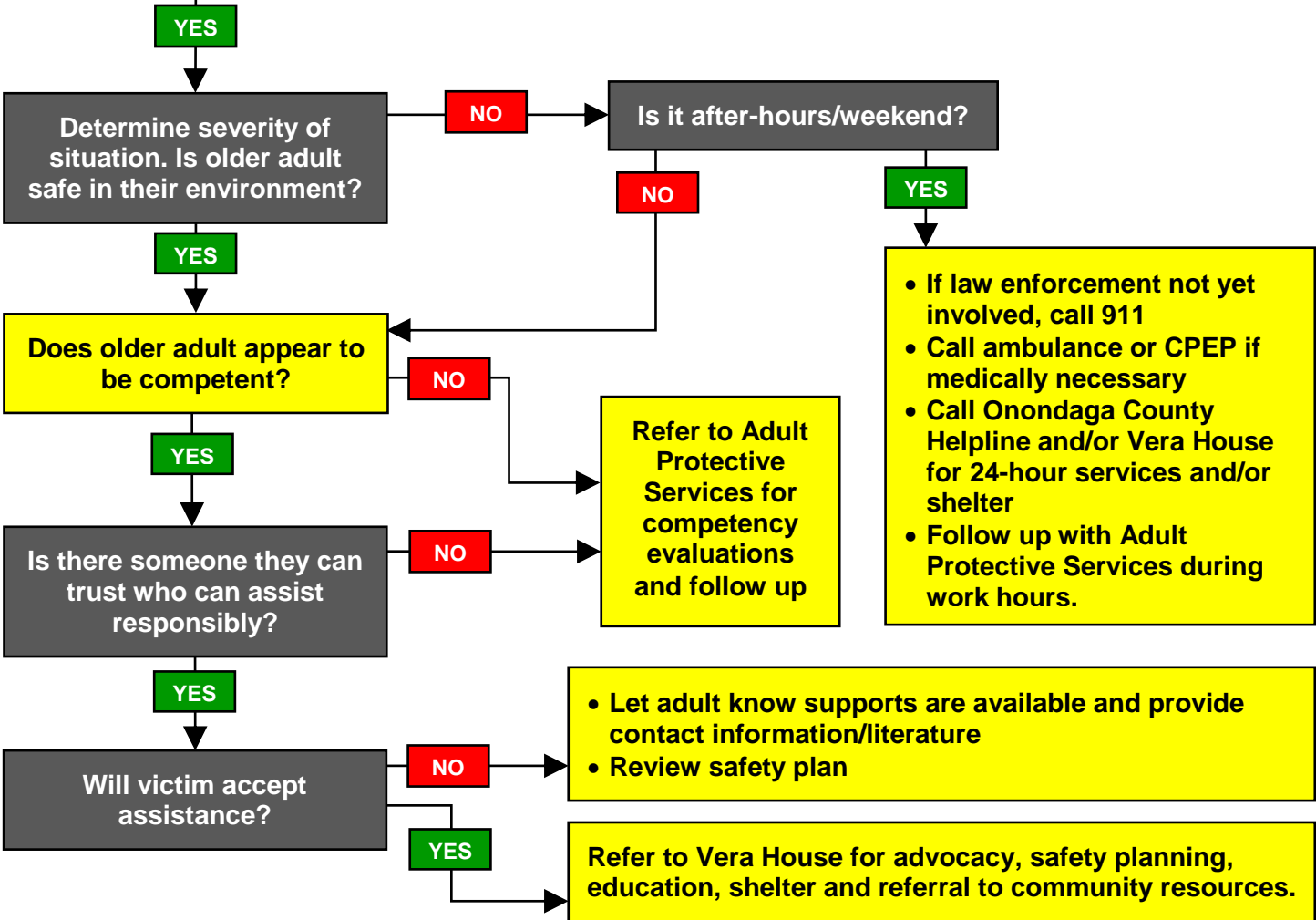# Elder Abuse, Neglect & Financial Exploitation
Justice System Decision Tree

Law Enforcement/First Responder: Call for service involves elderly victim	District Attorney's Office, Court/Probation: Case involves an elderly victim

Do you suspect elderly victim is being abused, neglected or financially exploited (See page 2 EASI)

YES

Determine severity of situation. Is older adult safe in their environment? — **NO** → **Is it after-hours/weekend?**

NO (from after-hours/weekend)

YES (from after-hours/weekend) →
- If law enforcement not yet involved, call 911
- Call ambulance or CPEP if medically necessary
- Call Onondaga County Helpline and/or Vera House for 24-hour services and/or shelter
- Follow up with Adult Protective Services during work hours.

YES

Does older adult appear to be competent? — **NO** → **Refer to Adult Protective Services for competency evaluations and follow up**

YES

Is there someone they can trust who can assist responsibly? — **NO** → **Refer to Adult Protective Services for competency evaluations and follow up**

YES

Will victim accept assistance? — **NO** →
- Let adult know supports are available and provide contact information/literature
- Review safety plan

YES → **Refer to Vera House for advocacy, safety planning, education, shelter and referral to community resources.**

RESOURCES

Emergency	9-1-1
Vera House, Inc.	
• 24-Hour Crisis & Support Line	(315) 468-3260
• TTY Crisis & Support Line (business hours)	(315) 484-7263
Onondaga County Adult & Long Term Care Services	
• Adult Protective Services (M-F 8am – 4:30pm)	(315) 435-2815
• Office for Aging (M-F 8:30am – 4:30pm)	(315) 435-2362
Onondaga County Helpline	2-1-1 or (844) 245-1922
Onondaga County Ombudsman	(315) 671-5108

Supplemental Information Elder Abuse Suspicion Index© (EASI)[1]

The EASI was developed to raise a doctor's suspicion about elder abuse to a level at which it might be reasonable to propose a referral for further evaluation by social services, adult protective services, or equivalents. While all six questions should be asked, a response of "yes" on one or more questions 2-6 may establish concern. The EASI was validated for asking by family practitioners of cognitively intact seniors seen in ambulatory settings.

ASK CLIENT ▶ Within the last 12 months:			
1. Have you relied on people for any of the following: bathing, dressing, shopping, banking, or meals?	**YES**	**NO**	**Did not answer**
2. Has anyone prevented you from getting food, clothes, medication, glasses, hearing aids or medical care, or from being with people you want to be with?	**YES**	**NO**	**Did not answer**
3. Have you been upset because someone talked to you in a way that made you feel shamed or threatened?	**YES**	**NO**	**Did not answer**
4. Has anyone tried to force you to sign papers or to use your money against your will?	**YES**	**NO**	**Did not answer**
5. Has anyone made you afraid, touched you in ways that you did not want, or hurt you physically?	**YES**	**NO**	**Did not answer**
OBSERVE: Elder abuse may be associated with findings such as: poor eye contact, withdrawn nature, malnourishment, hygiene issues, cuts, bruises, inappropriate clothing, or medication compliance issues. Did you notice any of these today or in the last 12 months?	**YES**	**NO**	**Not sure**

NOTE REGARDING HIPAA
- The HIPAA privacy rule permits covered entities to disclose protected health information to authorized officials such as Adult Protective Services with or without the individual's agreement in order to prevent serious harm to the individual (HIPAA §164.512)

ADULT PROTECTIVE SERVICES (APS) CRITERIA (18 AND OVER)
- Mental or physical impairment
- Unable to manage their resources or carry out activities of daily living, and is unable to protect themselves from neglect or hazardous situations
- No one available who is willing and able to provide assistance responsibly

NOTE REGARDING PRIVACY & CIVIL LIABILITY
- Release of financial information to APS or law enforcement as part of a lawful investigation of possible financial exploitation is authorized by NY Social Services Law (§144-a), NY Banking Law (§4) and the Gramm-Leach Bliley Act (15U.S.C.§6802). See also 2013 federal guidance at http://files.consumerfinance.gov/f/201309_cfpb_elder-abuse-guidance.pdf and 2015 New York State guidance http://www.dfs.ny.gov/about/letters/ltr150226_elder_exploit_prevent.pdf
- NY Social Services Law (§473-b) provides civil immunity to any person who reports in good faith to APS, Office for Aging, or law enforcement believing that an adult may be endangered or in need of protective services.