



241 18th Street S
Suite 403
Arlington, VA 22202
202-898-2578
advancingstates.org

Curtis Cunningham
PRESIDENT
Wisconsin

Kathleen Dougherty
VICE PRESIDENT
Delaware

Nels Holmgren
SECRETARY
Utah

Kathy Bruni
TREASURER
Connecticut

Kari Benson
AT LARGE
Minnesota

Kevin Hancock
AT LARGE
Pennsylvania

Bea Rector
AT LARGE
Washington

Duane Mayes
PAST PRESIDENT
Alaska

December 20, 2019

Administrator Lance Robertson
Elder Justice Coordinating Council
Administration for Community Living
330 C St., SW
Washington, DC 20201

Dear Administrator Robertson:

On behalf of ADvancing States, I am writing you to provide feedback to the Elder Justice Coordinating Council (EJCC) regarding the council's priorities for the next two years. ADvancing States (formerly the National Association of States United for Aging and Disabilities, or NASUAD) is a nonpartisan association of state government agencies and represents the nation's 56 state and territorial agencies on aging and disabilities. We work to support visionary state leadership, the advancement of state systems innovation, and the development of national policies that support home and community-based services for older adults and persons with disabilities. Our members administer a wide range of services and supports for older adults and people with disabilities, including OAA programs and services. Together with our members, we work to design, improve, and sustain state systems delivering long-term services and supports for people who are older or have a disability and for their caregivers.

As you know, the Elder Justice Act of 2010 established the EJCC to coordinate Federal government activities related to abuse, neglect, and exploitation of older adults. The Secretary of the U.S. Department of Health and Human Services (HHS) has delegated implementation of the council to the Administration on Aging (AoA) within the Administration for Community Living (ACL). ACL has requested "thoughts and ideas" for future activities for the EJCC. Additionally, in September 2019, ACL asked for input on elder justice issues in rural communities.

ADvancing States and our members appreciate the opportunity to weigh in on this important topic. Specifically, our membership has the following feedback for ACL to consider:

- In order to address both the expanding population of older adults and rising incidences of abuse, exploitation, and neglect, we continue to recommend that there should be a dedicated Federal source of funding for Adult Protective Services (APS) with adequate resources to serve vulnerable older adults and people with

disabilities. Furthermore, use the data collected by ACL to inform funding levels and establish criteria that build upon the model guidelines. We believe that Congress and HHS should develop appropriate outcomes measures associated with funding that align with the APS [model guidelines](#) released in 2016. Funding should be available not only for staffing and operations, but also for direct services including in-home interventions and service planning.

- While funding is essential, state agencies also report a desire for more consistency with data points relating to APS. Challenges with the current structure include difficulty in showing trends, drawing comparisons, and seeing how states compare to one another. Our members are supportive of ACL’s efforts to implement the voluntary National Adult Maltreatment Reporting System ([NAMRS](#)) and encourage ACL to continue its work to provide more consistent data on APS.
 - Regarding NAMRS, states noted challenges in drawing comparisons and trends because of its voluntary nature. Examples of actions that could be helpful to ameliorate this include enhanced training guidance to ensure timely and accurate data and requirements.
- Financial exploitation continues to be the most prevalent area of maltreatment of vulnerable adults in rural states, such as Vermont and others. We encourage ACL to identify measures APS—and the vulnerable adults they serve—can take following a debilitating instances of financial exploitation. Additional measures are needed to work with banks and other financial institutions to insure vulnerable adults are covered when they are victims of recognizable scams or prey to individuals with inappropriate access to their finances. More layers of protection are needed from these financial institutions. Specifically, states request:
 - Additional guidance and technical assistance (TA) on how to handle complex financial exploitation cases;
 - Clarification and amplification of guidance that allows banks, which have a fiduciary duty to clients, to share information with APS. For example, in 2019, the National Adult Protective Services Association (NAPSA) released the National Guidelines for Financial Institutions: Working Together to Protect Older Persons from Financial Abuse; and
 - Research on the effectiveness of different models of APS (i.e., county-based, multidisciplinary teams, etc.) to help inform state and local agencies operation of their programs.
- The opioid epidemic has significantly impacted the older adult population, especially in rural areas.¹ State aging and disability agencies ask that ACL play a more proactive role in advocating that any additional funding allocated to address

¹ <https://www.asaging.org/blog/rural-older-adults-hit-hard-opioid-epidemic>

the epidemic include recognition that a portion of the funding be allocated to state agencies specifically serving older adults and people with disabilities.

- State aging and disability agencies are eager to learn about promising practices in elder justice efforts in rural communities. Areas of interest raised by state agencies include:
 - Telephonic hearings for protective orders/domestic orders;
 - Efforts to address inflexible rules that hamper state ability to support persons in rural areas with APS;
 - Training for law enforcement in rural areas related to APS and elder abuse;
 - Engagement, with hospitals and other entities to coordinate community-based discharges;
 - Guidelines regarding guardianship and evaluating decisional capacity to determine when guardianship and/or less restrictive alternatives including Supported Decision Making might be appropriate;
 - Solutions for addressing unbefriended elders and social isolation;
 - Protections and reparations following identity theft and scams.

We appreciate the opportunity to provide feedback on this critical topic. If you have any questions regarding this letter, please feel free to contact Adam Mosey at amosey@advancingstates.org or 202-898-2578.

Sincerely,



Martha Roherty
Executive Director
ADvancing States