



NC Department of Health and Human Services

Overview of Adult Protective Services

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Adult Protective Services

Services provided to ensure the safety and well-being of elders and *adults* with disabilities who are in danger of being mistreated or neglected, are unable to take care of themselves or protect themselves from harm, and have no one to assist them.

Adult Protective Services in NC

NC Law – General Statute 108A

The Department of Social Services *has the responsibility to receive, screen and evaluate reports of a need for protective services in domestic and institutional settings.*

Protection is a Shared Community Responsibility

- It is essential that the community and local agencies work together to improve the lives of disabled adults who have been abused, neglected or exploited.
- Cooperation is needed at every step of the APS process, from reporting to evaluating to providing protective services.

G.S. 108-103 (b)

Duty to Report

Any person having reasonable cause to believe a disabled adult is in need of protective services shall report such information.

NC G.S. 108A

Ombudsman Duty to Report

- Requires program to assist a resident in contacting and/or disclosing information when the resident's goal is for **regulatory, protective services or law enforcement action.**
- Prohibits program for **reporting suspected abuse**, neglect or exploitation of a resident without informed consent.

Ombudsman Role in Investigating Allegations of Abuse, Neglect and Exploitation

- The primary responsibility of the LTCO is to investigate and resolve complaints on behalf of residents, but the LTCO program is unique in that its goal is to resolve the complaint to the “*satisfaction*” of resident or complainant as opposed to seeking to “*substantiate*” a complaint by gathering evidence to prove the allegation occurred. (AoA). This difference means that the LTCO does not have the same standard of evidence required for complaint investigation and resolution as other entities, such as APS, the state’s survey agency or law enforcement.

Community Partners

- Mental Health
- Health Departments
- Hospitals
- Adult Day Care
- Home Health Agencies
- Law Enforcement
- Churches
- Other
- Multi-disciplinary Teams

Reporting Standards and Procedures

- Possible ways DSS may receive APS reports...
 - Phone calls
 - Office visit
 - Internet report
 - Fax
 - Snail mail
 - Email
 - After hours report

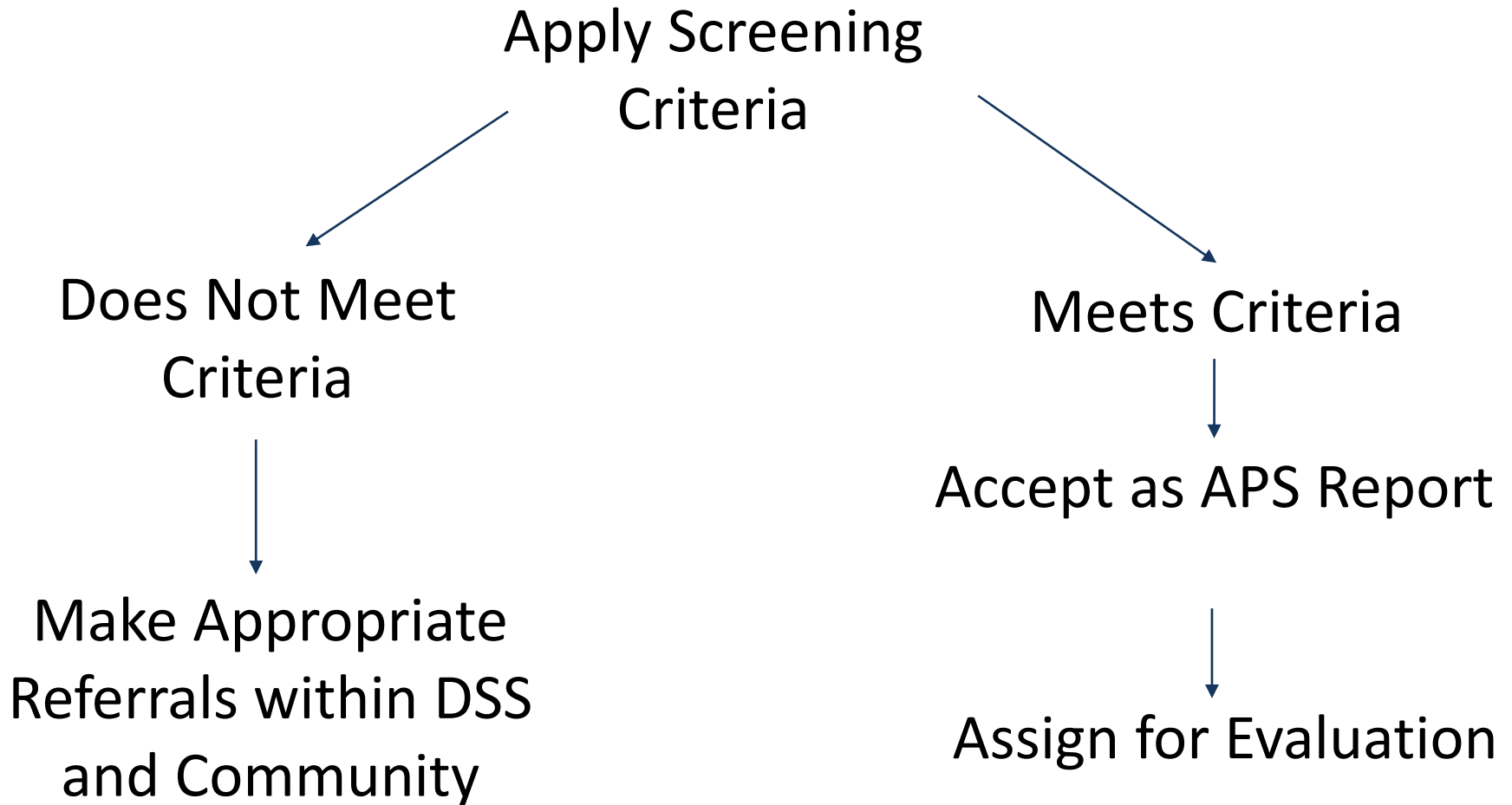
Reporting Standards and Procedures

- Every complaint or concern goes through initial screening to see how it should be handled
- Complaints or concerns that are potential APS cases should go through an APS screening process

Required Information on an APS Report

- Name and address of the adult
- Name and address of the caretaker (or where he can be found)
- Age (or approximate age) of the adult
- Nature and extent of disabled adult's injury or condition resulting from abuse, neglect or exploitation
- Other pertinent information (e.g., why in need of PS)

Receive and Screen Referral



APS Report

A referral is appropriate for APS and becomes a report when it alleges:

- The person is a disabled adult
- Who has been abused, neglected or exploited; and
- Is in need of protective services.

Abuse

- Willful infliction of pain, injury, mental anguish, or
- Willful deprivation of needed services, or
- Unreasonable confinement
- By caretaker

Neglect

Self Neglect

- Not able to provide services to maintain physical or mental health

Caretaker Neglect

- Not receiving services from caretaker to maintain physical or mental health

Exploitation

Illegal or improper use of a disabled adult OR his resources for another's profit or advantage

Comments/Questions?