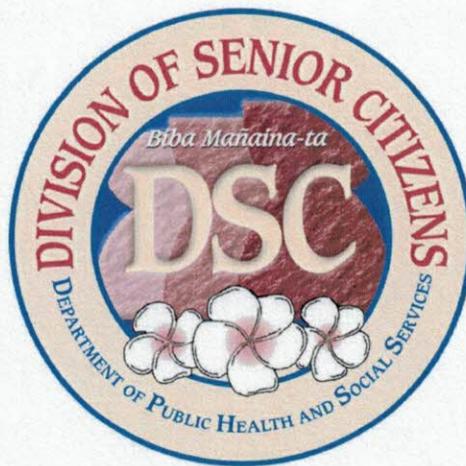




DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES
DIVISION OF SENIOR CITIZENS



BUREAU OF ADULT PROTECTIVE SERVICES
ANNUAL LEGISLATIVE REPORT
FISCAL YEAR 2015

OFFICE OF THE GOVERNOR
CENTRAL FILES

APU

RECEIVED BY _____
TIME 2:40 PM DATE 12/29/2015

RECEIVED

DEC 29 2015

SUPREME COURT
OF GUAM

By: *2:50 pm*
Received for Judge AUSTIN

Office of the Speaker
Judith T. Won Pat, Ed.D

Date: 12/29/15

Time: 3:13 PM

Received By: *[Signature]*

PERIOD COVERED: OCTOBER 1, 2014 THROUGH SEPTEMBER 30, 2015

PREPARED BY: JOCELYNN DR CRUZ
SOCIAL SERVICES SUPERVISOR I



EDDIE BAZA CALVO
GOVERNOR

RAY TENORIO
LIEUTENANT GOVERNOR

GOVERNMENT OF GUAM

DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES
DIPATTAMENTON SALUT PUPBLEKO YAN SETBISION SUSIAT



JAMES W. GILLAN
DIRECTOR

LEO G. CASIL
DEPUTY DIRECTOR

DEC 29 2015

MEMORANDUM

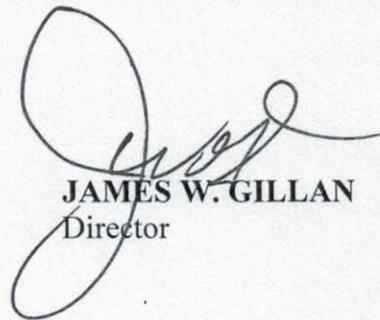
TO: Governor of Guam

FROM: Director, Department of Public Health and Social Services

SUBJECT: Bureau of Adult Protective Services' Annual Legislative Report – FY 2015

Attached for your review is the Bureau of Adult Protective Services' Annual Legislative Report for Fiscal Year 2015.

Should you have any questions, please contact Mr. Arthur U. San Agustin, MHR, Senior Citizens Administrator or Ms. Jocelynn DR Cruz, Social Services Supervisor, Division of Senior Citizens at 735-7421.



JAMES W. GILLAN
Director

Attachment



GOVERNMENT OF GUAM

DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES
DIPATTAMENTON SALUT PUPBLEKO YAN SETBISION SUSIAT



EDDIE BAZA CALVO
GOVERNOR

RAY TENORIO
LIEUTENANT GOVERNOR

JAMES W. GILLAN
DIRECTOR

LEO G. CASIL
DEPUTY DIRECTOR

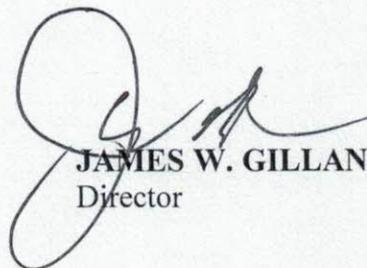
DEC 29 2015

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Tres Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

Dear Speaker Won Pat:

In accordance with Public Law 31-278, enclosed is the Bureau of Adult Protective Services' Annual Legislative Report for Fiscal Year 2015.

Should you have any questions, you may contact Mr. Arthur U. San Agustin, MHR, Senior Citizens Administrator or Ms. Jocelynn DR Cruz, Social Services Supervisor, Division of Senior Citizens at 735-7421.


JAMES W. GILLAN
Director

Enclosure



EDDIE BAZA CALVO
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RAY TENORIO
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GOVERNMENT OF GUAM

DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES
DIPATTAMENTON SALUT PUPBLEKO YAN SETBISION SUSIAT



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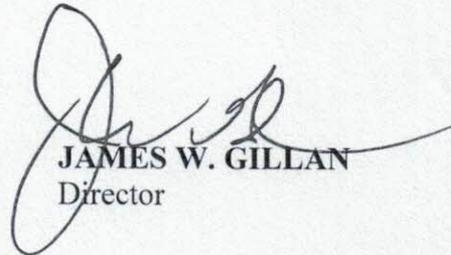
DEC 29 2015

Honorable Robert J. Torres, Jr.
Chief Justice
Judiciary of Guam
120 West O'Brien Drive
Hagåtña, Guam 96910

Dear Chief Justice Torres:

The enclosed Bureau of Adult Protective Services' Annual Legislative Report for Fiscal Year 2015 is provided for your review.

Should you have any questions, you may contact Mr. Arthur U. San Agustin, MHR, Senior Citizens Administrator or Ms. Jocelynn DR Cruz, Social Services Supervisor, Division of Senior Citizens at 735-7421.


JAMES W. GILLAN
Director

Enclosure



EDDIE BAZA CALVO
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GOVERNMENT OF GUAM

DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES
DIPATTAMENTON SALUT PUPBLEKO YAN SETBISION SUSIAT



JAMES W. GILLAN
DIRECTOR

LEO G. CASIL
DEPUTY DIRECTOR

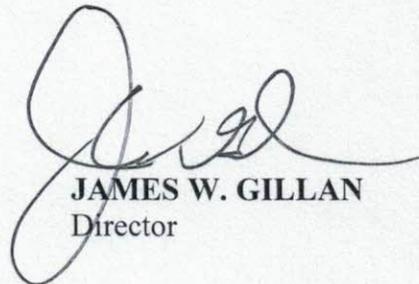
DEC 29 2015

Honorable Alberto C. Lamorena, III
Presiding Judge
Judiciary of Guam
120 West O'Brien Drive
Hagåtña, Guam 96910

Dear Presiding Judge Lamorena:

The enclosed Bureau of Adult Protective Services' Annual Legislative Report for Fiscal Year 2015 is provided for your review.

Should you have any questions, you may contact Mr. Arthur U. San Agustin, MHR, Senior Citizens Administrator or Ms. Jocelynn DR Cruz, Social Services Supervisor, Division of Senior Citizens at 735-7421.



JAMES W. GILLAN
Director

Enclosure

I. DESCRIPTION OF THE ACTIVITIES OF THE BUREAU AND ALL DESIGNATED AGENCIES DURING THE PRECEDING YEAR

The Bureau of Adult Protective Services (BAPS) is responsible for receiving and investigating all suspected reports of elderly or adults with a disability abuse or neglect. *Elderly* refers to a person age sixty (60) years or older. *Adult with a disability* is any person eighteen (18) years or older who has a physical or mental impairment which limits one or more major life activities; or has a history of, or has been classified as having, an impairment which substantially limits one (1) or more major life activities. Major Life Activities include, but are not limited to: caring for oneself, performing manual tasks, standing, walking, seeing, hearing, eating, sleeping, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking and working.

The mission of the BAPS is to provide services to the elderly and adults with a disability in a manner least restrictive with respect to their dignity and in consideration of the values and practices of their culture.

The BAPS administers an Emergency Receiving Home (ERH) and Crisis Intervention Hotline (CIH) through a contract agreement with Catholic Social Service (CSS), to provide shelter and support to our elderly and adults with a disability who are in immediate or imminent danger and require shelter to protect them from further abuse or neglect. The ERH/CIH receives, responds and manages reports of suspected elderly or adults with disabilities abuse and neglect from 5:00 p.m. to 8:00 a.m. and twenty-four hours on weekends and holidays.

On December 28, 2012, Public Law (P.L.) 31-278 updated Guam's Adult Protective Services (APS) mandates (P.L. 19-54 and P.L. 21-33). The updates of P.L. 31-278 refined the definitions for the types of abuse reported to APS; expanded the list of Mandated Reporters to include Emergency Medical Service (EMS) providers, non-emergency medical transport providers, medical and allied health providers, banking or financial institutions personnel, pension providers and practicum students in the health and human services; defines the organizational and personnel structure of the Bureau of Adult Protective Services (BAPS); and in Sub-Section 2954, a new provision was added and created the BAPS Fund which provides for all fines collected from in any person required by Subsections (a) and (b) of §2952 to report a case of suspected elderly or adult with a disability abuse and fails to make a report to APS, to be deposited into the Fund and shall be expended exclusively for purposes used to support the operations of the BAPS.

A primary function of the BAPS social workers is case investigation. Upon receiving a referral of alleged abuse or neglect, a social worker meets with the client to assess the situation and proceeds with investigating the allegation(s) of abuse or neglect and develops a case plan which addresses the client's needs in order to intervene if not resolve the abusive situation. Intervention strategies used by the social



workers include: crisis intervention, education, protective shelter, multi-disciplinary team meetings, individual and family sessions, and networking with other government and private agencies to provide formal supportive services. A secondary function is outreach and prevention efforts. Outreach presentations are provided to educate and inform government, private and non-profit entities and the general public of the services available through the BAPS for the prevention of elderly and adults with a disability abuse and neglect.

The BAPS also administers the Office of the Long Term Care Ombudsman and activities related to Elder Abuse Prevention, Title VII programs. The Office of the Ombudsman services elderly residents in long term care facilities such as the St. Dominic's Senior Care Home and the elderly receiving services at the Guam Memorial Hospital Authority, Skilled Nursing Unit (GMHA, SNU) and the three (3) Adult Day Care Centers. The Ombudsman visits elderly at nursing and long term care homes to meet with them and their family members to address, advocate, and resolve concerns for the protection of the resident's health, safety, and welfare while ensuring the rights of residents are safeguarded.

OUTREACH AND ADVOCACY:

In Fiscal Year 2015, the BAPS participated at various outreach activities in local shopping malls, health fairs, at the 12 Senior Citizen' Centers, proclamation signing events, and during the 4th Annual Guam Conference on Aging held at the Pacific Star Resort and Spa on May 8, 2015. BAPS also conducted APS presentations to heighten community awareness in the prevention and reporting of abuse and neglect of the elderly and adults with a disability. APS presentations were conducted during the 2015 Point-In-Time Homeless Count Volunteers Training held on January 14 - 23, 2015, for the staff of Guma' Mami, Inc. on March 3, 2015, employees of the Guam Behavioral Health and Wellness Center on March 13, 2015, the nurses at the GMHA Skilled Nursing Unit on September 10 - 11, 2015, and during the annual Victim Advocates Reaching Out (VARO) advocate training on September 26, 2015 to name a few. Monthly APS and Ombudsman presentations were conducted at the St. Dominic's Senior Care Home, Guam Memorial Hospital Skilled Nursing Unit, and the three Adult Day Care Centers.

BAPS was able to attend and participate in a few meetings for the following Council, Board, Coalitions, and Committees in FY 2015 due to a shortage of staff in the BAPS and DSC: (1) Healing Hearts Sexual Assault Response Team (SART) Steering Committee meetings held monthly, (2) Guam Homeless Coalition meetings held monthly, (3) 2015 Senior Citizen's Central Planning Committee meetings held in January to June, (4) Guam Developmental Disabilities Council meetings held monthly, (5) Guam Public Guardian Review Board, (6) Guam Coalition Against Sexual Assault and Family Violence meetings, and the (7) Judiciary of Guam Criminal Sexual Conduct Management Committee with the latter three groups meeting as scheduled.

BUILDING STAFF CAPACITY:

In a continual effort to build the Bureau's capacity and professional development of its employees, the BAPS staff received training and/or attended the following workshops and presentations in FY 2015:

1. October 7 - 9 2014: Social Service Supervisor (SSS) Jocelynn Cruz attended the Department of Public Health and Social Services Strategic Planning Workshop.
2. November 21, 2014: SSS Jocelynn Cruz and SW Evelyn Cruz attended the mandatory HIPPA Training conducted by Dr. Susan Kaneshiro.
3. December 1 - 22, 2014: SSS Jocelynn Cruz completed Module 1- Fundamentals & Principles of Procurement at the Guam Community College.

HIGHLIGHT OF FY 2015:

FULL TRANSITION OF THE EMERGENCY RECEIVING HOME (ERH) PROGRAM TO GUMA SERENIDAD FACILITY:

In July 2012, the Guam Housing and Urban Renewal Authority (GHURA) awarded an estimated \$1.3M of U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) funds for this project. The design and construction of GUMA SERENIDAD was administered by GHURA in partnership with the DPHSS, DSC, with Orion Construction Corporation as the contractors, to construct a 24-hour temporary shelter for victims of abuse who are elderly, 60 years and above, and for adults with a disability, 18 years and older.

In late October 2014, full transition of the Emergency Receiving Home (ERH) Program to the newly built GUMA SERENIDAD was completed through a collaborative approach with Catholic Social Service (CSS), the contracted service provider for the ERH Program. The multi-functional facility has 6,000 square feet of interior space, six-bedrooms, a living/sitting room, three large activity rooms (television room, arts room, and music room), a dedicated dining area, open kitchen, and locker/storage. The outdoor space has a raised flower bed/therapeutic garden, gazebo, a color-coordinated circulation and walking path, and is fully fenced with an automatic entrance/exit gates. The structure has the capacity to provide for 10 clients at any given time and complies with ADA accessibility requirements.

II. STATISTICAL INFORMATION ON THE NUMBER AND TYPES OF REPORTS RECEIVED DURING THE YEAR FOR BAPS

BUREAU OF ADULT PROTECTIVE SERVICES (BAPS): In FY 2015, the BAPS responded to 204 Unduplicated Referrals/Intakes, averaging 17 cases per month. The months with the highest number of Referrals/Intakes received were April 2015 with 27 or 13% and July 2015 with 25 or 12% and the lowest being December 2014 with 10 Referrals/Intakes or approximately 5%.

Of the 204 Referrals/Intakes received, 203 were determined to be appropriate and one (1) referral was determined to be inappropriate. The client profile of the 203 appropriate Referrals/Intakes investigated by the BAPS is illustrated below in Table 1. Client Profile.

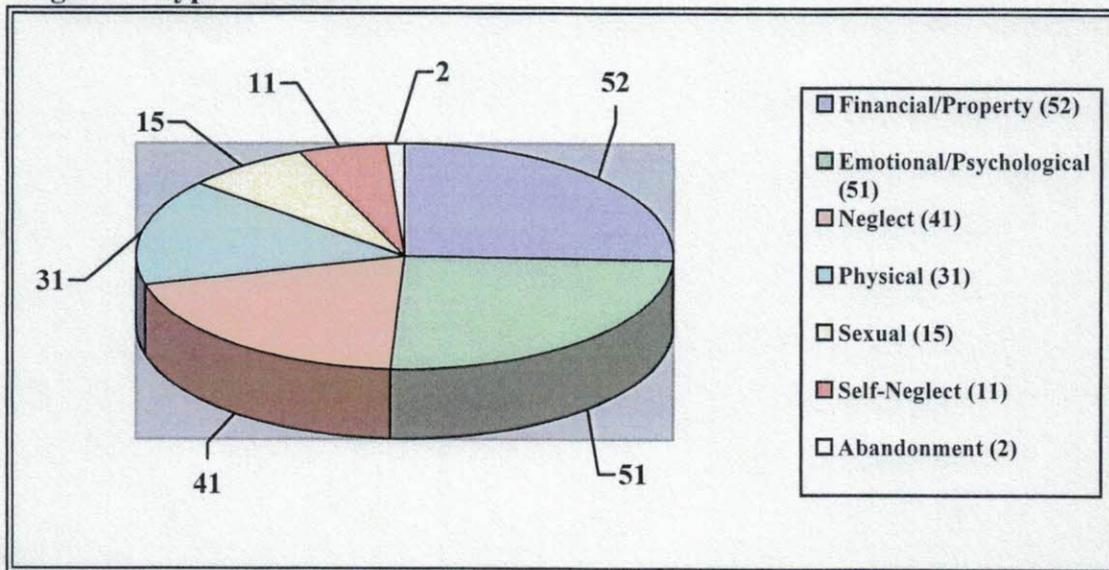
Table 1. Client Profile.

Client Ethnicity	Elderly		Adult With a Disability		Elderly With a Disability (Dual)		YTD by Ethnic Group
	Male	Female	Male	Female	Male	Female	
African	-	1	-	-	-	-	1
Black	-	-	-	2	-	1	3
Chamorro	15	18	19	32	18	30	132
Chuukese	-	2	1	1	1	1	6
Filipino	2	11	5	8	8	8	42
Hawaiian	1	-	-	-	-	1	2
Italian	-	1	-	-	-	-	1
Japanese	-	-	-	-	-	1	1
Korean	-	-	-	-	-	1	1
Marshallese	-	-	-	1	-	-	1
Pohnpean	-	-	-	1	-	-	1
Yapese	-	-	1	-	-	-	1
White	3	1	3	-	2	2	11
YTD by Gender	21	34	29	45	29	45	203

- Of the 203 appropriate Referrals/Intakes received:
- 129 or 64% were Elderly [comprised of Elderly and Elderly with a Disability (Dual)];
 - Of the 129 Elderly Referrals/Intakes investigated, 55 or 43% were Elderly
 - 74 or 57% were Elderly with a Disability (Dual)
- 74 or 36% were for Adults with Disabilities.
- Of the 203 appropriate Referrals/Intakes received, 124 or 61% were females and 79 or 39% were males.
- Of the 203 appropriate Referrals/Intakes received, the three highest ethnic groups are Chamorro at 132 or 65%, followed by Filipino at 42 or 21%, and White at 11 or 5%.
- The remaining 18 or 9% were comprised of 10 ethnic groups: 6 Chuukese, 3 Black, 2 Hawaiian, and 1 each for African, Italian, Japanese, Korean, Marshallese, Pohnpean, and Yapese.

A review of the 203 appropriate Referrals/Intakes received revealed the BAPS staff responded to a range of abuses against the elderly and adults with a disability. The 203 appropriate Referrals/Intakes as categorized by type of abuse are illustrated in Figure 1. Types of Abuse.

Figure 1. Types of Abuse.



- Of the 203 appropriate Referrals/Intakes received:
 - 52 or 25% was for Financial or Property Exploitation
 - 51 or 25% was for Emotional or Psychological Abuse
 - 41 or 20% was for Neglect
 - 31 or 15% was for Physical Abuse
 - 15 or 8% was for Sexual Abuse
 - 11 or 6% was for Self-Neglect
 - 2 or 1% was for Abandonment

Of the 203 case investigations conducted by BAPS, 20 or 10% of the Referrals/Intakes received were substantiated and 183 or 90% were unsubstantiated.

The compilation of BAPS Units of Service resulted in a total of 3,336 Units of Services performed by the BAPS this FY 2015. As illustrated below in Table 2. BAPS Units of Service, BAPS provided: 204 Unduplicated Referrals/Intakes Received, 1,643 Phone Calls, 99 Office Visits, 265 Home Visits, 304 Information and Assistance, 815 Collateral Contacts and 6 Outreach Activities.

Table 2. BAPS Units of Service.

Fiscal Year 2015	YTD Total
Unduplicated Referrals/Intakes Received	204
Phone Calls	1,643
Office Visits	99
Home Visits	265
Information and Assistance	304
Collateral Contacts	815

Outreach/Presentations	6
Total Units of Services Performed	3,336

EMERGENCY RECEIVING HOME (ERH): In FY 2015, the contracted ERH program staff responded to 56 Unduplicated Referrals/Intakes, averaging 4.6 cases per month. Of the 56 Referrals/Intakes received, 53 were appropriate and 3 were inappropriate. Table 3. Client Profile illustrates the client profile of the 53 appropriate Referrals/Intakes investigated by ERH:

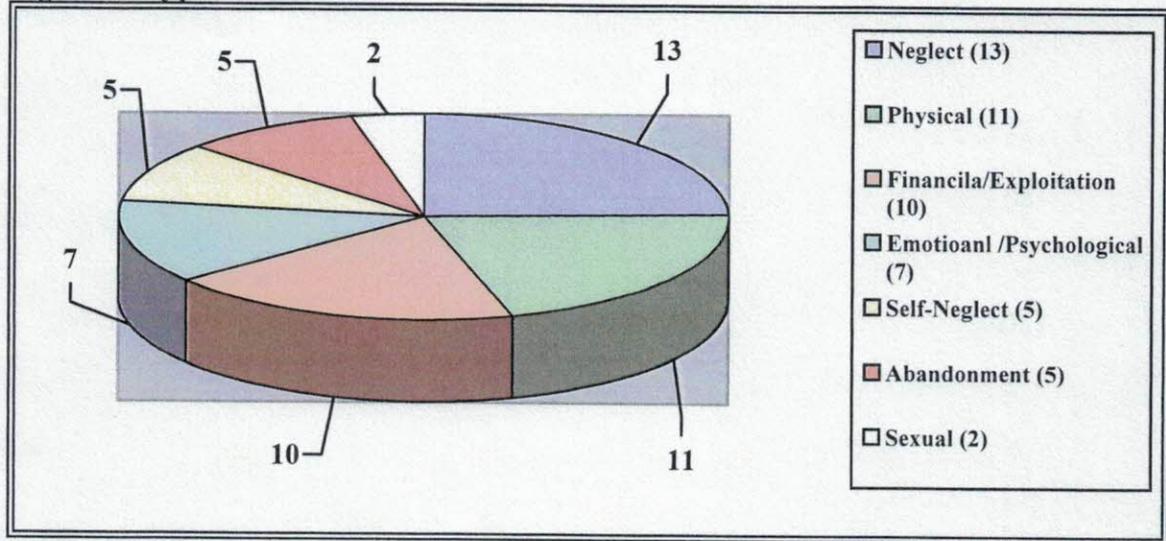
Table 3. Client Profile.

Client Ethnicity	Elderly		Adult With a Disability		Elderly With a Disability (Dual)		YTD by Ethnic Group
	Male	Female	Male	Female	Male	Female	
Chamorro	3	4	3	7	3	10	30
Chuukese	-	-	-	3	1	-	4
Filipino	1	-	-	2	3	-	6
Hawaiian	-	-	-	-	1	-	1
Korean	-	1	-	-	-	-	1
Palauan	-	1	-	-	-	-	1
White	-	2	-	3	4	1	10
YTD by Gender	4	8	3	15	12	11	53

- Of the 53 appropriate Referrals/Intakes received:
- 35 or 66% were Elderly [comprised of Elderly and Elderly with a Disability (Dual)];
 - Of the 35 Elderly Referrals/Intakes investigated, 12 or 34% were Elderly
 - 23 or 66% were Elderly with a Disability (Dual)
- 18 or 34% were for Adults with Disabilities.
- Of the 53 appropriate referrals/intakes received, 34 or 64% of the appropriate referrals/intakes were females and 19 or 36% were males.
- Of the 53 appropriate Referrals/Intakes received, 30 or 56% were Chamorro, followed by White at 10 or 19%, Filipino at 6 or 11%, Chuukese at 4 or 8%, and 1 Hawaiian, 1 Korean and 1 Palauan for a combined 6%.

The 53 appropriate referrals/intakes as categorized by Types of Abuse are illustrated in Figure 2. Types of Abuse.

Figure 2. Types of Abuse.



- Of the 53 appropriate Referrals/Intakes received:
 - 13 or 25% was for Neglect
 - 11 or 21% was Physical Abuse
 - 10 or 19% was for Financial or Property Exploitation
 - 7 or 13% was for Emotional or Psychological Abuse
 - 5 or 9% was for Sexual Abuse
 - 5 or 9% was for Self-Neglect
 - 2 or 4% was for Abandonment

As a result of case investigations, 10 or approximately 19% of the appropriate referrals/intakes received and investigated by ERH Social Workers were substantiated and 43 or 81% were unsubstantiated.

Table 4. Clients Admitted to the ERH in FY 2015 illustrates the profile of clients admitted into the ERH in FY 2015. For this reporting year, there were seven (7) unduplicated clients who were admitted into the ERH.

Table 4. Clients Admitted into the ERH in FY 2015.

Client Ethnicity	Elderly		Adult With a Disability		Elderly With a Disability (Dual)		YTD by Ethnic Group
	Male	Female	Male	Female	Male	Female	
Chamorro	-	-	2	3	-	-	5
Chuukese	-	-	-	1	-	-	1
Filipino	-	-	-	-	1	-	1
YTD by Gender	0	0	2	4	1	0	7

- Of the seven (7) clients admitted in to the ERH:
- 6 or 86% were Adults with a Disability;
- 1 or 14% was Elderly.

- 4 or 57% were female Adults with a disability;
- 3 or 43% were males, 2 Adults with a Disability and 1 Elderly with a Disability (Dual).

- 5 or 72% were Chamorro, 1 Chuukese and 1 Filipino at 14% each.

In FY 2015, the staff of the ERH conducted a total of 4,925 Units of Services as follows: 7 admissions, 56 Unduplicated Referrals/Intakes Received, 648 hours of Information and Assistance, provided clients with 1,123 hours of Case Management, 2,154 hours of Personal Care, served a total of 932 Meals, and participated in five (5) outreach activities as illustrated in Table 5. ERH Units of Service.

Table 5. ERH Units of Service.

Fiscal Year 2015	YTD Total
Admissions at ERH	7
Unduplicated Referrals/Intakes Received	56
Information and Assistance	648
Case Management	1,123
Personal Care Provided	2,154
Meals Provided	932
Outreach Activities	5
Total Units of Services Performed	4,925

Three Year Review of Three Highest Types of Abuse Referred: A review of statistical data of the three (3) highest Types of Abuse received and investigated by the BAPS within the past three (3) fiscal years to include FY 2015 is illustrated in Table 6. Three Highest Types of Abuse Referred.

Table 6. Three Highest Types of Abuse Referred.

Fiscal Year	1st Highest Type	2nd Highest Type	3rd Highest Type
FY 2015	62 Financial/ Property	58 Emotional/Psychological	54 Neglect
FY 2014	87 Emotional/Psychological	71 Financial/Property	59 Neglect
FY 2013	74 Emotional/Psychological	71 Financial/Property	56 Neglect

- In FY 2015, Financial/Property Exploitation ranked the highest in all types of abuse received with 62 referrals.
- Emotional/Psychological Abuse, which ranked the highest in FY 2014 and FY 2013 ranked second in FY 2015 with 58 referrals.

- Neglect remains as the third highest with 54 referrals received in FY 2015.
- For all the three (3) years in review, Financial/Property, Emotional/Psychological Abuse and Neglect remain as ranking within the top three types of abuse reported and investigated by BAPS.

III. BUDGET INFORMATION

Expenditures for FY 2015 totaled \$581,568.73. A breakdown of FY 2015 expenditures is provided in Table 7.

Table 7. Expenditures.

Item	Expenditure	Percentage
Salaries	99,264.14	17%
Benefits	30,801.06	5%
Contractual Service	\$451,131.37	78%
Supplies	\$292.16	0%
Telephone	\$80.00	0%
TOTAL	\$581,568.73	

IV. INFORMATION ON THE QUALITY OF SERVICES PROVIDED AND THE RESULTS OF SUCH SERVICE IN TERMS OF ALLEVIATING ABUSE

Currently, the BAPS continues to meet the mandates of Public Law 31-278 by providing intervention in abusive situations and assisting clients and their families in obtaining supportive social services, as practicably available on island. Oftentimes, the BAPS serves as the entry point into Guam’s long term services and support system for elderly or adults with disabilities. It is the experience of the BAPS social workers that abuse and neglect are not always intentional, but rather caused by caregiver stress and a lack of knowledge on how to care for elderly (parents) or adults with disabilities. Through BAPS intervention, caregivers are provided with information on caregiving and linkage to relevant support systems. In most instances, the needs of the APS clients are met thus, alleviating the abusive situation. Cases which have been determined by BAPS that the elderly or adult with a disability suffered serious abuse are forwarded to the Attorney General’s Office for their review and disposition; however, none of the cases investigated in FY 2015 merited being forwarded to the Attorney General for further disposition.

The BAPS addresses abuse from a social service as opposed to a law enforcement perspective. This allows clients to make informed decisions as to how they can help themselves alleviate their abusive situation. The clients’ basic right to self-determination is promoted while maintaining their integrity and dignity. Without the BAPS, the only recourse for elderly and adults with disabilities would be assistance from the Guam Police Department. Many incidences of abuse would not be addressed as BAPS clients are reluctant to use police enforcement as a means of resolution, especially when many cases involve family members. Successful intervention is a

continual learning experience of family dynamics, available community resources and how the BAPS can most effectively serve their clients.

An important component of the BAPS is the Emergency Receiving Home/Crisis Intervention Hotline program. Through the BAPS Crisis Intervention Hotline, protective services are available seven days a week, twenty-four hours a day, ensuring that elderly and adults with disabilities have access to BAPS services at all times. Availability of the Emergency Receiving Home has proven essential to the safety of victims of serious abuse and neglect. The shelter affords a safe haven during a crisis. Without the shelter, clients of BAPS would probably remain in the abusive home environment or be placed into homeless shelter until alternate living arrangements are made.

V. IDENTIFICATION OF PROBLEMS THAT MAY ARISE IN THE IMPLEMENTATION OF THIS ARTICLE

1. Public Law 31-278 provides for mandated reporting of suspected elderly or adults with disabilities abuse or neglect for professionals who in the course of their employment come into contact with elderly and persons with disabilities. The law further provides immunity from liability for those individuals who make reports in good faith. However, the law does not provide sanctions for the falsifying of reports. During the course of case investigations, it has been determined by APS social workers that certain case referrals were not made in good faith. Absent any provision for penalties for falsifying reports under this provision, there does not appear to be any means to discourage this action on the part of individuals committing such an act.
2. Public Law 31-278 does not address alleged perpetrators who refuse to cooperate in an APS investigation. Further, APS does not possess the authority to require alleged perpetrators to cooperate with APS investigations which is a contributing variable resulting in higher percentage of inconclusive investigations (unsubstantiated).
3. Although P.L. 31-278 defines several types of abuses in its mandate, it does not provide penalties for substantiated cases of abuse or neglect specific to elders or adults with disabilities. Substantiated cases of physical or sexual abuse are criminal in nature and are forwarded to the Attorney General's Office for their disposition. The Attorney General may investigate and decide whether to initiate criminal proceedings. Cases of substantiated financial or property exploitation can be referred to other legal avenues for possible recourse; however, substantiated cases of abandonment, emotional abuse and neglect do not fall under any laws and as such, carry no penalties.
4. Expansion of Services. During the investigations, especially of alleged neglect situations, it has been determined that the neglect of APS clients was not intentional but rather due to lack of services to support family members in their role as caregivers or to assist an adult individual living in the community requiring some level of formal support that cannot be

readily provided by family or friends, either due to competing demands the family is managing or the local resource is non-existent.

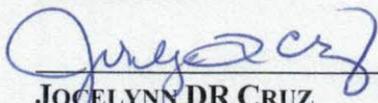
5. Long Term Care. Long term care needs for the elderly and adults with disabilities is a major issue for APS clients and their families; clients who do not have family members to care for them on a long term basis. Additionally, as most families require to be gainfully employed to maintain their household and the elderly and adults with disabilities often require supervised care, families are constantly challenged with providing care for them in their homes. The ERH has also noted concerns in transitioning clients out of the shelter due to the lack of long term care facilities or family support. Although the maximum stay for clients is 45 days, some individuals have been in the shelter for more than 90 days while remaining on a waitlist for transition into St. Dominic's or other home and community based program. Given the current trend of clients admitted to the shelter, clients will probably exceed the 45 day limit due to a weakened (or non-existent) family support or due to the absence (lack) of community-based service programs that would support the individual to be reintegrated into their former setting or an alternate appropriate setting. The need for long term housing of clients may result in clients being rotated among shelter residential type programs with the client(s) being admitted to the existing array of shelter services multiple times. This situation requires a permanent and responsive solution to this growing need in our community, such as assisted living facilities.

VI. RECOMMENDATIONS FOR ACTION ON THE PART OF THE LEGISLATURE WHENEVER DEEMED VITAL FOR THE PROTECTION OF THE ELDERLY AND ADULTS WITH A DISABILITY

As recommended in prior year reports, legislation needs to be enacted to expand and fund programs for independent living, alternative/transitional homes and assisted living facilities (non-medical) to address the needs of clients admitted into the Emergency Receiving Home during crisis, but due to limited resources and services in our community, are difficult to transition out of the shelter when protective care is no longer the primary basis for shelter services.

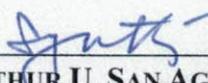
During the past year, clients requiring such services were placed at the shelter while awaiting transition into St. Dominic's or to another non-emergency community based residential program.

PREPARED BY:

 12-28-15

JOCELYNN DR CRUZ
SOCIAL SERVICES SUPERVISOR I

REVIEWED BY:



ARTHUR U. SAN AGUSTIN, MHR
SENIOR CITIZENS ADMINISTRATOR