, according to Norma Nicholas Nicholas, who is an advocate for older women at the Aiding Women From Abuse and Rape Examination (AWARRE) shelter in Juneau, but no doubt that elder abuse exists in Juneau.

"What I do is public speaking to raise awareness," Nicholas said.

"Carotidians are generally the abusers," she added.

If an elder is being abused, social workers have very few options for taking them out of

the abusive situation. There is only one foster home in Juneau, according to Kusan a Cross, a social worker with DFYS in Juneau. And that home is licensed to care for only five people.

Cross referred one elderly man to the foster home when his children at his own home became intolerable.

Three generations were living in the same home, Cross said. The grandson kept demanding money from the grandfather. He'd take the grandfather's money and spend it through the house with him, spending his money and secretly treating him.

"The grandfather's son was the most used, so was supportive," Cross said. "We placed the grandfather in an adult foster home and he was delighted."

The Juneau man was lonely. Many seniors being abused or neglected have no options in their community. In many Alaska communities there are no adult care foster homes, nursing homes, or even adequate homecare services to help relieve the stress and strain that often leads to abuse by a caregiver.

In Fairbanks, for instance, where there is an active and effective elder abuse task

force, there are few alternatives for seniors who are being abused or neglected.

"Some of the folks just aren't appreciative for foster care," said Play MacIntyre, staff manager for the Fairbanks office of DFYS. "And usually they don't qualify for a nursing home care," she added. The big need is for an intermediate care facility. Currently, a person has to go to Anchorage to get that sort of care, she said.

The 1983 elder abuse reporting law allows an elder to refuse help, to halt an investigation into reported abuse. Often, a senior does just that, especially when the only alternative is an abusive situation in either away in an unfamiliar city far from friends and relatives.

What follows on these two pages are individual stories about Alaskan seniors in abusive situations. These are seniors who have been physically abused, financially abused or neglected. As with many other abuse situations in Alaska, the only "solution" in some of these cases was a decision to continue to put up with the situation, for lack of better alternatives.

But actual solutions to elder abuse problems are sometimes as hard to come by in Alaska as the statistics that define the extent of the problem.

Statistics on Abuse

Alaska's elder abuse reporting statute requires people in a number of professions to call the Department of Health and Social Services' Division of Family and Youth Services (DFYS) if they suspect a person 60 or older is suffering harm.

Below are statistics from reports made to DFYS from July 1987 through June 1988. Pat O'Brien with DFYS in Juneau explained that the numbers don't add

up in all categories because of differing reporting practices in DFYS offices around the state. Some reports contain just the name on a slip of the person abused, O'Brien said.

If a case was not confirmed, that does not mean there was no abuse occurring, O'Brien said. Sometimes a report would not call DFYS, or a DFYS worker could not get in touch with the person.

Number of Reports	
Age 60 and over	278
Age 60 - 64	28
Age 18 - 59	185
Total	486
Sex of Victim	
Male	185
Female	303
Type of Harm	
Abandonment	17
Abuse	171
Economic Harm	127
Neglect	173
Relationship of Perpetrator to Victim	
Wife	7
Husband	40
Son	43
Daughter	19
Other Male Family Member	30
Other Female Family Member	19
Other Male	48
Other Female	88
Did the Victim Request that the Investigation be Terminated?	
Yes	117
No	160
Type of Reporter	
Mandatory	189
Other	77
Was the Report Confirmed?	
Yes	100
No	184

Source: Division of Family and Youth Services, Department of Health and Social Services Adult Protective Services Section Report, Filed July ending June 30, 1988.

Neglect: Devastating as physical blows

Emmanuel James was smiling himself proudly. A night of times he was found in the cold in Bethel without enough clothes on. Though his family was supposed to pay his bills, buy his food and take care of his medical needs, they did not. Old age assistance checks were being cashed on James' behalf but he wasn't getting the money.

"Everybody thought it was outrageous," said a Division of Family and Youth Services (DFYS) social worker in Bethel. "Something needed to be done."

James (not his real name), in his 70s, was a victim of elder abuse. He wasn't being beaten, he was neglected. For an elderly person who can't take care of himself, neglect can be just as devastating as certain physical blows.

Bethel Community Health Director Dr. Grace Allmond remembers seeing one older man with a dislocated shoulder. He was brought in five or six days after it happened.

His wife was an alcoholic, and so was his kid. The man couldn't take care of himself and had fallen out of bed.

They let him sit for days, Allmond said. And that kind of injury hurts like hell, she added.

Allmond, who had practiced in Chicago where she saw much more elder abuse, said she on Bethel's report for elders with nothing done the extent of elder abuse she

Alford has seen people put up with less-than-desirable conditions to stay with their families.

see in Bethel.

There are many elderly in the Bethel area, said the social worker who related the story of Emmanuel James, but few reports of elder abuse.

If she had to guess, the social worker said she would put the number of elder abuse reports at no more than one or two a month.

But both the social worker and Allmond say there are probably more cases than they are aware of.

James' family neglected him because they were debating, the social worker said. They didn't pay attention to James' needs.

He needed help cleaning himself, he couldn't hear, and he was almost blind, the social worker said.

DFYS handled James' problem by holding family meetings. At the meetings the family admitted that they were unable to care for James.

DFYS tried to get James into the Alyakik Agency, which handles in

Bethel, where he could stay with another relative, but there was no room available. So James was sent to a nursing home in Seward, far from friends and relatives.

He died two years later. "I don't think he really wanted to leave," the social worker said. "If he had a choice he would have stayed in the condition he was staying in," she added.

Allmond has seen people put up with less-than-desirable conditions to stay with their families.

Allmond talks about an elderly woman who had a certain and undetermined to stay with her daughter, even though the daughter had her own family to care for.

Allmond got reports that the daughter was neglecting her mother. But after visiting the home, Allmond determined the daughter was doing the best she could.

The mother was confined to bed and refused to come to the hospital for rehabilitation, Allmond said. She needed constant care, she needed to be in a 24-hour nursing home patient.

"Mom" was a 94-hour nursing home patient," Allmond said. But Allmond recommended the mother be allowed to remain in the home and helped the daughter get homecare services.

A homecare nurse came and helped the daughter with chores four hours a day.

If given the primary caregiver a break, Allmond said.

They love their children so they deprive themselves

When money that could pay for warm clothes and food is regularly taken from an elder by younger relatives and used for something else, an alert social worker would likely classify this as elder abuse.

But for too often, the elder person isn't aware of being abused. And even if they don't like the situation, they just want someone coming in to try to fix it.

"They don't understand the word 'abuse,'" said Agnes Moore, an elder abuse worker at Fairbanks Women in Crisis-Counseling Assistance (WIC-CA).

Moore, 68, has seen many younger relatives mistreating grandmothers or grandpas to get at the elder's money. The elder may not understand there are options, and they may not even think Moore's

agency is trying to help, Moore explained.

"Because they love their children and grandchildren, they deprive themselves of their own needs," Moore said.

"By the end of the month they don't have enough food or clothing."

And in Fairbanks, where winter is severe, lack of adequate clothing can be serious.

"I can't go in there and say 'stop doing that,'" Moore said. "It's their own life."

That is one major difference between elder abuse and child abuse. In cases of suspected child abuse, a social worker can take the child away from the family if he or she is being harmed.

"We can intervene against a child's will," said Play

In a real low voice the Kaltag woman whispered, 'I don't know why she does it.'

MacPhee, staff manager for the Fairbanks office of the Division of Family and Youth Services (DFYS).

In elder abuse, the elder must be willing to accept services, and often that doesn't happen, MacPhee said.

"It's hard for an elder to admit that maybe it's their child abusing them. It's a shameful thing," MacPhee said.

Because the law recognizes that elder people are capable of making their own decisions, the court can intervene without the elder's consent only after an elder is declared incompetent, according to MacPhee.

Many of the most Moore sees do not involve incompetent elders, just frail or dependent elderly being taken advantage of by children or younger members of the community.

"I know one case where the mother is crippled and has a drinking problem," Moore said. Her son takes money away from her, telling her she is no good.

He sees her drinking so he comes to argue with her.

"The girl scared and she gives money to get rid of him. ... he beats her up if she doesn't give it to him," Moore said.

Moore spoke with another woman from Kaltag whose daughter was suspected of beating her. The mother denied that her daughter broke her arm and told Moore she fell on the wood pile.

"I speak her language," Moore said. "And I told her how daughter was abusing her," Moore said.

In a real low voice the Kaltag woman whispered, "I don't know why she does it." That was all the woman would say about the abuse.

"She knows it's there," Moore said. But she depends on her daughter for everything.

"She (the daughter) cleans house, gets water and wood for me," the woman told Moore.

Without her daughter, the woman said, she simply couldn't manage.

Physical abuse: He'd rather handle it himself

Jim McKay's stepson liked to take roller skates at him.

One day when McKay (not his real name) reached down to turn off the TV, his stepson caught him off guard and belted him one.

McKay, in his 70s, is a victim of elder abuse. Like a number of other Alaskan elder abuse victims, he figures he'd rather handle it himself, with police help when necessary, than get involved with restraining orders or the state social service bureaucracy.

"Is (the stepson) serious

just, into drink, pushes people around," McKay explained of his 26-year-old stepson.

More than once McKay has called the police to kick the stepson out of the house.

McKay, a recovering alcoholic himself, is a small and puny man with a shock of graying hair and a few more miles.

"I wasn't afraid," McKay said. "I didn't want to hurt him because I knew this much about me... If I start it I'd go a little too far and I don't pay ... I'm too old to

spend time in that place where those boys are," he said.

Even after his wife's death, McKay has been harassed by her children.

They begrudged him the new home he moved into. He and his wife — who was part Native — had qualified for the home before she died. Afterwards, the lender argued McKay he could continue his application for the home, even though one of the qualifications of ownership was Native ancestry. The stepchildren didn't agree.

"They wanted to get the house for themselves," McKay said. He offered to let them live with him and even offered to let his stepson live in the old trailer next door.

Nothing seemed to satisfy them. The stepchildren would get drunk and become abusive to McKay.

The stepson kicked down the door of McKay's new house. His stepdaughters stole family photos and mementoes while McKay was out. One stepdaughter physically attacked McKay, punching him in the nose

and scratching him all over the face.

McKay explained that he tried to hold her arms and stop her but she was able to wriggle free.

The last time the police came to take the stepson, McKay saw their report. It listed every time they had had to intervene between McKay and the stepson.

The policeman told McKay he should get a restraining order from the court to stop his stepson from contacting him, but McKay refused.

McKay hasn't seen his stepson since.

Where to report abuse

If you suspect elder abuse contact the nearest Division of Family and Youth Services (DFYS) office. DFYS staff is required to investigate all reports of elder abuse and to provide protective services where needed. The investigation will be terminated upon the elder's request.

- Anchorage, general reporting number 276-1450; David Tuel, 285-6014; Andy Linn, 285-4008.
- Fairbanks, 488-1644.
- Juneau, Rasmus Green, 688-1881.
- Ketchikan, Ronald Blum, 235-0411.

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Please call Jane at Elder Parents Action Group, Inc. 276-1038.



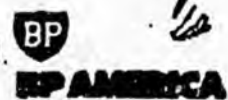
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