



# Protecting Elders from Financial Exploitation



# Introduction

*Mr. R, age 77, suffered from Alzheimer's and Parkinson's diseases, diabetes and other ailments. His pastor persuaded the former church deacon to grant him authority to manage his finances and care decisions. The result of this misplaced trust included 130 ATM withdrawals from Mr. R's bank account, nine months of unpaid nursing home bills, and the threat of discharge for nonpayment. The victim died at his facility. The perpetrator was charged and convicted of financial exploitation of a vulnerable adult.*

When an older person in an assisted living or nursing facility is the target of financial abuse, everyone suffers. Financial losses affect the resident, the facility, and the broader community. The primary victim is the vulnerable resident, robbed of economic security and placed at risk of involuntary discharge or loss of housing for nonpayment.

Sadly, the people exploiting older adults are often family members or other trusted people who are handling the financial affairs of an incapacitated parent, relative or friend. The financial arrangement may be informal—or based on a formal grant of authority to a fiduciary (such as an agent under power of attorney or a guardian). The financial wrongdoing may have begun at the time of admission or may go back months or years. Intervention, however, rarely begins until the exploitation causes repeated non-payment and staggering over-due bills. While most family members or others in positions of trust are worthy of the confidence we place in them, you as a facility operator or staff member should act, promptly, when people violate that trust.

As a care provider, you are in a unique position to help protect older residents from exploitation. You can prevent abuse or intervene early when the threat is from:

- trusted persons handling financial affairs
- stranger scams, and
- theft by staff or intruders.

Your key role in the daily lives of residents enables you to stand guard and jump in when your resident is in jeopardy. This guide will help you be ready.

This manual focuses primarily on exploitation by trusted persons but also includes material about responding to scams and other types of theft.

## Purpose and scope

This guide aims to help operators and staff of nursing facilities and assisted living residences protect the people in their care from financial exploitation through prevention and early intervention. The manual is for administrators as well as business office staff, social service personnel and any staff members involved in the admissions process. Much of the information about warning signs and building awareness among staff and residents may be useful in other residential settings for older people or for people with disabilities.

We outline ways to create awareness, policies and processes to protect the facility residents. State laws vary, so you should also become familiar with your state's laws, regulations, mandates, reporting requirements and systems. We encourage you and colleagues in your state to add your state-specific requirements and processes to this manual. You can create your own state-specific manual by adding content about state laws, practices and resources.<sup>1</sup>

### Four pillars of successful intervention

This manual will walk you through four key actions for protecting your residents from financial abuse:

- Prevent - through awareness and training
- Recognize - spot the warning signs and take action
- Record - document your findings, and
- Report - tell the appropriate authorities and trigger responses.

Stay tuned for the **model response protocol** on page 16.

## Definitions

---

*Assisted living* is residential care offering 24-hour staffing and assistance with activities of daily living. Assisted living is regulated by states. Over two-thirds of the states use the licensure term "assisted living" or a very similar term.

A *nursing facility* is a residential care facility subject to state licensure requirements as a "nursing home," "nursing facility," or "intermediate care facility," or providing similar levels of care. Most are also subject to federal standards as providers of Medicaid and/or Medicare covered services. Nursing facilities generally offer a higher level of care than assisted living facilities.

# What is elder financial exploitation?

*A Prescott, Arizona resident was arrested for stealing over \$100,000 from a 74-year-old woman with dementia. The charges included felony theft, fraud, and misuse of a power of attorney. Police were alerted after the victim was approximately \$20,000 behind in payments to her care facility. The investigation revealed that the alleged perpetrator sold the victim's home to a relative for less than fair market value and took control of various other assets.*

Family, friends, neighbors, caregivers, fiduciaries, business people, and others may try to take advantage of an older person. They may take money without permission, fail to repay money they owe, charge too much for services, or just not do what they were paid to do. These are examples of financial exploitation or financial abuse.<sup>2</sup> Financial exploitation is a form of elder abuse.

## The crime of the 21st century

Here are some numbers that show the seriousness of the threat:

Losses are huge: one study estimated that older Americans lost at least \$2.9 billion to financial exploitation by a broad spectrum of perpetrators in 2010, although many experts believe the true cost is much higher.

Financial exploitation is the most common form of elder abuse—a recent study concluded that about five percent of Americans 60+ experienced financial mistreatment by a family member in a single year.

This epidemic is truly under the radar: a 2011 study found that protective services agencies or programs for victims reached only one in 44 cases of financial exploitation.

Most exploitation complaints to long-term care ombudsmen involve perpetrators from outside the facility.

While everyone, regardless of age, is a potential victim of theft and other financial crimes, older Americans are at greater risk than the general population. Cognitive impairment diminishes the ability of older adults to make financial decisions and to detect frauds and scams. Many older people have cognitive impairments: an estimated 22% percent of Americans over age seventy have mild cognitive impairment, and one in eight Americans aged 65+ has Alzheimer's disease. The percentage of congregate care residents with cognitive impairment is much higher than the general older population: about half of nursing facility residents—and over 40% of residents in assisted living and board and care homes—have dementia. Finally, new brain research suggests that the risk of financial exploitation in later life may occur even when older people do not have mild cognitive impairment or dementia.

As family and other trusted persons step in or are brought in to manage an elder's finances, some elders succumb to victimization, leaving them destitute and their care facilities unpaid.

Financial exploitation takes many different forms. Someone with a legal obligation to handle the vulnerable person's finances may fail to use the funds for necessities like food, clothing, shelter and health care, putting the vulnerable adult at risk of harm. People with legal obligations to handle finances include fiduciaries such as agents under power of attorney, trustees, guardians, Social Security representative payees and VA fiduciaries.

In other cases, the perpetrator may have no legal obligation to take care of a vulnerable person's money. Someone may take possession of and control the vulnerable resident's property by pressuring, misleading or lying to the vulnerable person, or gain the vulnerable adult's trust by professing to love and promising to care for him/her if they can just share a bank account.

Elder financial exploitation cases are complex. Financial exploitation often occurs in relationships where the vulnerable person has placed his/her trust and confidence in another person. (Confidence, in this sense, is the origin of the phrase, "con game.") When family members are perpetrators, the subtleties of family history, sibling conflicts, and expectations concerning

## Definitions

---

*Elder abuse*, often referred to as "abuse, neglect and exploitation," includes many types of mistreatment of older adults. The National Center on Elder Abuse describes seven types of elder abuse:

- Physical Abuse
- Sexual Abuse
- Emotional or Psychological Abuse
- Neglect
- Abandonment
- Financial or Material Exploitation
- Self-neglect.

Terminology for these types of elder abuse varies in state law.

*Vulnerable adult, person, or resident*—an individual who is at risk of abuse, neglect or exploitation because of age or disability.

estate management and inheritance may surface. Financial abuse may be accompanied by other types of mistreatment, such as emotional abuse or neglect of care.

For the victim, the losses are more extensive than dollars and property. Financial exploitation can cause severe emotional distress, depression, deterioration of physical health, loss of independence, and a shortened lifespan. Despite the exploitation, the victim may continue to feel dependent on and protective of the perpetrator.



# Understanding the laws

*When Mrs. B was 72 she sold her mobile home and moved in with her daughter and granddaughter in Monterey, Calif. She decided she didn't want to deal with her finances any longer and let the two take control. But her daughter and granddaughter drained Mrs. B of jewelry, furniture, and an annuity worth almost \$90,000, and abandoned her at a nursing facility, according to court documents. They were convicted of grand theft and financial elder abuse, both felonies.*

## State Laws and Response Systems

Your state's laws include definitions of financial exploitation, reporting mandates (if any), criminal sanctions and other important guidance. The primary agencies that investigate reports of suspected elder financial exploitation are Adult Protective Services (APS), licensing agencies, law enforcement, and the long-term care ombudsman. Nearly all states require health care providers to report suspected abuse, neglect and exploitation (referred to as mandatory reporters in this guide) to APS or another public authority. APS, however, does not carry out facility investigations in every state, so you should know which agency is responsible for investigating financial exploitation of residents in your care setting.

### Adult Protective Services

Frequently, APS workers are the first to respond in cases of abuse, neglect or exploitation. APS workers evaluate two things before opening an investigation:

- whether the alleged victim is *eligible* for protective services, and
- whether the information reported *meets the legal definition* of abuse, neglect or exploitation in their state or locality.

*Eligibility for protective services.* Your state's law specifies whether the alleged victim meets the definition of an adult eligible for protective services. In some states, for example, APS will investigate alleged abuse of adults aged 18 or older who are vulnerable due to a physical or mental impairment. In other states, APS

investigates abuse allegations when the alleged victim is over a certain age, e.g. 60 or 65, regardless of disability. However, most states have both criteria: an age criterion as well as a condition criterion (e.g. physical or mental impairment, dementia, etc.).

*Definition of mistreatment.* Similarly, APS workers look at whether the allegations in a given case meet the state's definition of financial exploitation. You should know how your state defines elder financial exploitation. Your APS agency can provide this information. This definition helps you to know what to watch out for and what facts to include when reporting suspected abuse to a local or state agency.

If APS finds that the person has experienced or is at risk of experiencing financial exploitation, APS decides what services, if any, are necessary for the vulnerable adult's safety or well-being and recommends a service plan.

While everyone in every state should report suspected financial exploitation to APS, almost all states have some form of mandatory reporting of elder financial exploitation. Some states require reporting by specific categories of professionals and providers. Other states require "any person" to report. It is important to review your state laws to learn whether you—and members of your staff—have a mandatory obligation to report.<sup>4</sup> Talk to your facility lawyer or corporate compliance department to get updated information about reporting requirements. Even if reporting is not mandated, any concerned person may and should voluntarily make a report when he or she suspects financial exploitation.

Individuals who are offered APS services have the legal right to decline help (if they have decision-making capacity). The victim has a right to refuse services even when a mandated reporter, service provider, advocate, and the APS investigator believe services may be appropriate. Talk to APS personnel in your state about how they determine whether a victim has the capacity to decline help.

## Law Enforcement

Reporting suspected exploitation to law enforcement also is

## Definitions

---

**Adult protective services (APS)** are social services programs provided by states nationwide, serving seniors and adults with disabilities who are in need of assistance. Adult protective services is a generic term, not necessarily the name of the agency in your state.<sup>3</sup> APS workers frequently serve as first responders in cases of abuse, neglect or exploitation. The National Adult Protective Services Association website provides information about how to report suspected abuse in each state. [www.napsa-now.org/get-help/help-in-your-area](http://www.napsa-now.org/get-help/help-in-your-area).

**Long-term Care Ombudsmen** are advocates for residents of nursing facilities, board and care homes, assisted living facilities and similar adult care facilities, in programs administered by the federal Administration on Aging/Administration for Community Living. Ombudsman staff and volunteers work to resolve problems and concerns of individual residents. Every state has an Office of the State Long-Term Care Ombudsman, headed by a full-time state ombudsman.



critically important. In some states, reporting to law enforcement is mandatory. Financial exploitation may violate an array of criminal laws. Some states have enacted laws making elder financial exploitation a specific crime. But generally law enforcement personnel investigate and prosecutors charge people with other crimes such as theft, larceny, embezzlement, forgery, fraud and money laundering.

Your facility or company lawyers or compliance officers should be able to provide details about your state's criminal code provisions. Local law enforcement agencies and local prosecutors also may be able to help. Communicating and coordinating with law enforcement will help ensure that you report suspected criminal acts. You can also get help with training your staff and enhance working relationships.

## Federal Reporting Requirements

In addition to state mandatory reporting laws, federal law<sup>5</sup> requires long-term care facilities<sup>6</sup> that receive at least \$10,000 in federal funds during the preceding year to report suspected crimes against a resident to state survey agencies and to local law enforcement.

Specifically, the law requires that the owner, operator, employee, manager, agent, or contractor of a covered facility report "any reasonable suspicion of a crime," as defined by local law, committed against a resident of, or someone receiving care from, the facility. If the victim has serious bodily injury, covered individuals must report immediately upon suspicion, but no later than two hours after the suspicion occurs. Other reports must be made no later than 24 hours after forming the suspicion.

Covered individuals are subject to penalties for failure to fulfill these obligations. Facilities must notify covered individuals (e.g. employees and contractors) of their duties annually. In addition, facilities must post conspicuous notice of employees' rights, including protections from retaliation for carrying out their responsibilities under this law.<sup>7</sup>

## Definitions

---

*Mandatory reporters* are people required by law to report their suspicions about elder abuse to a specified public authority.

# Warning signs that *may* indicate financial exploitation

*Mr. C was charged with stealing more than \$315,000 from his elderly mother's retirement accounts over the course of five years. According to the criminal complaint, he was named as his mother's agent under a power of attorney. Prudent investment and funds from long-term care insurance should have been sufficient to cover his mother's care for the rest of her life, yet she was evicted from her assisted living residence for nonpayment. In the process of searching for a less expensive facility, another of the victim's children uncovered the theft. Over the years, the vast majority of withdrawals had been made at a casino.*

A variety of things you observe or detect may signal that a resident is a victim of financial exploitation. Here is a list of many of the "red flags" that you might spot.

## Things a resident tells you or that you observe concerning the resident

- Resident, regardless of cognitive impairment, complains or reports that someone is misusing or stealing his/her money or property
- Resident reports missing checkbook, credit card, or important papers
- Resident is agitated or distraught prior to or after a family member or friend visits
- Resident is agitated or distraught prior to or after a family member or friend takes him/her out for a visit or appointment
- Resident becomes secretive and suddenly starts hiding possessions or hoarding papers

## Things you observe in or about a resident's room or apartment

- Disappearance of possessions
- Replacement of possessions in resident's room with those of lesser value
- Resident lacks basics (e.g. underwear) but personal needs account is depleted
- Blank deposit slips or withdrawal forms in conspicuous places for easy taking
- Missing or unaccounted for medications

## Family dynamics and other observations when the resident is with visitors

- Observing/hearing a resident pressured to make a decision or sign a document "now"
- Observing/hearing a resident being threatened by family or other visitor that unless the resident agrees to or signs a document, the visitor will stop taking care of the resident
- "Chaperoning" - suspected person lets others visit only when he/she is present and insists on speaking for the resident
- New acquaintance showing intense affection for resident, isolating her/him from others
- Previously uninvolved persons claim authority to manage resident's care and/or finances but do not provide documentation
- Agent or family member declines or pressures resident to decline prescribed treatment(s) on the basis of cost, overriding the resident's wishes
- Family members or fiduciaries avoiding care plan meetings or failing to return calls from facility staff
- Known gambling, drug or alcohol problem of resident, family member or visitor
- Conflicts concerning finances between resident's adult children or others with close relationships to the resident

## Billing issues

- Unpaid facility bills
- Unpaid pharmacy bills
- Stalling or broken promises from person handling resident's money
- Abrupt or repeated changes in responsibility for paying resident's bills
- Bills paid in cash
- Communication from a family member, friend, fiduciary or partner that he or she plans to move the resident after questions arise about suspected financial exploitation

## Power of Attorney Matters

- Agent under power of attorney failing to provide necessary documentation
- Multiple agents under powers of attorney in conflict over responsibility to pay the facility bill
- Resident who appears to lack decision-making capacity signs new power of attorney document

## Checks and Imbalances

- Checks or other documents signed/dated when resident is no longer able to write
- Suspicious signatures (e.g. many versions of a resident's signature or one that was shaky is suddenly firm or vice versa)
- Resident's checkbook or check register shows checks made out to "cash" frequently and/or check numbers out of sequence
- Telephone card or telephone bill fees for calls not made by the resident or otherwise unauthorized by the resident (called "cramming")
- Credit card charges for items not purchased by the resident
- Erratic use of personal needs allowance by family member or fiduciary
- Gifts (either frequent or costly) to staff or volunteers
- Sales of valuables to facility staff or volunteers.

# Model response protocol: recognize, record & report

*Mrs. A, who suffered a series of strokes, had named her daughter as agent under a power of attorney to pay her nursing home bills. Instead, her daughter, Lisa, wrote checks to herself and to pay for her own groceries and personal items. The daughter then moved her mother from one skilled nursing facility to another because of arrearages. An ombudsman, who became involved during the victim's second placement, noted that the second home similarly discharged the resident and wrote off the bills. At the third nursing home, the ombudsman, adult protective services and the police directly addressed the financial exploitation of the resident and arranged stable housing for her. Prosecutors charged the daughter, and she pleaded guilty to one count of theft by swindle for taking \$22,000.*

## Establish and maintain a team approach to financial security.

Prevention of financial exploitation is the number one goal, and awareness and training are keys to prevention. However, your other top priorities should be early recognition, documentation and reporting. In fact, these activities also contribute to prevention—since financial abuse is often ongoing, early identification of a problem can help “stop the bleeding.”

Assemble a team that will form your facility's frontline on financial exploitation. The team should include at least the administrator, business office representative, and social work representative as team members. The team should implement a system for early, effective responses to perceived financial exploitation through regular periodic meetings, case review, and coordinated action. Consider adding other staff, such as your Admissions Coordinator, to the group. The system should be part of any corporate compliance plan.

Establish which member has the lead responsibility for record-keeping and reporting cases of suspected financial exploitation. In nursing facilities, the compliance officer would most likely have that role. The administrator should

designate a back-up person in case the lead person is unavailable.

Provide training for the team on your objectives for preventing and responding to financial exploitation, the jurisdictions and boundaries of pertinent agencies, as well as the interactions among these agencies.

Without a solid team approach, led by the administrator, hectic days in a facility and periodic changes in staffing can allow a bad situation to endure and exploitation to continue. An effective team promotes the safety of the resident and the financial security of the facility.

## **Investigate and record as soon as warning signs appear**

- When suspicions arise, call a meeting of the team. The trigger might be an account that is delinquent for sixty days—or any of the red flags listed above.
- Consult with other staff members who may have observed relevant behavior and be sure that they document each instance of that behavior with the date, time, what was observed, and the names of and contact information for witness(es).
- Direct care and housekeeping or maintenance staff may be the most familiar with the resident. Encourage them to talk with you about their concerns and include their observations in the record.
- Document all pertinent communications such as phone calls, meetings, and letters. Investigators will need dates, times, locations, behaviors/statements, physical evidence, and the names of witnesses.

## **Advocate for the vulnerable resident**

- Talk with the resident separately from the individual(s) suspected of exploitation. Note inconsistencies in their stories. Ask open-ended questions. Take note of nonverbal cues in your conversation, as well as those you observe when the resident and suspected exploiter(s) are together. The resident may be hesitant to acknowledge a loved one's financial missteps due to guilt, fear of retaliation, or sympathy for the exploitative person, particularly when the resident has rescued the person from trouble repeatedly. However, with support from a trusted advocate, a victim who refuses to acknowledge abuse or exploitation may later develop the courage to talk about the experience.

- The social worker or other designated staff member should inform the resident about the regional or local Long-term Care Ombudsman Program and assist the resident with contacting that office. If there is an ombudsman visitor who comes to the facility periodically, the resident may prefer talking to that individual instead of making a call for help. Facility staff should not contact the ombudsman solely because the resident is at risk of discharge for nonpayment.
  - The ombudsman's role is to respond directly to the resident and to act on behalf of residents, not providers. If you reach out to the ombudsman for assistance when a resident is cognitively or physically unable to make the request, you should document the resident's incapacity to contact the ombudsman and the actions you have taken to protect the resident from exploitation.
  - When a resident cannot consent and does not have a legally authorized surrogate—or the local ombudsman determines that a legal representative is not acting in the resident's best interest—the local ombudsman takes guidance from the state ombudsman director on how to proceed. The state ombudsman uses an established protocol to take action on behalf of a resident who cannot make or communicate decisions.

## Understand reporting requirements

- Be aware of your state's laws about reporting suspected financial exploitation. Learn the following things about your state's laws:
  - whether you—and members of your staff—are mandatory reporters to APS or another public authority
  - whether you have additional reporting obligations to law enforcement and/or licensing agencies
  - who is eligible for protective services
  - which agency investigates financial exploitation in your type of facility.
- Understand the immunity provisions in your state's laws—and reassure your staff that there are "safe harbors" for reporting suspected abuse. Almost all states have provisions providing immunity for good faith reporting of suspected elder financial exploitation. This means that you can't be held liable if it turns out that the activity you observed wasn't exploitation, as long as you made the report in good faith (or a similar standard spelled out in your laws). In most states, this immunity extends to civil, criminal, or administrative actions. Generally this

immunity also applies to other activities that may stem from those reports (such as testifying in a court or administrative proceeding).

- Remember that federal law requires nursing home providers and specific “covered individuals” to report suspected crimes against a resident to local law enforcement. Understanding how your state defines crimes involving financial exploitation will help you fulfill this reporting obligation.
- Document your information as thoroughly as you can, but remember that you are reporting a reasonable suspicion, not investigating a crime or proving a case. Think of the reporter’s role as that of a traditional newspaper reporter. Keep notes to the degree possible on who, what, where, when, and how.

## Make a report: who, what, where, when and how

- Report financial exploitation of a vulnerable resident in accordance with state and federal law.
- When you report suspected elder financial exploitation to local authorities, state that you are requesting an investigation of financial exploitation of a vulnerable resident or whatever terminology your state uses.
- Your allegation should include facts that support and illustrate the report. Your state’s law may list the things you should include in your report. Here are some basic components of a complete report to authorities of any kind:
  - the time and date of the report
  - the name, address, email address and telephone number of the person reporting
  - the time, date, and location of the incident(s)
  - the name(s) of the persons involved, including but not limited to the alleged victim, alleged perpetrator(s) and witness(es)
  - whether you believe there is a risk of imminent danger to the alleged victim
  - a description of the suspected financial exploitation and signs of any other type of abuse or neglect
  - the alleged victim’s disability and/or health condition including any information on cognitive status



- the relationship of the alleged perpetrator to the alleged victim, if known
  - whether a report has been made to any other public agency, and
  - whether the facility has conducted an internal investigation and the contact information for the individual(s) responsible for the investigation.
- While there are specific federal requirements for nursing homes to report financial crimes directly to law enforcement, staff in any facility should report suspected exploitation, theft and any other financial crime directly to local law enforcement, just as you would in your own home.

## Fact or fiction?

Sometimes staff at a protective services, law enforcement or licensing agency will claim that a discharge notice is required before you may make a report. **This is not true.** Regardless of whether a resident has a delinquent account or is facing discharge from the facility, the agency should accept a report and assign the case for investigation.

## Follow-up makes a difference

If you are unsatisfied with a public agency's response to your report, you may be able to make headway with additional information. Ask directly whether additional information would help in the investigation. Ask to discuss the case with a supervisor. Contact your state's provider or professional organization for advice on how to work more effectively with the public agency. You may not have to accept NO as the one and only answer. Be aware, however, that the agency may be bound by confidentiality restrictions that preclude it from sharing the information. APS may not be able to share any information about a case without the client's express permission. It may appear to you and others in the community that APS did not respond, offer or provide services, when in fact the agency did as much as it could.

Document each conversation you have with agency officials for future reference, noting the names of contacts and the dates and times of your conversations.

Unfortunately, national trends indicate an increasing demand for APS services without growth in investigative staff. In response, APS agencies may prioritize case types and may not have the capacity to respond to all reports. The resulting triage of cases inevitably causes frustration for people whose reports do not trigger an investigation. But keep at it when you believe your resident has been victimized and needs help.

## Additional avenues for action when you suspect financial abuse of a resident

Contact the local **Social Security** office if you suspect that a representative payee is misusing a resident's Social Security benefits. You may also call the Social Security Administration to report possible misuse at Social Security's toll-free number, 1-800-772-1213, between 7 a.m. and 7 p.m. on business days.

If the resident needs a new payee, make an effort to assist in identifying an alternative family member or trusted person who can offer to serve as representative payee. Representative payee applications are available at the local Social Security office. As a last resort, the provider can be the representative payee, unless prohibited by state law. As a general principle, there is an inherent conflict of interest when one entity has the simultaneous authority to bill for payment and to pay the bills. For more information, consult the Social Security Administration's guide for organizational representative payees. [www.ssa.gov/payee/NewGuide/toc.htm](http://www.ssa.gov/payee/NewGuide/toc.htm).

Contact the **Department of Veterans Affairs** if you suspect financial abuse by a VA fiduciary. The Department provides contact information at [https://iris.custhelp.com/app/answers/detail/a\\_id/3029](https://iris.custhelp.com/app/answers/detail/a_id/3029) or you can use the "contact us" feature at <https://iris.custhelp.com/app/ask>. For more information about the VA fiduciary program, check [www.benefits.va.gov/fiduciary/](http://www.benefits.va.gov/fiduciary/).

Contact the **court** that appointed the resident's guardian or conservator if you suspect that a guardian or conservator is misusing the resident's funds or property.

Contact the vulnerable resident's **bank, credit union or other financial services provider**. Your notification may trigger an internal investigation and further action by the financial institution, but recognize that without authorization by the owner of the account or a legally authorized fiduciary, you are not entitled to receive any information or follow-up to your "report." Direct your call to a security officer at the bank or financial institution. Also remember that your first call should be to the local authorities who investigate suspected financial exploitation of vulnerable adults in your state and your type of facility.

## If the suspected perpetrator is a staff member, contractor or volunteer in the facility

This manual does not include procedures for handling personnel issues when the suspected perpetrator is a staff member. However, be sure to have protocols and

processes for responding to suspected cases of exploitation by a staff member, a contractor or a volunteer.

## State civil laws

In some states, there are remedies beyond local APS intervention and criminal sanctions. These states have laws to help victims of financial exploitation and their attorneys bring cases in civil court and recover assets. Some states have processes to freeze remaining assets or make it impossible for property transfers to proceed. Learn about the legal options available in your state, and provide general information to victims of financial exploitation and others acting on their behalf. Suggest that victims and those acting on their behalf consult an attorney to explore whether they have civil remedies. Local civil legal services programs (often known as “legal aid”) may be able to represent the resident, or the resident may need private counsel.

## Getting advice in your community

There will be times when, short of making a formal report, you are looking for information and advice from an ombudsman, adult protective services agency or law enforcement agency. Agency and organizational policies differ on whether these agencies accept and respond to requests for consultation or whether they will accept only formal reports. In addition to their legal counsel, every facility needs someone who is a dependable source for advice and assistance in issues concerning financial exploitation. You should try to identify one useful source in your community or state for advice in handling difficult cases.

# Preventing and deterring Financial exploitation: orientation, training, and facility policies

*"There is a time I was working in a nursing home and one lady was admitted there. I worked with her for several months and she explained to me how her family and investment advisers had colluded and she lost all her money and was now on welfare. She expressed how she missed a lot of things she wanted to do or buy. One thing she really missed was a good deodorant. I took it upon myself to be buying her deodorant and lotion which is liked and missed...I was happy that I added joy and happiness to the life of an old lady who was suffering from depression."*

## Building awareness through staff orientation and training

Educating staff can help prevent financial exploitation of your residents and encourage compassionate responses. Facility management sets the tone that encourages good faith communication between staff and administration. This guide provides content, such as warning signs, to use as you train your staff. In addition, you can use other resources from the Consumer Financial Protection Bureau, such as *Money Smart for Older Adults* and the *Managing Someone Else's Money* guides. You can find information about those materials on pages 24 and 26.

Invite a police officer or other law enforcement official (particularly one with special knowledge of older victims or financial crimes) and/or an ombudsman to participate in training and answer questions. APS representatives and social service providers also can make good trainers. These are opportunities to open up communication on these difficult topics within the facility as well as between facility staff and local service providers. These events establish a culture in which staff members feel safe in expressing suspicions to facility administrators.

## Money Smart for Older Adults

Money Smart for Older Adults (MSOA) is an instructor-led training curriculum developed by the Consumer Financial Protection Bureau (CFPB) and the Federal Deposit Insurance Corporation (FDIC). The program raises awareness among older adults and their caregivers on how to prevent elder financial exploitation and encourages advance planning and informed financial decision-making. The module includes:

- Common types of elder financial exploitation
- Identity theft and medical identity theft
- Scams that target veterans benefits
- Planning for unexpected life events
- How to be financially prepared for disasters.

To download the MSOA module or find upcoming train-the-trainer events, go to [www.fdic.gov/moneysmart](http://www.fdic.gov/moneysmart).

To download the participant/resource guide, go to [http://files.consumerfinance.gov/f/201306\\_cfpb\\_msoa-participant-guide.pdf](http://files.consumerfinance.gov/f/201306_cfpb_msoa-participant-guide.pdf) and to order hard copies, go to [www.promotions.usa.gov/cfpbpubs.html](http://www.promotions.usa.gov/cfpbpubs.html).

## Topics for staff orientation and in-service training about financial exploitation

- Provider's commitment to preventing and responding to financial exploitation
- Definitions and warning signs
- Risks of permitting financial exploitation to escalate
- When and how to make reports to Adult Protective Services, licensing agencies and law enforcement
- Overview of financial crimes as defined by your state's laws
- Consequences for perpetrators of financial exploitation under your state's laws
- Provider's policies prohibiting accepting money and loans from residents
- Provider's policies and internal processes for documenting and reporting suspected financial exploitation

- The role of the compliance officer
- Applicable state laws and facility policy for releasing money from personal accounts
- Sales people - how your facility has an "open door" for community involvement while protecting residents from unsuitable or deceptive sales presentations
- Visitors - how your facility balances residents' rights to have visitors with security to protect residents from unlawful intruders
- Financial powers of attorney and health care advance directives
- Role of the Long-Term Care Ombudsman Program

Train everyone on your staff who come in contact with potential victims of elder financial exploitation. This includes nursing staff, social service staff, housekeepers and maintenance workers. Sometimes those without direct care responsibilities may be the first to notice warning signs of trouble.

Sometimes a facility employee suffering from "burnout" or a personal crisis can be more prone to misappropriating resident funds or property. Evaluate your personnel policies and staffing patterns, making changes that reduce stress in the work environment. Develop ways to recognize and respond to staff burnout and personal crisis. Employee assistance programs provide a resource for addressing these challenges. Train managers and provide resources about signs of staff burnout or personal crisis so that they can be alert for risks to residents. Provide clear guidance to prevent behavior that may hurt the employee, the residents in his or her care, and the facility.

## **Building awareness among residents and their loved ones**

Programs for staff should be coupled with programs for residents, family members, and groups such as resident and family councils. For these meetings, too, invite a police officer, ombudsman, APS representative or social service provider to assist with training and answer questions. These sessions can begin an ongoing education process and dialogue.

## **Topics for resident and family programs about financial exploitation**

These sessions should include topics listed above for staff training, with a few additions:

- The person to contact when residents or family members have a concern
- Safeguarding private documents and valuables
- Applicable federal and state laws and facility's policy on releasing money from residents' personal accounts
- Managing someone else's money.

One way to start the conversation is by discussing a financial exploitation case from a newspaper story. The case vignettes in this manual may be a starting point. These opportunities can also encourage a resident or family member to confide concerns about financial exploitation to staff and initiate steps to prevent a situation from worsening.

## Help for friends and family managing someone else's money

Millions of Americans are managing money or property for a family member or friend who is unable to pay bills or make financial decisions. This can be very overwhelming. You can provide resources for them as they manage money for your residents.

The CFPB Office for Older Americans released four easy-to-understand booklets to help financial caregivers. The *Managing Someone Else's Money* guides are for fiduciaries—people named to manage money for someone else. There are separate guides for agents under powers of attorney, court-appointed guardians, trustees, and government benefit fiduciaries (Social Security representative payees and VA fiduciaries).

The guides help people acting as fiduciaries in three ways:

- They walk them through their duties.
- They tell them how to watch out for scams and financial exploitation, and what to do if their loved one is a victim.
- They tell them where to go for help.

The guides are available to download on the CFPB website at [www.consumerfinance.gov/managing-someone-elses-money](http://www.consumerfinance.gov/managing-someone-elses-money).

You can also place free bulk orders at <http://promotions.usa.gov/cfbpubs.html#special>. You could distribute the guides at a family or resident program at your facility.

If your facility has a newsletter, use a resident or family program as an occasion to write an article about preventing financial exploitation. For even wider impact, a resident or family council can sponsor a community forum on preventing, recognizing and reporting financial exploitation at the facility or elsewhere. For example, a “shred-a-thon” event to target identity theft may spur both heightened awareness and local recognition for your resident or family council.

## Prevention from day one: facility financial policies and practices

### Admission to facility

The time of admission can be confusing and emotional for new residents, families and surrogates. But it’s important to provide tools for financial protection of residents at the outset. Give the resident or someone acting on the resident’s behalf the following information written in plain language:

- The person on staff who will answer billing or coverage questions and how to reach that individual
- The provider’s process for responding to late or missed payments
- In appropriate situations, information on serving as a fiduciary (such as the CFPB’s *Managing Someone Else’s Money* guides—see page 26)
- Policies and procedures for receiving and handling cash from residents or families
- Facility policies regarding theft of personal property and systems for reporting and responding to allegations
- Recommendations for safeguarding checkbooks and ATM cards, including federal benefit debit cards.

If the resident has a fiduciary, the facility should obtain and keep on file documentation of the fiduciary’s authority. Examples include power of attorney instruments, court documents naming a guardian, Social Security representative payee authorization, VA fiduciary appointments and trust documents.

Unless you expect the resident’s stay to be short, the resident or resident’s representative should file a change of address notice with the Social Security Administration and any other entities that mail benefits.



Recommend that residents safely destroy ATM cards that they are no longer using and that they change the Personal Identification Number (PIN) on a card they intend to use.

Recipients of Social Security and other federal benefits are now required to receive their benefits electronically, either by direct deposit to a bank or credit union account or to a Direct Express Debit MasterCard card account, with certain exceptions. For information on electronic payments and how to protect people in your care, see the Department of the Treasury and the Social Security Administration websites.<sup>8</sup>

### **Monitoring residents' payments to the facility for room and board and other services**

Monitoring payments to the facility is critical, because unpaid bills may be a result of financial exploitation of the resident. Early detection and intervention are keys to preventing the worst-case scenarios of drained resources and imminent discharge. Sometimes non-payment has another cause, such as confusion, inaction on an application for public benefits, or a glitch in a third-party payment. Stay on top of all cases where payment is behind, so residents' needs are met whatever the cause.

A few weeks after move in, review the information discussed at admission with the resident or the resident's fiduciary (when the resident cannot engage in meaningful conversation about financial matters). Answer questions, and identify any problems to address.

Maintain and update documents to track resident payments in the business office. Delinquent account tracking documents will be important support for reports of financial abuse to APS and law enforcement.

Establish a process for examining all accounts that are delinquent for sixty days/two payment cycles. Be alert for warning signs of exploitation, but intervene even if you don't spot those red flags.

### **Monitoring residents' funds**

Establish and follow policies for releasing funds from residents' personal needs (trust) accounts. Policies should clarify when it is appropriate to release funds to someone other than the resident.

Perform periodic quality control reviews on a sample of withdrawals from personal funds or personal needs allowance accounts maintained by the facility.

Be alert to depleted accounts of residents who are without basic necessities, such

as undergarments, or who say they cannot participate in special facility outings, such as baseball games, because they cannot afford a ticket or fee.

## **Exploitation or confusion?**

Unpaid bills may be a result of financial exploitation. However, they also may be a sign that families are caught in a maze of rules and paperwork.

You can help minimize confusion—and avoid overdue payments—by working with these family members and other nonprofessionals who are assisting the resident. People who are confused or uncertain may be more likely to work with you than those who may be misappropriating a resident's funds.

Provide support and encouragement at admission and follow-up to people who seem to be overwhelmed and bewildered by their situation or their fiduciary duties. Family members and other authorized representatives often have little knowledge about programs that affect the resident's financial well-being, including Medicare, its limitations, the Medicaid program, and the Medicaid application process. Also, they may not understand their duties when managing someone else's money and may benefit from reading the CFPB's guides (see page 26).

For resources to share with residents and those who assist them, see page 36.

## **Resident gifts to staff or volunteers**

Have and communicate policies that prohibit gifts from residents to staff, with exceptions for small tokens of gratitude or holiday gifts.

Have systems to monitor such transactions and assure compliance. Explain these monitoring procedures to staff and volunteers.

## **Sales calls and presentations to residents**

Establish and follow policies that provide a welcoming "open door" to the community, but be alert for salespeople who pose threats to residents.

Prohibit—or develop vigilant screening processes for—sales events at the facility, including those described by the outside entity as informational. Any time you see a retirement or senior seminar advertised as "educational" or as a "workshop," beware. The true goal may be to sell investment, insurance, or financial products at the seminar or in follow-up calls. (The Consumer Financial Protection Bureau's

consumer brochure, *Know your financial adviser*, may be helpful to residents and is available to download at [http://files.consumerfinance.gov/f/201311\\_cfpb\\_flyer\\_senior-financial-advisors.pdf](http://files.consumerfinance.gov/f/201311_cfpb_flyer_senior-financial-advisors.pdf).)

Suggest that residents and families share their concerns with you about telephone calls or visits from salespeople. Encourage them to say NO whenever they feel pressured to make a decision or a purchase.

## **Hiring policies**

Criminal background checks are one tool for determining whether an applicant for a staff or volunteer position may pose a risk of financial exploitation. When orienting and training new employees, communicate your expectations and policies on abuse prevention and that each resident's person and property will be protected in your facility.

## **Responding as a community**

Addressing elder financial exploitation would be considerably more straightforward if each community, county and state shared universal protocols and resources. The reality is that procedures and sources of help vary widely. Providers and agencies at the local level should come together to understand one another's mandates and limitations. These conversations can serve as a springboard to creating effective local methods for responding to cases of financial exploitation in residential care.

Find out whether there is a local elder justice coalition, task force or coordinated response group working on abuse, neglect, and exploitation issues. If not, consider working with others to assemble a summit meeting to build cooperative approaches to financial exploitation cases. Joint training events are another effective approach to create and spread promising practices and to dispel myths about state laws and agency mandates.

# Fraud and scams that target older people

*Mrs. N began receiving sweepstakes offers in the mail shortly after her husband entered the nursing home. "They'd tell me I won and that all I had to do was send in \$50 and I'd get free prizes, so I kept playing," she said. "They'd call me, too, and they were very nice on the phone." Pretty soon, Mrs. N was getting two or three calls a day and a grocery sack full of mail each week—news of "prizes" she had "won," but could collect only by sending anywhere from \$50 to \$2,000 by overnight mail. One day she asked a bank employee how she could send a large amount of cash through the mail. When the clerk heard what it was for, she examined Mrs. N's account transactions and found the elderly woman was writing as many as 90 checks a month to participate in sweepstakes games offering "free prizes."*

Scams and fraud by strangers arise even in protected settings like assisted living and nursing facilities. Predators with a convincing story are as close as the telephone and the mailbox. For residents who use a computer to remain connected with family and friends, the computer can also be a source of scams.

Scams are always changing. This year's romance scam or grandparent fraud will be replaced by a new and creative scheme next year. The table on page 33 describes consumer scams that are common now, but keep your eyes open for new ones. The Federal Trade Commission has a "scam alert" page with information about the ever-changing ways that scam artists target consumers, at [www.consumer.ftc.gov/scam-alerts](http://www.consumer.ftc.gov/scam-alerts).

Residents of assisted living and nursing facilities may be targets of predators who take advantage of victims' memory loss or their fear of a failing memory. For example, scammers may claim to be following up on a bogus order with a "payment" due. This is a double whammy. The victim is demeaned for "forgetting" and then robbed.

Here are some warning signs that scammers are victimizing a resident.

- The resident receives news about a prize or other windfall that requires payment of fees or taxes up front.
- The resident is pressured to keep good news a secret until a transaction is complete or risk losing out on this one-time opportunity.
- A caller constantly seeks more information and pressures the resident to comply.
- A third party claims to be from a government agency, financial institution or other entity and asks for information that they should already have.
- A resident receives a lot of mail or email for sweepstakes, contests or other sources suggesting that he or she has already been scammed.

Preventing predatory crimes requires our best efforts to raise awareness and ensure prompt response. To avoid identity theft, add safety features, such as antivirus software and password protection, to all facility-owned computers that are available to residents for personal use. Don't confiscate mail or monitor phone calls—those activities violate residents' rights. Use other strategies. Distribute alerts, bulletins, pamphlets and other resources to warn seniors and their families about scams, especially those that are prevalent nearby. These resources may be available from your state Attorney General's office, senior centers, ombudsman programs, national organizations and federal agencies. Conduct in-person programs for residents and families, such as *Money Smart for Older Adults* (see page 24).

If you believe that specific residents are the target of a telephone, mail, or computer scam, consider talking with their families or surrogates about your concern so that they can provide support and help to the resident in sorting the mail and discarding deceptive "offers."

## Common Consumer Scams

<b>Relative in need</b>	Someone who pretends to be a family member or friend calls or e-mails you to say they are in trouble and need you to wire money right away.
<b>Charity appeals</b>	You get a call or letter from someone asking for money for a fake charity—either the charity does not exist or the charity did not call or write to you.
<b>Lottery or sweepstakes</b>	You get a call or e-mail that you have a chance to win a lot of money through a foreign country's sweepstakes or lottery. The caller will offer tips about how to win if you pay a fee or buy something. Or the caller or e-mail says you already have won and you must give your bank account information or pay a fee to collect your winnings.
<b>Home improvement</b>	Scammers take money for repairs and then they never return to do the work or they do bad work. Sometimes they break something to create more work or they say that things need work when they don't.
<b>Free lunch</b>	Scammers invite you to a free lunch and seminar, and then pressure you to give them information about your money, and to invest the money with them. They offer you "tips" or "guaranteed returns."
<b>Free trip</b>	Scammers say you've won a free trip but they ask for a credit card number or advance cash to hold the reservation.
<b>Government money</b>	You get a call or letter that seems to be from a government agency. Scammers say that if you give a credit card number or send a money order, you can apply for government help with housing, home repairs, utilities, or taxes.
<b>Drug plans</b>	Scammers pretend they are with Medicare prescription drug plans, and try to sell Medicare discount drug cards that are not valid. Companies with Medicare drug plans are not allowed to send unsolicited mail, emails, or phone calls.
<b>Identity theft</b>	Scammers steal personal information—such as a name, date of birth, Social Security number, account number, and mother's maiden name—and use the information to open credit cards or get a mortgage in someone else's name.
<b>Fake "official" mail</b>	Scammers send letters or e-mails that look like they are from a legitimate bank, business, or agency to try to get your personal information or bank account number.

# Review

**Together, we can work to combat financial exploitation of vulnerable adults, wherever they live.** Here are the keys to success in congregate facilities.

- Understand what elder financial abuse is and the warning signs.
- Provide practical information to staff, residents, their families and others involved in their care about prevention and response to suspected exploitation.
- Respond quickly to delinquent accounts—i.e. 60 days/two billing cycles—and to unauthorized use of funds intended for the benefit of the resident (such as personal needs allowance accounts).
- Establish and maintain a well-coordinated team approach to financial security.
- Become skilled at recording and organizing information about suspected exploitation.
- Understand the responsibilities of mandated reporters, how to make a report, and how to follow up on reports.
- Learn to spot scams that can target any vulnerable people, especially those in care facilities.
- Know the roles of the long-term care ombudsmen, legal services programs and other service providers in your area.
- Have resources and contact numbers close at hand—and use them to prevent, recognize, record and report.

# Resources for facilities, residents and families

## In your community and state

### **Adult Protective Services**

Find the state or local agencies that receive and investigate reports of suspected elder or adult abuse, neglect, or exploitation by contacting the national Eldercare Locator.

1-800-677-1116  
[www.eldercare.gov](http://www.eldercare.gov)

### **Area Agency on Aging/Aging and Disability Resource Center**

Find the local agencies that can give you information about aging and disability services—including local legal services programs and resources for caregivers—through the national Eldercare Locator.

1-800-677-1116  
[www.eldercare.gov](http://www.eldercare.gov)

### **District attorney or prosecutor**

Find your district attorney, city attorney or other prosecutor through the resources on the federal government's web portal.

[www.answers.usa.gov/system/templates/selfservice/USAGov/#!portal/1012/article/3232/Locating-a-State-District-Attorney](http://www.answers.usa.gov/system/templates/selfservice/USAGov/#!portal/1012/article/3232/Locating-a-State-District-Attorney)

### **Police or Sheriff**

Find a law enforcement agency by checking the local directory.

### **Attorney General**

Find a listing of state attorneys general on the website of the National Association of Attorneys General. Attorneys general can take action against consumer fraud.

[www.naag.org](http://www.naag.org)

### **Elder care mediation**

Mediation can help resolve disputes about caregiving and finances. Local attorneys, mental health professionals and mediation organizations may be able to provide listings of local mediators.

### **Long-term Care Ombudsman Program**

The National Long-term Care Ombudsman Resource Center has detailed information on its website about ombudsman roles and programs at [www.ltcombudsman.org](http://www.ltcombudsman.org). Find state and local long-term care ombudsman programs by contacting the national Eldercare Locator.

1-800-677-1116  
[www.eldercare.gov](http://www.eldercare.gov)



## Legal services

### **Free legal services for people over age 60**

Find local programs that provide free legal help to people over age 60 by contacting the national Eldercare Locator.

1-800-677-1116

[www.eldercare.gov](http://www.eldercare.gov)

### **Free legal services for low-income people**

Find local programs that provide free legal help to low-income people on the website of the Legal Services Corporation.

[www.lsc.gov/find-legal-aid](http://www.lsc.gov/find-legal-aid)

### **Fee-for-service lawyers**

A web page sponsored by the American Bar Association provides information about how to find a lawyer in each state.

[www.findlegalhelp.org](http://www.findlegalhelp.org)

### **Information on legal issues affecting residents**

The National Legal Resource Center has information on financial security, guardianship, capacity and related topics.

[www.nlrc.aoa.gov](http://www.nlrc.aoa.gov)

## Benefits

### **Benefits Check-up**

BenefitsCheckUp, a free service of the National Council on Aging, helps adults age 55 and over identify benefits that could save them money and cover the costs of everyday expenses.

[www.benefitscheckup.org](http://www.benefitscheckup.org)

### **Medicaid/Medical Assistance**

Find a listing of state agencies that provide Medicaid/Medical Assistance on the federal Benefits.gov website.

[www.benefits.gov/benefits/browse-by-category/category/MED](http://www.benefits.gov/benefits/browse-by-category/category/MED)

### **Social Security**

Find information about Social Security benefits, appeals, and representative payees.

[www.socialsecurity.gov](http://www.socialsecurity.gov)

### **Veterans Benefits**

The Department of Veterans Affairs provides information about eligibility, health and long-term care benefits, and in-home care.

[www.benefits.va.gov/benefits/](http://www.benefits.va.gov/benefits/)

[www.va.gov/opa/publications/benefits\\_book.asp](http://www.va.gov/opa/publications/benefits_book.asp)

## Resources for protecting residents against scams

### Do Not Call Registry

The National Do Not Call Registry gives people a choice about whether to receive telemarketing calls (although scam artists may ignore the rules).

1-888-382-1222  
[www.donotcall.gov](http://www.donotcall.gov)

### Resources for health care professionals at your facility

The North American Securities Administrators Association provides links to information and resources to help identify elder fraud and financial exploitation—including a screening tool for clinicians.

[www.nasaa.org/1733/eiffe/](http://www.nasaa.org/1733/eiffe/)

### Consumer Financial Protection Bureau

The CFPB takes complaints about consumer financial products and services, including credit cards, bank accounts and services, credit reporting and debt collection.

1-855-411-2372  
[www.consumerfinance.gov/complaint/](http://www.consumerfinance.gov/complaint/)

### Stolen Social Security numbers

Report them to the Social Security Administration Fraud Hotline.

1-800-269-0271

### Identifying and responding to scams

The Federal Trade Commission (FTC) website is a plentiful source of information for identifying and responding to scams, including those that target older people.

[www.consumer.ftc.gov](http://www.consumer.ftc.gov)

### Internet crimes

The FBI's Internet Crime Complaint Center has a two-page tip sheet on international internet scams at [www.ic3.gov/media/MassMarketFraud.pdf](http://www.ic3.gov/media/MassMarketFraud.pdf) and accepts complaints about internet crime.

[www.ic3.gov](http://www.ic3.gov)

### Scams by mail

Contact the United States Postal Inspection Service about any scams that use the US mail service.

1-877-876-2455  
<https://postalinspectors.uspis.gov/contactUs/filecomplaint.aspx>



# Terminology and usage in this manual

In this manual, we use the words and phrases defined below. Your state's terminology may differ regarding long-term services and supports, definitions of financial exploitation, and adult protective services (APS).

**Adult protective services**—social services programs provided by states nationwide, serving seniors and adults with disabilities who are in need of assistance. APS workers frequently serve as first responders in cases of abuse, neglect or exploitation. The National Adult Protective Services Association website provides information about how to report suspected abuse in each state. [www.napsa-now.org/get-help/help-in-your-area](http://www.napsa-now.org/get-help/help-in-your-area).

**Assisted living**—residential care offering 24-hour staffing and assistance with activities of daily living. Assisted living is regulated by states. Over two-thirds of the states use the licensure term "assisted living" or a very similar term.

**Elder abuse**, often referred to as "abuse, neglect and exploitation," includes many types of mistreatment of older adults. The National Center on Elder Abuse describes seven types of elder abuse:

- Physical Abuse
- Sexual Abuse
- Emotional or Psychological Abuse
- Neglect
- Abandonment
- Financial or Material Exploitation

- Self-neglect.

Terminology for these types of elder abuse varies in state law.

**Long-term Care Ombudsmen**—advocates for residents of nursing homes, board and care homes, assisted living facilities and similar adult care facilities, in programs administered by the federal Administration on Aging/Administration for Community Living. Ombudsman staff and volunteers work to resolve problems of individual residents. Every state has an Office of the State Long-Term Care Ombudsman, headed by a full-time state ombudsman.

**Mandatory reporters** are people required by law to report their suspicions about elder abuse to a specified public authority.

**Mistreatment**—abuse, neglect or exploitation, singly or in combination

**Nursing facility**—residential care facility subject to state licensure requirements as a "nursing home," "nursing facility," or "intermediate care facility," or providing similar levels of care. Most are also subject to federal standards as providers of Medicaid and/or Medicare covered services. Nursing facilities generally offer a higher level of care than assisted living facilities.

**Vulnerable adult, person, or resident**—an individual who is at risk of abuse, neglect or exploitation because of age or disability.

# Part 2: Fighting Elder Financial Exploitation through Community Networks

## Executive Summary

The widespread prevalence of elder financial exploitation destroys the financial security of millions of older Americans annually. In response to this crisis, hundreds of communities across the United States have created collaborative networks to protect their older residents. These networks, which often bring together key community stakeholders and resources, engage in varied activities designed to prevent, detect, and respond to elder financial exploitation.

To increase our understanding of how elder financial protection networks can grow and endure, the Consumer Financial Protection Bureau (CFPB) conducted research nationwide. With the help of the Federal Research Division of the Library of Congress, we attended network meetings and interviewed representatives from 23 elder protection networks and various experts in the field. Our inquiries focused on networks' objectives, structure, leadership, funding, members, activities and challenges. In addition, we conducted a quantitative analysis to examine networks' presence in communities across the United States. This report presents CFPB's recommendations to existing networks and key stakeholders to develop and enhance their community's collaborative efforts to fight financial exploitation.

### Key findings

- Networks increase coordination and improve collaboration among responders, service providers and other relevant stakeholders.
- Networks improve the prevention, detection, reporting of and response to elder financial exploitation.
- Although hundreds of communities have developed networks, networks are not yet present in much of the United States - only 25 percent of all counties in the United States currently have a network addressing elder abuse issues.

- Most networks addressing financial exploitation do so as part of a broader focus on elder abuse - only 6 percent of known networks specialize in preventing and responding to financial exploitation.
- Networks primarily follow the Triad and multi-disciplinary team models of collaboration. Triads often bring together seniors and law enforcement to increase community education about safety and crime. Multi-disciplinary teams bring together professionals from different fields to review cases of elder abuse including financial exploitation.
- Networks' most common ways of fighting financial exploitation are through community education, professional training and case review.
- Networks share some common features and needs, including a resourceful coordinator, some start-up funding and technical assistance support, and some long-term funding and staffing.
- Most networks do not require significant funding to start up or continue functioning.
- Existing networks are often the catalyst for new networks; effective networks seek opportunities for replication and ensuring statewide coverage.

## Recommendations

- Professionals working with or serving older adults should create networks in communities where they do not currently exist, especially in communities with a large number of older people.
- Members of existing networks should seek to expand resources and capacity as needed.
- Elder abuse networks that do not focus on financial exploitation should develop activities and the capacity to respond to elder financial exploitation by seeking to include as network members professionals with financial expertise, such as forensic accountants. Also, they should implement educational programs for older adults, caregivers, and professionals on how to prevent, detect and respond to financial exploitation.

- Elder financial exploitation networks should seek to include law enforcement as network members and to encourage their meaningful participation in network activities, including but not limited to educational or case review efforts.
- Because financial institutions are uniquely positioned to detect that an elder account holder has been targeted or victimized and to take action, elder financial exploitation networks should seek to include financial institutions, large and small, as network members. Similarly, financial institutions should seek to join and participate in local networks.
- To help ensure the network's long-term sustainability, financial exploitation networks should implement strategies to institutionalize the coordinator role as a permanent staff position.
- Networks in areas with older Americans of diverse linguistic, ethnic and racial backgrounds should seek to engage stakeholders that serve these populations and deliver educational and case review services relevant and appropriate to these populations.
- Networks should seek to expand coverage into rural areas by creating regional networks through which resources can be shared and by using teleconferencing and videoconferencing in lieu of travel when necessary.
- Networks engaging in educational activities, especially those networks with limited resources, should use existing federal, state and local educational resources.

# 1. Introduction

Elder financial exploitation destroys the financial security of millions of older Americans annually.<sup>1</sup> In response to this crisis, hundreds of communities across the United States have created collaborative networks to protect their older residents.<sup>2</sup> These networks, which often bring together key community stakeholders and resources, engage in varied activities designed to prevent, detect, and/or respond to elder financial exploitation.<sup>3</sup> Though many strong networks exist nationwide, networks do not exist in most communities, including many in which seniors represent a large share of the population, which creates considerable opportunities to expand this approach.<sup>4</sup>

<sup>1</sup> With over 60 million Americans age 60 and over according to Census estimates, and an annual prevalence rate of 5.2 percent, an estimated 3.2 million Americans were victims of financial exploitation in 2014. See Ron Acierno, et al., *Prevalence and Correlates of Emotional, Physical, Sexual and Financial Abuse and Potential Neglect in the United States: The National Elder Mistreatment Study*, 100 American Journal of Public Health 292-97 (Feb. 2010), available at <http://doi.org/10.2105/AJPH.2009.163089>; Census Bureau, American Community Survey, Table S0101- 5 Year Estimates Population 60 years and over in the United States 2010-2014, [http://factfinder.census.gov/bkmk/table/1.0/en/ACS/14\\_5YR/S0102](http://factfinder.census.gov/bkmk/table/1.0/en/ACS/14_5YR/S0102) (last visited July 27, 2016).

<sup>2</sup> Lisa Nerenberg, *Communities Respond to Elder Abuse*, 46 Journal of Gerontological Social Work 8 (2006), available at [http://dx.doi.org/10.1300/J083v46n03\\_02](http://dx.doi.org/10.1300/J083v46n03_02).

<sup>3</sup> Georgia Anetzberger, *The Evolution of a Multidisciplinary Response to Elder Abuse*, 13 Marquette Elder's Advisor 13, 1 (2011), available at <http://scholarship.law.marquette.edu/cgi/viewcontent.cgi?article=1005&context=elders>.

<sup>4</sup> See the Quantitative analysis section in Appendix A for details about geographic analysis and categorization of existing networks.

To increase our understanding of how elder financial protection networks can grow and endure, the CFPB conducted research nationwide. With the help of the Federal Research Division of the Library of Congress, we attended network meetings and interviewed representatives from 23 elder protection networks and various experts in the field.<sup>5</sup> Our inquiries focused on networks' objectives, structure, leadership, funding, members, activities and challenges. In addition, we conducted a quantitative analysis to examine networks' presence in communities across the United States.<sup>6</sup>

This report highlights what elder financial exploitation prevention and response networks (also referred to as "networks" and "elder protection networks") do, how they work, how they can work better, and how they can be established. The report presents CFPB's recommendations to existing networks and key stakeholders to develop and enhance their community's collaborative efforts to fight financial exploitation. Our goal is to help communities enhance and expand protections for older Americans against elder financial exploitation. Accompanying this report is a Resource Guide with promising practices, sample documents, and resource materials.



<sup>5</sup> CFPB contracted with the Library of Congress through an Inter-Agency Agreement to conduct the qualitative portion of this study. CFPB staff participated in some of the interviews and case studies.

<sup>6</sup> See Appendix *infra* for a fuller discussion of the methodology used in producing this report.



## 2. Elder financial abuse is a severe and widespread problem

Financial abuse or exploitation is a widespread form of elder abuse that often occurs in tandem with neglect and other types of elder abuse.<sup>7</sup> Financial abuse can be perpetrated by family members, caregivers, fiduciaries (such as court-appointed guardians and agents under a power of attorney), financial advisers, home repair contractors, scam artists, and others. Older adults can be attractive targets because they may have accumulated assets or equity in their homes,<sup>8</sup>

<sup>7</sup> NCPEA, et al., *The MetLife Study of Elder Financial Abuse: Crimes of Occasion, Desperation, and Predation Against America's Elders*, 17-18 (June 2011), available at <http://www.giaging.org/documents/mmi-elder-financial-abuse.pdf> (hereinafter MetLife Study); Shelly L. Jackson and Thomas L. Hafemeister, *Pure Financial Exploitation vs. Hybrid Financial Exploitation Co-Occurring With Physical Abuse and/or Neglect of Elderly Persons*, 2 *Psychology of Violence* 286 (2012), available at <http://dx.doi.org/10.1037/a0027273> (hereinafter Pure Financial Exploitation). For definitions of the forms of elder abuse, see National Center for Elder Abuse (NCEA), *Types of Abuse*, <https://ncea.acl.gov/faq/abusetypes.html> (last visited July 27, 2016).

<sup>8</sup> The typical U.S. household headed by a person age 65 and older has a net worth 47 times greater than a household headed by someone under 35. Richard Fry, et al., *The Rising Age Gap in Economic Well-Being* (2011), available at <http://www.pewsocialtrends.org/2011/11/07/the-rising-age-gap-in-economic-well-being/>.

and often receive regular income such as Social Security or a pension.<sup>9</sup> They may be especially vulnerable due to isolation, cognitive decline, physical disability, health problems or the recent loss of a loved one.<sup>10</sup> For many older victims of financial exploitation, their losses are impossible to recover.<sup>11</sup> Elder financial exploitation may also result in a loss of independence or material hardship,<sup>12</sup> and may lead to depression or even suicide.<sup>13</sup>

Studies suggest that financial exploitation is the most common form of elder abuse and that only a small fraction of incidents are reported.<sup>14</sup> Because elders often do not report their losses, quantifying the true magnitude of the problem and its monetary impact is challenging, if not impossible. Estimates of losses from elder financial abuse range from \$2.9 billion to as high as

<sup>9</sup> Census Bureau, Current Population Survey, 2015 Annual Social and Economic Supplement, Table PINC-08, Source of Income in 2014—People 15 Years Old and Over, by Income of Specified Type in 2014, Age, Race, Hispanic Origin, and Sex (2015), [http://www.census.gov/hhes/www/cpstables/032015/perinc/pinc08\\_000.htm](http://www.census.gov/hhes/www/cpstables/032015/perinc/pinc08_000.htm) (last visited July 27, 2016)

<sup>10</sup> *Pure Financial Exploitation*, *supra* note 7.

<sup>11</sup> Lisa Nerenberg, *Communities Respond to Elder Abuse*, 46 *Journal of Gerontological Social Work* 8 (2006), available at [http://dx.doi.org/10.1300/J083v46n03\\_02](http://dx.doi.org/10.1300/J083v46n03_02).

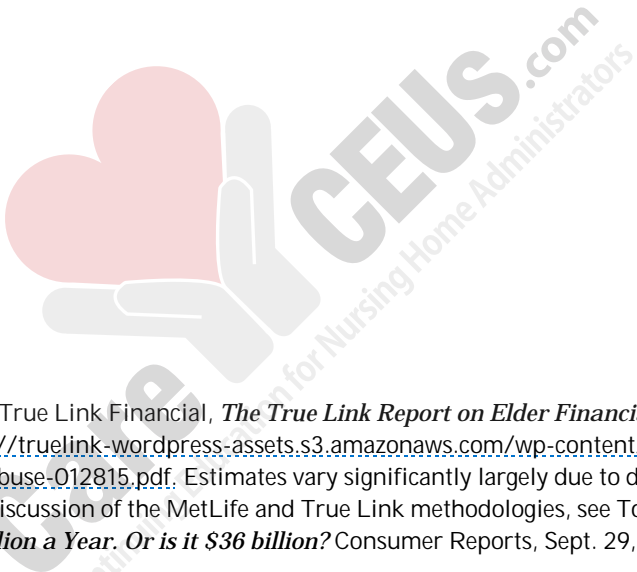
<sup>12</sup> True Link Financial, *The True Link Report on Elder Financial Abuse 2015*, 1, 4 (fn. 3) (January 2015), available at <https://truelink-wordpress-assets.s3.amazonaws.com/wp-content/uploads/True-Link-Report-On-Elder-Financial-Abuse-012815.pdf>. Estimating that 954,000 elders in the United States are currently skipping meals as a result of financial abuse.

<sup>13</sup> *Id.*; *Pure Financial Exploitation*, *supra* note 7, 286.

<sup>14</sup> Ron Acierno, et al., *Prevalence and Correlates of Emotional, Physical, Sexual and Financial Abuse and Potential Neglect in the United States: The National Elder Mistreatment Study*, 100 *American Journal of Public Health* 292-97 (Feb. 2010), available at <http://doi.org/10.2105/AJPH.2009.163089>; Lifespan of Greater Rochester, Inc., et al., *Under the Radar: New York State Elder Abuse Prevalence Study—Self-Reported Prevalence and Documented Case Surveys—Final Report*, 50 (May 2011), available at <http://www.nyselderabuse.org/documents/ElderAbusePrevalenceStudy2011.pdf>. This study estimated that only 1 in 44 cases of financial abuse came to the attention of agencies that provide services to victims of elder abuse in New York State.

\$36.5 billion each year.<sup>15</sup> Financial exploitation of older adults also has costs for society, resulting in economic losses for financial institutions, government agencies and programs (such as Medicare and Medicaid), and taxpayers.<sup>16</sup>

These individual and societal costs of financial crimes against older adults are likely to become an even bigger problem as the U.S. population ages. By 2050, the population age 65 and over is projected to be 83.7 million, almost double the estimated 43.1 million in 2012.<sup>17</sup>

  
<sup>15</sup> MetLife Study, *supra* note 7, at 2; True Link Financial, *The True Link Report on Elder Financial Abuse 2015*, (January 2015), available at <https://truelink-wordpress-assets.s3.amazonaws.com/wp-content/uploads/True-Link-Report-On-Elder-Financial-Abuse-012815.pdf>. Estimates vary significantly largely due to definitional and methodological differences. For a discussion of the MetLife and True Link methodologies, see Tobie Stanger, *Financial Elder Abuse Costs \$3 Billion a Year. Or is it \$36 billion?* Consumer Reports, Sept. 29, 2015.

<sup>16</sup> Yufan Huang and Alan Lawitz, *The New York State Cost of Financial Exploitation Study* (May 2016), available at <http://ocfs.ny.gov/main/reports/Cost%20of%20Financial%20Exploitation%20Study%20FINAL%20May%202016.pdf>; Jilene Gunther, *The Utah Cost of Financial Exploitation*, (August 2011) available at <http://victimsofcrime.org/docs/default-source/financial-fraud/2011-economic-cost-of-financial-exploitation.pdf?sfvrsn=2>.

<sup>17</sup> U.S. Census Bureau, *An Aging Nation: The Older Population in the United States—Population Estimates and Projections—Current Population Reports*, (May 2014), available at <https://www.census.gov/prod/2014pubs/p25-1140.pdf>.

### 3. Networks help fight financial exploitation

No single community entity is responsible for effectively preventing and responding to elder financial exploitation, nor can one entity do so. Resources to combat this problem are also increasingly limited as the problem itself and the older population grow and funding levels remain relatively static. In order to address these challenges, many communities have created networks to help prevent, detect, and/or respond to elder financial exploitation.

An elder financial protection network is a sustained and largely voluntary collaboration or partnership that works to prevent, detect, and/or respond to elder financial exploitation.

Generally, a network discussed in this report is a sustained and largely voluntary collaboration, coalition, alliance, or partnership of private and public entities, organizations and individuals that works with or on behalf of older people.<sup>18</sup>

<sup>18</sup> Some of the networks examined in this project were created as a result of a state mandate to establish a team or protocol for multidisciplinary collaboration. For instance, California law requires Adult Protective Services agencies to lead multi-disciplinary team networks (MDT's) in every California county. See Cal. Welf. & Inst. Code § 15763(a). Types of networks are discussed in Section 4.

Over the last two decades a growing body of research has shown that networks are effective community responses to elder financial exploitation. Notably, a 2013 study found that cases that were examined by a forensic center, a type of network that brings together experts from different agencies, had higher prosecution, conviction and restitution rates than cases that were not examined by a forensic center.<sup>19</sup> Earlier studies had also shown that the creation of community networks resulted in an increased number of trainings, referrals and specialized assessments, and improved coordination among networks' key stakeholders.<sup>20</sup>

Experts and professionals in the field agree that increased multidisciplinary community collaboration and interagency cooperation is vital to addressing the problem of elder abuse, especially financial exploitation.<sup>21</sup> The 2014 *Elder Justice Roadmap*, which brought together

<sup>19</sup> Adria Navarro, et al., *Holding Abusers Accountable: An Elder Abuse Forensic Center Increases Criminal Prosecution of Financial Exploitation*, 53 *The Gerontologist* 303-312 (2013), <http://gerontologist.oxfordjournals.org/content/early/2012/05/15/geront.gns075>. (hereinafter *Holding Abusers Accountable*)

<sup>20</sup> Aileen Wigglesworth, et al., *Findings from an Elder Abuse Forensic Center*, 46 *The Gerontologist* 277-283 (2006), available at <http://www.ncbi.nlm.nih.gov/pubmed/16581893>; Mary S. Twomey, et al., *The Successes and Challenges of Seven Multidisciplinary Teams*, 22 *Journal of Elder Abuse & Neglect* 291-305 (2010), available at <http://www.ncbi.nlm.nih.gov/pubmed/20711916>.

<sup>21</sup> Page Ulrey and Bonnie Brandl, *Collaboration is Essential: King County's Response to a Case of Elder Abuse and Exploitation*, 36 *Journal of the American Society on Aging* 77 (2012), available at <http://www.asaging.org/blog/collaboration-essential-king-countys-response-case-elder-abuse-and-exploitation>; Georgia J. Anetzberger, *The Evolution of a Multidisciplinary Response to Elder Abuse*, 13 *Marquette Elder's Adviser* 107-128 (2011), available at <http://scholarship.law.marquette.edu/cgi/viewcontent.cgi?article=1005&context=elders>; Bonnie Brandl, et al., *Enhancing Victim Safety Through Collaboration*, 7 *Care Management Journals* 64-72 (2006), available at <http://www.ncbi.nlm.nih.gov/pubmed/17214238>.

experts, leading public officials, and stakeholders to discuss effective ways to address elder abuse, supports the creation of networks.<sup>22</sup>

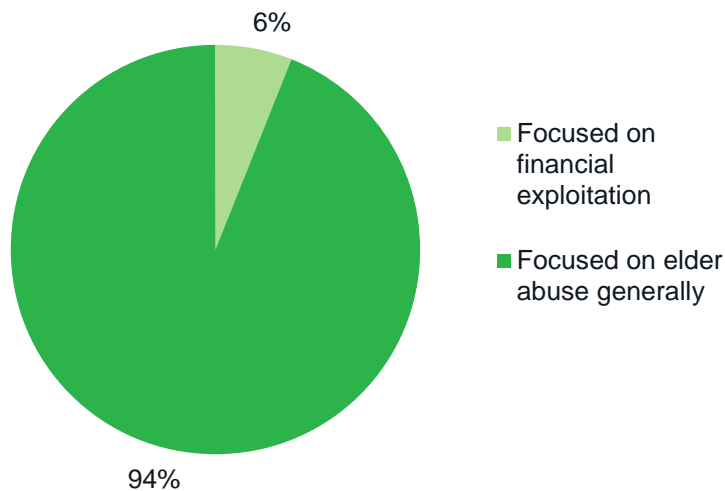
Elder financial protection networks already exist in many areas throughout the country. Most networks focus on protecting seniors from financial exploitation as part of a broader mission to fight elder abuse, though some do have a singular focus on financial exploitation.<sup>23</sup> The CFPB identified 891 networks nationwide working on financial exploitation issues. According to our analysis, 837 (94 percent) appear to have a broader focus on protecting seniors from all types of abuse, and 54 (or 6 percent) appear to be exclusively focused on financial exploitation.<sup>24</sup>

<sup>22</sup> Marie-Therese Connolly, et al., *The Elder Justice Roadmap: A Stakeholder Initiative to Respond to an Emerging Health, Justice, Financial and Social Crisis* (July 2014), available at [https://www.justice.gov/elderjustice/research/resources/EJRP\\_Roadmap.pdf](https://www.justice.gov/elderjustice/research/resources/EJRP_Roadmap.pdf).

<sup>23</sup> The limited data available on networks that focus generally on elder abuse show that all of these networks are involved in tackling the problem of financial exploitation, yet their degree of engagement and resources devoted to fighting financial exploitation varies significantly.

<sup>24</sup> There is no existing comprehensive dataset on the activities and scope of these networks. Existing data do provide a basis for distinguishing between networks that work on elder financial exploitation as part of their broader focus on elder abuse and safety and networks that focus exclusively on elder financial exploitation. Many networks may also focus on abuse of all vulnerable adults (such as younger adults with disabilities).

**FIGURE 1:** NETWORKS BY FOCUS



We found that networks –whether focused exclusively on financial exploitation or more broadly on elder abuse– benefit older adults and the networks’ members. When asked about the benefits of their network to seniors and their organizations, representatives of the networks in our study spoke of their networks’ ability to (1) improve response to cases of financial exploitation, (2) increase reporting of cases, (3) enhance members’ skills and capacity to address financial exploitation, and (4) improve coordination, including the use of community resources.

## Networks improve response to financial exploitation

Several networks in our study meet regularly to review and discuss cases of financial exploitation. These networks bring together professionals with different backgrounds and expertise to help law enforcement, adult protective services (APS) and local prosecutors gain a better understanding of the cases, provide support to victims, and prosecute perpetrators. The local networks in Cook County, IL and Oklahoma City, OK, for instance, stated that the participation of financial experts, such as forensic accountants and compliance officers from financial institutions, was crucial in case review. The financial experts contribute advice and analysis regarding, among other things, financial transactions, access to needed documentation, and recovery of assets.

Networks often create new or improve existing channels of communication between first responders, such as APS, law enforcement, and financial service providers. In addition, networks help members gain a clear understanding of each other's roles, policies, resources and limitations. A member from a law enforcement agency in Cook County, IL said, "People get to know each other, you've met them, talked to them, know where to go for your victim." A local network in Fairfield County, OH stated that network collaboration helped speed up processes such as obtaining guardianship orders and emergency orders for placement and to freeze assets. Similarly, members of networks in states that include financial institution representatives said that law enforcement, APS, and prosecutors were able to act quickly to protect victims from further losses as a result of relationships they developed with network members from banks and credit unions.

## Networks increase reporting of suspected cases

Most of the networks interviewed recounted that network participation improves reporting of cases. Members of networks across the board agreed that a major challenge in addressing financial exploitation is that many cases are unreported. Many networks located in states with mandatory reporting laws, including Colorado, Hawaii, and California,<sup>25</sup> work to raise awareness of their states' reporting requirements for financial institutions. In other states, networks have led the efforts to establish hotlines and referral protocols.

**Networks report that their efforts have resulted in greater numbers of cases coming to the attention of authorities.**

<sup>25</sup> See Cal. Welf. & Inst. Code § 15630.1; Colo. Rev. Stat. § 18-6.5-108(1); Haw. Rev. Stat. § 412:3-114.5.



These networks report that their efforts have resulted in greater numbers of cases coming to the attention of authorities. In Ohio, a local network generated an additional 950 referrals to APS in 2014.

In addition, some of the networks that we interviewed stated that they encourage reporting of financial exploitation through community education. Local networks in Pickaway County, OH and Jefferson County, CO mentioned that their direct engagement of seniors has helped to improve reporting by strengthening trust between seniors and law enforcement. They said that their efforts help to embolden seniors in their communities to come forward and report cases, identify other seniors who may be victims of financial exploitation, and help the network's education efforts by spreading the word.

## **Network participation enhances members' skills and ability to address financial exploitation**

Improving reporting and response to cases of financial exploitation is also beneficial to the individual professionals who participate in the networks. These professionals mentioned that each case that they discussed and responded to as part of their collaborative work enhanced their professional expertise. These experiences provide them with problem-solving skills and knowledge about a variety of topics including how financial products and services work and how financial exploitation interacts with other forms of elder abuse. A local network in Hawaii developed a process to institutionalize their experiences from their case review work through a 'lessons learned' survey form. The case review team collects these reports to improve prosecution referrals, care provided to victims, and support for witnesses.

## **Networks leverage and save community resources**

Networks allow organizations to align the work and leverage resources of the member organizations. Networks leverage their members' resources in a number of ways. At the most functional level, members share resources such as volunteers, spaces for meeting and public

events, teleconference lines and other means for remote participation. Similarly, network members share training and cross-promotion opportunities. In Pickaway County, OH, for example, the local network was able to use their private sector members' access to media, billboards, and other vehicles to conduct their educational campaigns. In other networks, staff expertise was shared. The networks in Orange County, CA, Houston, TX, and Cook County, IL, among others, help APS staff, prosecutors and law enforcement by offering free professional services from geriatricians, forensic accountants, compliance officers, and elder law attorneys.

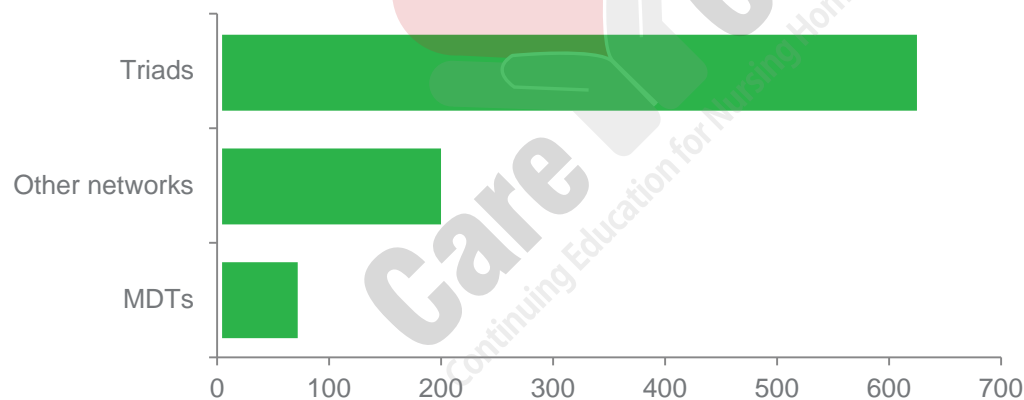
Furthermore, in communities where more than one network exists, networks communicate with each other and find ways to avoid duplication of efforts. For instance, in Los Angeles, CA, two networks were actively reviewing cases of financial exploitation. As a result, one network shifted from conducting multidisciplinary case review to providing multidisciplinary training for those who provide service in the area of elder financial exploitation.



## 4. There are many different types of effective networks

We found that networks often have different structures, perform different activities, and are known by a variety of names. Yet two models of collaboration seem to dominate: Triads and multi-disciplinary teams. Approximately 78 percent of all networks identified follow these models of collaboration. In addition, we found that their most common activities include community education, professional training, and case review.

**FIGURE 2:** NETWORKS BY MODEL



### Multi-Disciplinary Teams

Multi-Disciplinary Teams provide agencies, such as APS and law enforcement, with resources, consultation, and advice regarding elder abuse cases. MDTs bring together social service, legal, medical, psychological, and law enforcement experts. While most MDTs are focused on case review activities, some MDTs provide education or training to members and the

public. MDTs account for 8 percent of all existing networks working on elder abuse, but comprise 87 percent of the networks that are focused exclusively on financial exploitation.<sup>26</sup>

There are several types of specialized MDTs, including one specifically focused on financial exploitation. These specialized MDTs include Financial Abuse Specialist Teams (FASTs), Forensic Centers (FCs), and Elder Fatality Review Teams (EFRTs), also called Elder Death Review Teams (EDRTs).

- Financial Abuse Specialist Teams typically provide consultation and support to agencies, such as APS case workers, law enforcement, and long-term care ombudsmen,<sup>27</sup> who are responding to and investigating cases of elder financial exploitation.<sup>28</sup> Members often are comprised of public agencies but may include private sector experts from the fields of banking, insurance, accounting, law, medicine, and real estate.<sup>29</sup>
- Elder Abuse Forensic Centers bring together professionals in criminal justice, healthcare, and social services to review cases of abuse, assess and evaluate victims' cognitive capacity, improve the prospects of prosecution, develop appropriate service

<sup>26</sup> NCEA, *Multidisciplinary Teams*, <https://ncea.acl.gov/whatwedo/practice/teams-index.html>. (last visited July 27, 2016).

<sup>27</sup> Long-term care ombudsmen are advocates for residents of nursing facilities, board and care homes, assisted-living facilities and similar adult care facilities, in programs administered by the Administration on Aging/Administration for Community Living. Ombudsman staff and volunteers work to resolve problems and concerns of individual residents. Every state has an Office of the State Long-Term Care Ombudsman headed by a full-time state ombudsman. For more information about financial exploitation in long-term care settings, see CFPB, *Protecting residents from financial exploitation, A manual for assisted living and nursing facilities* (May 2014), available at [http://files.consumerfinance.gov/f/201406\\_cfpb\\_guide\\_protecting-residents-from-financial-exploitation.pdf](http://files.consumerfinance.gov/f/201406_cfpb_guide_protecting-residents-from-financial-exploitation.pdf).

<sup>28</sup> NCEA, *Financial Abuse Specialist Teams (FAST)*, <https://ncea.acl.gov/whatwedo/practice/teams-index.html>. (last visited July 27, 2016).

<sup>29</sup> Joan Virginia Allen, *Financial Abuse of Elders and Dependent Adults: The FAST (Financial Abuse Specialist Team) Approach*, 12 *Journal of Elder Abuse & Neglect* 85-91 (2000), available at [http://dx.doi.org/10.1300/J084v12n02\\_09](http://dx.doi.org/10.1300/J084v12n02_09).

responses, and support prevention of elder abuse through awareness campaigns and professional education.<sup>30</sup> Team members also may conduct medical and other assessments, provide consultations during and between meetings, accept referrals for services, and testify as expert witnesses in legal proceedings. FCs can be a very effective form of elder abuse prevention network, yet they are relatively uncommon.<sup>31</sup> They are also a resource-intensive form of network, and they may be difficult to create without ongoing funding and investment of professional expertise.

## Triads

Triads provide coordination between law enforcement, elder service professionals, and older community members in order to promote crime awareness and prevention.<sup>32</sup> Their primary activities include education and training of law enforcement, seniors, caregivers, and professionals involved in serving seniors.<sup>33</sup> They may also perform other activities involving crime reduction and safety.

Triads are the most common form of community collaboration focused on elder abuse and safety. With over 600 Triads nationwide, Triads account for 70 percent of all networks. We are unaware of any Triads exclusively focused on elder financial exploitation. However, some Triads have made financial exploitation and fraud prevention a core focus of their educational efforts.

<sup>30</sup> NCEA, *Forensic Centers*, <https://ncea.acl.gov/whatwedo/practice/Teams-forensic.html> (last visited July 27, 2016).

<sup>31</sup> *Holding Abusers Accountable*, *supra*, note 19. A study of the Los Angeles County Elder Abuse Forensic Center found that FC case review significantly increased the rate of prosecution.

<sup>32</sup> The Triad program focused on elder adults began at the national level in 1988. The National Association of Triads, Inc. (NATI), formed by the National Sheriffs Association, provides coordination and support for the development of Triads throughout the country. Triads are often run by a SALT (Seniors and Law Enforcement Together) council.

<sup>33</sup> NATI, *Triad Program Manual* (2011), available at <https://www.sheriffs.org/sites/default/files/uploads/TRIAD/NATI%20Manual-2012.pdf>.

Their engagement of law enforcement and seniors and their presence in over 600 communities in nearly 40 states are key strengths of the Triad model.

## Other types of networks

There are many other types of networks organized to fight elder abuse and elder financial abuse. Twenty-two percent of the networks working on elder abuse are not MDTs or Triads. These other networks, coalitions, and task forces engage in a variety of activities ranging from education to advocacy. Some of these networks also work on case consultation and review similar to financial abuse specialist teams (FASTs). Some of them may also focus on abuse of vulnerable adults of all ages (such as younger adults with disabilities).

## Networks provide varied valuable services

Networks in our study facilitated collaboration on a variety of activities related to elder financial exploitation ranging from education to advocacy. Some networks performed a combination of these activities, while others specialized in only one. Nearly all networks studied were involved in education efforts. Over half of them conducted case consultation and review.

## Networks educate seniors and professionals

Consumer and professional education was the most common activity undertaken by the networks in our study. Many regarded education as critical to preventing elder financial exploitation. Training by these networks aimed to raise awareness about the problem and strategies for reducing it. In order to combat financial exploitation, such awareness on the part of older people and those who serve them is essential.

In reviewing network training activities, we found that all of the networks recognized the need for the education and training to be ongoing because of the ever-changing nature of certain forms of financial exploitation, staff turnover, changing laws, and the growing number of older people in their communities.

Some of the networks we studied focused on educating their members, while others concentrated on educating seniors, caregivers, first responders (such as law enforcement personnel and APS workers), financial service providers, and the general public. Some networks

used nationally recognized training materials, which can be accessed easily for free.<sup>34</sup> Below, we provide a few examples of the activities of networks that are engaged in educating different target groups on elder abuse.

Triads educate older adults about all types of elder abuse. They often invite speakers—usually experts, but sometimes victims or their relatives—and show video presentations depicting stories about victims and perpetrators. In addition, some FASTs such as the Houston Financial Abuse

**Ongoing training can profoundly improve a community's ability to fight this crime.**

Specialist Team (H-FAST) and the Los Angeles County Fiduciary Abuse Specialist Team (LAC FAST) provide training for their members, chiefly on elder financial exploitation.

Some networks use the CFPB's and Federal Deposit Insurance Corporation's jointly created Money Smart for Older Adults (MSOA) curriculum as an educational resource. Members of the Illinois Financial Abuse Specialist Team (iFAST), for example, use MSOA to educate seniors. The network plans to recruit non-member volunteers to provide trainings at senior venues and financial institutions. In 2014 and 2015, North Carolina's State Department of Health and Human Services collaborated with the State Employees Credit Union (SECU) to implement a train-the-trainer MSOA initiative across the state. During May and June 2014 and 2015, SECU provided training in seven regions throughout the state for nearly 400 local professionals, including representatives from the 100 county social services departments, local Area Agency on Aging (AAA) staff, and the North Carolina Retired Government Employee Association.

<sup>34</sup> For free educational resources, see Section 6 of the Resource Guide at [consumerfinance.gov/elder-protection-networks](https://consumerfinance.gov/elder-protection-networks).

Two networks we looked at are using the National Clearinghouse on Abuse in Later Life's (NCALL's) nationally certified "train-the-trainer" course for law enforcement. In 2013, the St. Tammany SALT Council, LA worked with NCALL trainers to train seven teams of instructors to present the one-day program to law enforcement officers statewide. The instructor teams included a law enforcement officer, a prosecutor, an advocate, a protective services investigator, and a facilitator. The involvement of these different types of professionals, who work for different organizations and agencies, illustrates the collaborative potential that these local networks create. The Council continues to offer the training free to law enforcement agencies in the state that request it.

Networks also offer training and education to financial institutions and their staff. For instance, the Elder Financial Protection Network (EFPN) in northern California created a training program for financial institutions.<sup>35</sup> Over the course of 12 years, EFPN worked with more than 400 financial institutions to train their staff using this training program. EFPN also organized conferences and meetings with members of the banking industry, law enforcement and social services to enhance collaboration at the local, regional and state level.

## **Network collaboration helps professionals review difficult cases**

Review of suspected cases of financial exploitation is the second most common activity that the networks examined in our study perform. Case review activities include: assisting law enforcement and APS case workers in the investigation of reported cases; preserving or recovering victims' assets; facilitating the prosecution of perpetrators; educating network members on elder abuse; and identifying gaps in services.

<sup>35</sup> A Senior Program Analyst in CFPB's Office for Older Americans and member of the study team served as EFPN's CEO from 2001 to 2011.



The networks that we studied with active case review programs report success in performing these activities, except recovering victims' assets, which is often not possible.

The Oklahoma County Coalition Against Financial Exploitation of the Elderly (OK-CAFEE), which describes itself as a FAST, carries on a vigorous case review program. The Oklahoma County District Attorney's Office reviews for possible prosecution every APS case in the county—substantiated and unsubstantiated. The OK-CAFEE devotes part of every monthly meeting to work on those cases selected for prosecution. Select members of the network (the Deputy Assistant District Attorney, the APS Program Field Representative, law enforcement personnel, and representatives from the Division of Aging Services) participate, as well as guests deemed relevant to the case. Limiting the network's personnel protects the victim's privacy, which is an important consideration in case review. At the time of our interview, the Oklahoma County District Attorney's Office had prosecuted 225 APS cases since 2005, all but four of which were elder financial exploitation cases. In the same time period, in a neighboring county with only 17 percent fewer residents, there were only three cases of elder financial exploitation prosecuted.<sup>36</sup> The members of the OK-CAFEE attributed the vastly different prosecution rates to the case review activities of their network.

In looking at case review functions, we found that case review provided benefits beyond the improved resolution of individual cases. Team members became better acquainted with the roles and knowledge of the other professionals involved. They also developed a sense of unified purpose that helped them to carry out their duties on a day-to-day basis. Members learned

**The members of the OK-CAFEE attributed the vastly different prosecution rates to the case review activities of their network.**

<sup>36</sup> In 2012, the population age 65 and older in Oklahoma County was 90,381, whereas the population 65 and older in Tulsa County was 76,934. Census Bureau, American Community Survey, Table S0103- 1-Year Estimates Population 65 years and over in the United States 2012, [http://factfinder.census.gov/bkmk/table/1.0/en/ACS/12\\_1YR/S0103](http://factfinder.census.gov/bkmk/table/1.0/en/ACS/12_1YR/S0103). (last visited July 27, 2016).

common abusive scenarios, and whom to call for help. This cooperation enhances the individual members' ability to prevent, detect and respond to financial exploitation.

Some networks involved in case review help to advance policy changes to aid victims and prevent abuse. For example, the OK-CAFEE made recommendations that led to legislative changes to enhance protections against elder abuse and increase penalties for the perpetrators of such abuse.<sup>37</sup>

Networks face a number of challenges when conducting case review. For example, cases involving interstate or offshore scams and perpetrators were more difficult to review than cases where the perpetrator resided locally and law enforcement had the ability to intervene immediately.



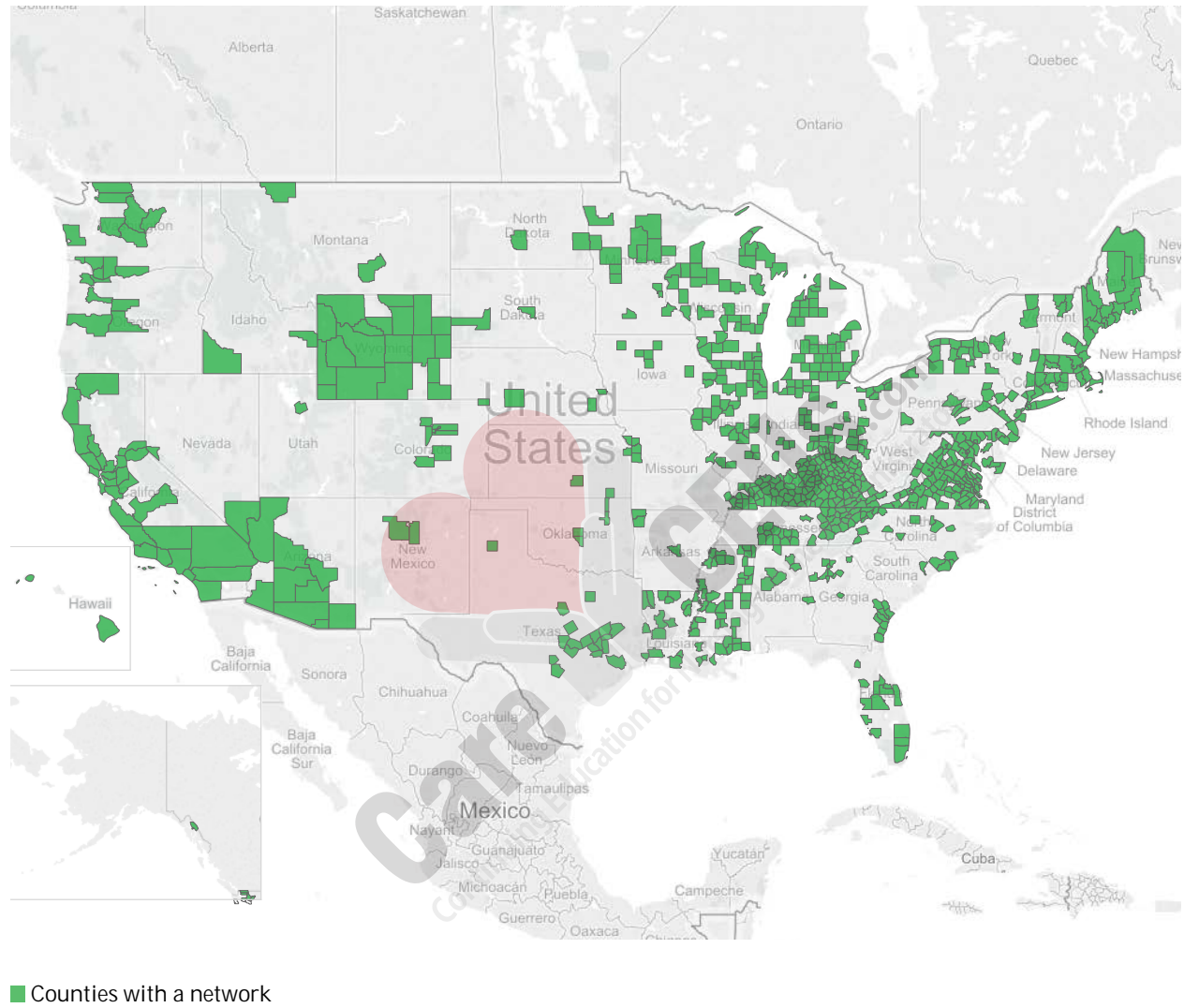
<sup>37</sup> See 21 Okla. Stat. § 21-843.4; see also OK-CAFEE, *A Successful Strategy to Identify and Combat Financial Exploitation*, <http://ltcombudsman.org/uploads/files/issues/EstherHousePPT.pdf>. (last visited July 27, 2016).

## 5. Networks protect seniors in hundreds of communities

The benefits of networks and the variety of possible models are shown by the hundreds of communities where they exist. Nonetheless, large areas of the country do not currently have a network and are ripe areas for expansion of this beneficial approach. We identified many localities and regions throughout the country without networks.<sup>38</sup> Only 25 percent of the 3,143 counties in the U.S. have a known network working on elder abuse issues and only 2 percent of all counties appear to have a network focused exclusively on financial exploitation. As the older population continues to grow throughout the country, there is ample opportunity to create many more new networks to respond to the growing problem of elder financial exploitation.

<sup>38</sup> See Appendix A for methodology and details about the scope and limitations of this geographic analysis.

**FIGURE 3: MAP OF NETWORKS BY COUNTY**



## Most networks operate in densely populated counties

Networks, including those exclusively focused on financial exploitation, tend to operate in densely populated counties. These counties have the largest number of residents age 65 and over and elders of diverse ethnic and racial backgrounds. Our analysis shows that the 20 counties with the largest number of people age 65 and over have at least one network, and half of them have two or more. Over half of these counties also have a network focused exclusively on financial exploitation.

**TABLE 1:** PRESENCE OF NETWORKS IN THE 20 COUNTIES WITH THE LARGEST NUMBER OF PEOPLE OVER 65

County*	Total Population over 65	Number of networks
<b>Los Angeles County, California</b>	<b>1,149,893</b>	<b>4</b>
<b>Cook County, Illinois**</b>	<b>649,182</b>	<b>11</b>
<b>Maricopa County, Arizona</b>	<b>513,536</b>	<b>2</b>
<b>Orange County, California</b>	<b>382,179</b>	<b>4</b>
<b>San Diego County, California</b>	<b>382,162</b>	<b>5</b>
Miami-Dade County, Florida	379,862	1
<b>Harris County, Texas</b>	<b>371,250</b>	<b>6</b>
Kings County, New York	302,335	2
Queens County, New York	300,885	2
Palm Beach County, Florida	300,710	1
<b>Riverside County, California</b>	<b>282,688</b>	<b>1</b>
Broward County, Florida	267,480	1
Clark County, Nevada	247,087	1
Wayne County, Michigan	236,218	1
<b>King County, Washington</b>	<b>232,417</b>	<b>1</b>
<b>Dallas County, Texas</b>	<b>225,872</b>	<b>3</b>
<b>New York, New York</b>	<b>225,277</b>	<b>3</b>
Suffolk County, New York	215,852	1

County*	Total Population over 65	Number of networks
<b>Santa Clara County, California</b>	<b>214,715</b>	<b>2</b>
Nassau County, New York	213,518	1

\* Bolded county names indicate that the county has at least one network exclusively focused on financial exploitation.

\*\* Cook County has multiple networks that serve specific townships and villages within the county.

## Few networks operate in counties with the highest percentage of seniors

While counties with the largest number of older people have at least one network, counties with the largest share of their population over the age of 65 do not appear to have networks in operation. Networks exist in only five of the 20 counties with the largest percent of their population 65 and older. None of these counties has a known network specifically focused on financial exploitation. Counties with a large percent of older people tend to be rural. In these counties, distances and limited resources are often barriers to the development of networks.

**TABLE 2:** PRESENCE OF NETWORKS IN THE 20 COUNTIES WITH THE LARGEST PERCENT OF POPULATION OVER 65

County	Percent of Population over 65	Number of networks*
Sumter County, Florida	48.7	-
Mineral County, Colorado	38.9	-
Charlotte County, Florida	36.0	-
Hooker County, Nebraska	34.9	-
La Paz County, Arizona	34.4	-
Real County, Texas	33.8	-
Sierra County, New Mexico	33.6	-
Citrus County, Florida	33.6	2
Highland County, Virginia	33.2	1
Alcona County, Michigan	33.2	-

<b>County</b>	<b>Percent of Population over 65</b>	<b>Number of networks*</b>
Llano County, Texas	33.0	-
Highlands County, Florida	33.0	-
Lancaster County, Virginia	32.9	1
McIntosh County, North Dakota	32.9	-
Sarasota County, Florida	32.5	2
Hinsdale County, Colorado	32.5	-
Northumberland County, Virginia	32.2	1
Jeff Davis County, Texas	31.9	-
Foard County, Texas	30.9	-
Hickory County, Missouri	30.9	-

\* [-] Indicates that we did not identify a network in this county

## Only a quarter of states have a network in most of their counties

In about 12 states, networks operate in most of their counties. In Wyoming and California, for example, multidisciplinary teams led by APS are responsible for providing statewide coverage. In Virginia and Kentucky, statewide coverage is provided through a number of regional or multi-county networks that operate in two or more counties and allow small counties to share resources. These states offer promising models to expand coverage into rural and less densely populated areas.

## 6. Many networks share key characteristics

Many successful networks share common attributes. Many of these networks have an engaged coordinator. They also have representatives from law enforcement agencies and financial institutions. They seek technical expertise and advice and funding and other resources to ensure their long-term presence in their communities.

### Many networks have a resourceful coordinator

Networks need a coordinator to oversee administration and activities.<sup>39</sup> The network coordinators we spoke to had many responsibilities that varied depending on the nature of the network. Typically, the coordinators: (1) identify and recruit members; (2) facilitate the development of the mission and goals; (3) secure resources such as meeting space; (4) schedule

<sup>39</sup> Similar findings regarding the role of coordinators can be found in Risa Breckman, et al., *Elder Abuse Multidisciplinary Teams: Planning for the Future*, (April 2015), available at [http://nyceac.com/wp-content/uploads/2015/04/Elder\\_Abuse\\_MDTs\\_Planning\\_for\\_the\\_Future\\_Final.pdf](http://nyceac.com/wp-content/uploads/2015/04/Elder_Abuse_MDTs_Planning_for_the_Future_Final.pdf).



and organize meetings and events; (5) identify training needs, topics and speakers; and (6) secure grants or other funding to ensure the network's continuation.

Most network members described the coordinators as well-connected, multi-skilled, passionate, inclusive, and able to create an environment where all members felt comfortable raising issues. Members understood that the coordinators' roles were critical for the success of their networks.

The coordinators' abilities to develop and maintain their networks depended, according to many, largely on access to sufficient resources, which often included adequate funding. Some networks benefited from multi-year grants that allowed them to create full or part-time positions for their coordinators.<sup>40</sup> Other coordinators had full-time paid positions related to elder services or law enforcement, but network coordination was only one of their responsibilities.<sup>41</sup> There were also coordinators who volunteered their time.<sup>42</sup>

## Many networks engage key stakeholders

Network members were diverse in number and affiliation. Membership typically aligned with the primary activities of the networks. For example, networks that conducted case reviews had representatives from APS among their members. But regardless of the primary network activities undertaken, common network partners for combatting elder financial abuse are law

<sup>40</sup> For example, the coordinators of the Elder Abuse Law Enforcement Collaboration (EALEC) in Hawaii and the District's Collaborative Training & Response for Older Victims (DC TROV) had full-time positions funded by grants. The Colorado Coalition for Elder Rights and Abuse Prevention used grants to pay its coordinator to work for 27 hours per month.

<sup>41</sup> In Jefferson County, CO, the District Attorney's Office provided funding for one of the two Triad coordinators to run the organization, among many other activities. The Los Angeles County, CA Financial Abuse Specialist Team coordinator received grants for part-time staff. In Denver, the District Attorney's Office provided funding for a part-time coordinator of CASE. The police department partially funded the Oklahoma City Triad coordinator position.

<sup>42</sup> For example, the coordinators of the St. Tammany SALT Council and Broward County Triad volunteered their time.

enforcement, legal professionals including prosecutors and legal aid organizations, financial institutions, Area Agencies on Aging or other local senior service organizations, long-term care ombudsmen, healthcare providers, and housing counselors.

Almost all of the networks interviewed considered law enforcement agencies to be key network members because of their critical roles in responding to elder abuse. Some networks have robust participation by law enforcement. The Triads in Broward County, FL, Jefferson County, CO, Oklahoma City, OK, and Oklahoma County, OK, for example, have representatives from the sheriff's offices and police departments attending meetings and giving crime updates. The Northeast Kingdom Vulnerable Adult Action Coalition in Vermont had four local law enforcement agencies involved: the state police, the city police, and two county sheriff's offices. In Illinois, the iFAST received support from the Director of Senior Citizens Services in the Cook County Sheriff's Office. And numerous law enforcement agencies in the Gulf Coast region participate in activities of the SALT in St. Tammany, LA.

Even those networks that reported consistent participation from some law enforcement agencies often had difficulties engaging other law enforcement in the area. Law enforcement officers sometimes were unable to attend meetings because of a lack of time, pressing workloads, competing priorities, low staffing levels (especially in rural areas), and lack of buy-in by command or leadership that did not consider elder financial exploitation to be a priority or perceived it as a civil matter - especially in cases involving exploitation by family member or an agent under a power of attorney.

**Some networks considered financial institutions to be key members because of their expertise and opportunity often to see evidence of the exploitation as it occurs.**

In addition to law enforcement, some networks considered financial institutions to be key members because of their expertise and frequent opportunity to witness exploitation as it occurs

or identify evidence through fraud detection mechanisms or other loss prevention measures.<sup>43</sup> Some networks reported that local financial institutions were often interested in becoming involved. The OK-CAFEE had active representation from financial institutions. According to members, the Operational Security Officer for Oklahoma's largest state-chartered bank attended meetings, as did the Oklahoma Bankers Association's Vice President of Fraud Training. The association is unique as it has a Fraud Training division, which trains bankers and customers throughout the state. Representatives from the OK-CAFEE also expressed a desire to recruit more financial institutions to join the network and increase financial institution reporting.

The iFAST is another network that has developed relationships with financial institutions. It currently has several bank and credit union members. The iFAST invites financial institutions to join as volunteers in case reviews, and holds annual financial summits for training and to build its relationships with financial institutions. Bank and credit union attendance at these summits increased from 1 in 2013 to 34 in 2014.<sup>44</sup>

Networks often benefit from members who bring specialized expertise to financial exploitation situations. For example, the Oregon Attorney General's Task Force on Elder Abuse works with AARP and the Oregon Bankers Association to engage retired financial professionals—bankers, accountants and people with financial forensic backgrounds—with their elder abuse MDTs. These volunteers help APS, law enforcement and prosecutors develop cases that these critical stakeholders would not have had the financial expertise to investigate and, ultimately, file otherwise.

<sup>43</sup> CFPB, *Recommendations and report for financial institutions on preventing and responding to elder financial exploitation* (Mar. 2016), available at <http://www.consumerfinance.gov/about-us/newsroom/cfpb-issues-advisory-and-report-for-financial-institutions-on-preventing-elder-financial-abuse/>.

<sup>44</sup> Illinois has a mandatory training law for financial institutions, which may be partially driving their involvement. Illinois Department of Financial & Professional Regulation, *Consumer Protection Training Completed at Illinois Banks and Credit Unions*, <http://www.idfpr.com/News/newsrIs/030812ConsumerProtectionTraining.asp>. (last visited July 27, 2016).

## Many networks seek technical assistance and funding during their formation

While there were important variations in network origins—related in part to different objectives and operating environments—new networks benefited from passionate and enthusiastic individuals who became aware of gaps in response to elder abuse through their own experiences or exposure to new training and ideas.

In addition to passion and enthusiasm, and the time required to act on it, seed money and expert mentoring can help launch a network. From 2007 to 2011, several networks, including five in our study, were created as a result of a 4-year project that was funded by the U.S. Department of Health and Human Services Administration on Aging.<sup>45</sup> The project, conducted by the National Committee for the Prevention of Elder Abuse (NCPEA) and the National Center on Elder Abuse (NCEA), solicited grant proposals from Area Agencies on Aging (AAAs), Title VI grantees (Native American aging services agencies), and community organizations interested in developing new coalitions. At its core, this initiative combined seed funding with technical assistance. Successful applicants were awarded \$10,000 in seed funding for one year.<sup>46</sup> Trainers provided one-day on-site trainings to the grantees, which covered many of the key issues

<sup>45</sup> The five networks that were formed with funds from the National Committee for the Prevention of Elder Abuse (NCPEA) in these years were: 1) New York City Elder Abuse Network; 2) Southern Crescent Coalition against Abuse and Neglect; 3) Collaboration Against Abuse, Neglect and Exploitation; 4) Northeast Kingdom Vulnerable Adult Action Coalition; and 5) St. Tammany Elder Abuse Support Team (formed with a grant to St. Tammany SALT Council). Also, Oregon's Retiree Response Technical Team received \$1,500 from the Archstone Foundation through the NCPEA during this time.

<sup>46</sup> Mary Lynn Kasunic, et al., *Creating Effective Local Elder Abuse Prevention Networks: A Planning Guide*, (2006), available at <https://victimsofcrime.org/docs/Toolkit%20Bulletins/ncea-steps.pdf?sfvrsn=0>.

confronting new networks. Each network also participated in four technical assistance mentoring teleconferences.<sup>47</sup>

Other networks in our study successfully secured multi-year start-up funding from other sources including the U.S. Department of Justice's Office for Victims of Crime, Office on Violence Against Women, and Justice Assistance Grant program,<sup>48</sup> and private funding. The DC TROV, for example, won a multi-year federal grant from the Office on Violence Against Women that covered part of the network coordinator's salary, network's cross-trainings, and training of law enforcement personnel.<sup>49</sup> Finally, at least two networks secured start-up funds from the private sector, one of which was the iFAST.<sup>50</sup> The formation of the iFAST was inspired by the APS Program Administrator in the Illinois Department of Aging's Office of Elder Rights, who worked with the non-profit AgeOptions to launch the iFAST in 2013. The iFAST received a \$45,000 start-up grant from a bank.

<sup>47</sup> *Id.* at 2.

<sup>48</sup> Denver's Communities Against Senior Exploitation (CASE) Partnership won several multi-year federal grants. Hawaii County's Elder Abuse Team won a Justice Assistance Grant to support two collaborations, one being the Elder Abuse Law Enforcement Collaboration (EALEC).

<sup>49</sup> The DC TROV coordinator previously managed Maryland's Protect Elders Against Crime and Exploitation network, which was created through the NCPEA project. She learned about the Office on Violence Against Women grant while working at Elder Law of Michigan, a non-profit charitable organization.

<sup>50</sup> The other network, the California Community Partnership for the Prevention of Financial Abuse, which later became the Elder Financial Protection Network, raised over \$3 million over a 10 year period from financial institutions, financial trade associations, training revenues and corporate and foundation grants to fund staffing for professional training and public awareness campaigns.

## Many networks obtain ongoing funding from different sources

Many network members interviewed stated that continued funding is necessary for long-term sustainability. As explained above, leveraging existing resources for use by the network reduces the amount needed, but the modest funding that most networks used was considered important for getting their work done. On the other hand, some networks did not find that external funding was necessary at all, because the network activities were already part of their members' jobs.

Some of the networks used sponsors to raise funds. For instance, the Jefferson County Triad Board relied on sponsorships from businesses and nonprofits for its funding.<sup>51</sup> Each sponsor provided \$150 per year. In exchange, the sponsors introduced their organizations at the start of the Triad's general meeting and had their names listed on monthly meeting announcements.

**The modest funding that most networks used was considered important for getting their work done.**

The coordinators of Ohio's Collaboration Against Abuse, Neglect and Exploitation (CAANE) and Georgia's Southern Crescent Coalition Against Abuse and Neglect (SCCAAN) networks, which were both recipients of NCPEA start-up funds, did not consider these funds to be essential for their formation. Both of these networks also expressed no need for further grant funding to sustain their network activities. To date, the CAANE has been able to raise funds from sources including local businesses and a credit union to support symposiums on elder abuse and marketing and printed materials. In fact, its coordinator identified factors other than funding as

<sup>51</sup> The sponsors were the AARP Foundation Elder Watch Denver, Home Instead Senior Care in Wheat Ridge, the Seniors' Resource Center, and Ralston Valley Preferred Real Estate.

necessary to keeping the network energized.<sup>52</sup> The SCCAAN said its members were all involved with fighting elder abuse in their regular jobs and so did not need outside funding. The network's coordinator also believed the network was sustainable because it had been formed out of the AAA.

The ability to secure ongoing external funding seemed more critical for networks that used start-up grant money to pay for staff time. Due to the work of the Elder Abuse Law Enforcement Collaboration's (EALEC) investigator and other staff, the number of cases of elder abuse that were prosecuted in Hawaii County increased. However, after its multi-year federal grant ended, the Office of the Prosecuting Attorney reported that it did not have the funds to support the network's investigator, a retired police captain, and could only cover 25 percent of the time of the coordinator, a paralegal. Without the investigator, the number of prosecuted cases of elder abuse declined.

Some agencies began the networks with multi-year start-up federal funds that covered staff posts and later brought those positions in-house. In Denver, for example, the CASE (Communities Against Senior Exploitation) Partnership considered institutionalizing the coordinator's position to be an important factor contributing to the network's sustainability. A person involved in the network emphasized the importance of staffing, telling us: "There's turnover. To keep the mutual responsibility/accountability philosophy alive, you must staff it."

<sup>52</sup> Patrick M. Bailey, *MDTs: What They Are, What They Do and How to Make Them Thrive*, (2012), available at <http://www.napsa-now.org/wp-content/uploads/2012/11/508.pdf>.

## Many networks seek opportunities for replication

One of the primary ways that elder protection networks are started in places where they do not exist is through replication activities by existing networks. Many of the networks we studied are involved or interested in becoming involved in providing similar services beyond their original service area.

We found two successful state-wide replication strategies. In Virginia, the Attorney General's Office provides organizational support to Triads and distributes mini-grants of \$2,200 or less to Triads around the state. In addition to the AG's involvement, Virginia also has a State SALT Council, comprised mostly of elected members from local Triads and state agencies that provide administrative and financial support to Triads. Today Virginia has 40-45 active Triads, covering a large portion of the state.

We also found networks in their initial stages of replication. In Oklahoma, OK-CAFEE proposed developing or expanding FAST teams throughout the state.<sup>53</sup> Although the network has encountered challenges, as of the end of 2015, FAST teams were established in Tulsa and other communities, and it is estimated that a large portion of the state now has access to a financial protection network.

<sup>53</sup> Oklahoma Department of Human Services, *Strategic Plan SFY 2014–2015 Adult Protective Services*, (2015), available at <http://www.okdhs.org/OKDHS%20Publication%20Library/S14045.pdf>.



## 7. Conclusion and recommendations

We found that networks—whether focused exclusively on financial exploitation or more broadly on elder abuse—benefit older adults and the network’s members. Networks increase coordination and improve collaboration between responders, service providers and other relevant stakeholders. Networks improve the prevention, detection, reporting of and response to elder financial exploitation.

Networks now exist in hundreds of communities across the country, and there is considerable opportunity to create new networks in the many communities where they do not exist. For this reason, the Bureau has developed a set of recommendations for existing networks and key stakeholders to develop and enhance their community collaborative efforts to fight financial exploitation. Among these recommendations, the Bureau encourages the creation of networks where they do not exist. In areas with a network that does not include a financial exploitation component, the Bureau recommends networks to add activities designed to protect older community members from financial exploitation. For networks that are successfully combatting elder abuse, including financial exploitation, the Bureau urges them to seek to replicate their success and share their innovations and success stories with others. The Resource Guide issued with this report provides useful information and materials to help achieve these goals.

### Recommendations

- Professionals working with or serving older adults should create networks in communities where they do not currently exist, especially in communities with a large number of older people.
- Members of existing networks should seek to expand resources and capacity as needed.

- Elder abuse networks that do not focus on financial exploitation should develop activities and the capacity to respond to elder financial exploitation by seeking to include as network members professionals with financial expertise, such as forensic accountants. Also, they should implement educational programs for older adults, caregivers, and professionals on how to prevent, detect and respond to financial exploitation.
- Elder financial exploitation networks should seek to include law enforcement as network members and to encourage their meaningful participation in network activities, including but not limited to educational or case review efforts.
- Because financial institutions are uniquely positioned to detect that an elder account holder has been targeted or victimized and to take action, elder financial exploitation networks should seek to include financial institutions, large and small, as network members. Similarly, financial institutions should seek to join and participate in local networks.
- To help ensure the network's long-term sustainability, financial exploitation networks should implement strategies to institutionalize the coordinator role as a permanent staff position.
- Networks in areas with older Americans of diverse linguistic, ethnic and racial backgrounds should seek to engage stakeholders that serve these populations and deliver educational and case review services relevant and appropriate to these populations.
- Networks should seek to expand coverage into rural areas by creating regional networks through which resources can be shared and by using teleconferencing and videoconferencing in lieu of travel when necessary.
- Networks engaging in educational activities, especially those networks with limited resources, should use existing federal, state and local educational resources.

## APPENDIX A: METHODOLOGY

This report is based on a multiple-phased qualitative research effort carried out by the Library of Congress Federal Research Division (FRD) under the direction of the CFPB Office for Older Americans.<sup>54</sup> In addition, it includes quantitative analysis performed by the CFPB.

### Qualitative research

The qualitative research was conducted in two phases. Phase 1 consisted of an extensive literature review of peer-reviewed articles, reports, and other resources such as resource guides and manuals related to multidisciplinary collaboration in elder abuse. In addition, the Library of Congress staff interviewed a number of researchers and experts including staff from the National Committee for the Prevention of Elder Abuse (NCPEA) and the National Center on Elder Abuse.<sup>55</sup> These experts provided a historical perspective of the evolution of networks and other forms of collaboration in the field, the existing state of research and best practices, and provided feedback on the questionnaire and the selection of case studies used in Phase 2.

Phase 2 of the project consisted of an in-depth qualitative study of 23 networks that included the three primary collaborative models/structures in the field: Triads, MDTs and other forms of collaboration.

To select the networks, the CFPB and FRD gathered information from publicly available lists of existing community efforts working on elder abuse and/or senior safety issues from the U.S.

<sup>54</sup> CFPB contracted with the Library of Congress through an Inter-Agency Agreement to conduct the qualitative portion of this study. CFPB staff participated in some of the interviews and case studies. Additionally, CFPB assisted FRD in compiling resources and analyzing the data. CFPB drafted the final report and Resource Guide using materials provided by FRD.

<sup>55</sup> These two organizations serve as technical assistance resource centers to many networks, and repositories of research and information on community interventions and multidisciplinary approaches.

Administration on Aging, NCPEA, and the National Sheriffs Association.<sup>56</sup> The CFPB and FRD then selected a “quasi-representative” sample of networks based on three criteria: (1) network type; (2) activities conducted; and (3) state. We selected triads and MDTs, as well as other networks that do not follow these two models. We also selected networks engaging in educational activities, case review, advocacy, and support services to victims. Lastly, we selected networks that would provide geographic diversity, and those ultimately selected operate in 15 different states. We validated our selections using the existing literature, brief conversations with some networks, web searches and the expert advice of researchers and other professionals in the field.

In order to capture the variety of forms of collaboration, the wide range of activities and membership, as well as the challenges faced and opportunities for creating or enhancing networks, we conducted two different types of case studies:

- Full case studies: a total of nine cases selected based on their publicly known work on financial exploitation issues, their geographic location, years of operation, and members’ and experts’ perceived level of engagement and effectiveness.<sup>57</sup> Each case involved site visits, observation of and participation in a group meeting, and one-hour long interviews with up to five professionals representing the members of the network. Additionally, for each case study, we reviewed materials and other documents such as bylaws, brochures, meeting agendas, etc.

<sup>56</sup> U.S. Administration on Aging, *Local Coalitions*, <https://ncea.acl.gov/whatwedo/practice/Teams-local.html>. (last visited July 27, 2016); National Committee for the Prevention of Elder Abuse, *Coalitions*, <http://www.preventelderabuse.org/coalitions/>. (last visited July 27, 2016); National Sheriffs' Association, *Locate a Triad*, <http://www.sheriffs.org/programs/locate-triad>. (last visited July 27, 2016). While these lists do not specify whether a network works on financial exploitation, they represent the best available data for identifying existing networks that may do so.

<sup>57</sup> Information collection was conducted under CFPB’s Generic Clearance for Qualitative Consumer Education, Engagement, and Experience Information Collections (OMB# 3170-0036) (approved July 23, 2014).

**TABLE 3:** FULL CASE STUDIES

<b>Triad</b>	<b>MDT/FAST</b>	<b>Other type</b>
Broward County Triad, Florida	Houston FAST, Texas	New York City Elder Abuse Network, New York
Jefferson County Triad, Colorado	Los Angeles FAST, California	Illinois Older Americans Protection Network, Illinois*
Pickaway County Triad, Ohio	Orange County EDRT, California	Oklahoma County Coalition Against Financial Exploitation of the Elderly, Oklahoma*

\*These networks also have a sub-team that operates as a FAST.

- Abbreviated case studies: a total of 14 cases provided additional information about each type of network and allowed us to examine specific issues that were not covered sufficiently in the nine case studies. The networks studied included, among other things, networks with known involvement of financial institutions, networks with known involvement of faith-based organizations and consumers, newly formed networks, networks operating in rural communities, networks operating as part of a statewide system, and networks that have been in existence for 10 years or more. For each abbreviated case study the Library of Congress Federal Research Division (FRD) conducted a two-hour long interview with the network coordinator, and reviewed materials and documents such as bylaws, brochures and meeting agendas.

FRD conducted and transcribed the interviews. These notes were subsequently analyzed in conjunction with the CFPB. When necessary, follow-up interviews were conducted to clarify statements and findings, and to fill gaps in the information gathered. Besides forming the basis of this report, the literature review, expert interviews and case studies were used to gather information to develop a resource guide for the creation, enhancement and replication of networks.

**TABLE 4:** ABBREVIATED CASE STUDIES

<b>Network</b>	<b>Area(s) of special focus in the interviews</b>
Collaboration Against Abuse, Neglect and Exploitation, Ohio	Mature network, adaptation and sustainability
Colorado Coalition for Elder Rights and Abuse Prevention	Mature network
Communities Against Senior Exploitation Partnership, Denver, Colorado	Involvement of faith-based community
The District's Collaborative Training and Response for Older Victims, Washington, D.C.	Sustainability, involvement of prosecutors
Department of Aging and Adult Services Collaboration with the State Employees Credit Union (SECU), North Carolina	Involvement of financial institutions
Elder Abuse Law Enforcement Collaboration, Hawaii	Rural communities, meetings
Elder Financial Protection Network, California <sup>58</sup>	Involvement of financial institutions, sustainability
Fairfield County Elder Abuse Interdisciplinary Team, Ohio	Involvement of Adult Protective Services
Massachusetts Bank Reporting Project	Involvement of financial institutions
Northeast Kingdom Vulnerable Adult Action Coalition, Vermont	Rural populations and needs
Retiree Response Technical Team, Oregon	Consumer involvement
Southern Crescent Coalition Against Abuse and Neglect, Georgia	Development of a new network

<sup>58</sup> A Senior Program Analyst in CFPB's Office for Older Americans and member of the study team served as EFPN's CEO from 2001 to 2011.

## Quantitative analysis

CFPB analyzed publicly available lists of existing networks working on elder abuse and/or senior safety issues from the U.S. Administration on Aging, NCPEA, and the National Sheriffs Association.<sup>59</sup> Using these lists, networks were classified as being focused on elder financial exploitation if they were a Financial Abuse Specialist Team or other network that lists financial exploitation, fraud and abuse in its name or mission. Networks that operate at the state level and networks focused exclusively on domestic violence or sexual abuse were excluded from the analysis.<sup>60</sup>

To examine the presence of networks by county, we combined these lists with Census data on the number and percent of individuals age 65 and older by county.<sup>61</sup> To account for networks that operate in multiple counties, the geographical analysis attributes their presence to all counties where they operate regardless of the physical location of their offices or meetings. Because the analysis was conducted at the county level, networks that operate in subdivisions of a county, but not throughout the entire county, are counted as having countywide coverage.

<sup>59</sup> U.S. Administration on Aging, *Local Coalitions*, <https://ncea.acl.gov/whatwedo/practice/Teams-local.html>. (last visited July 27, 2016); National Committee for the Prevention of Elder Abuse, *Coalitions*, <http://www.preventelderabuse.org/coalitions/>. (last visited July 27, 2016); National Sheriffs' Association, *Locate a Triad*, <http://www.sheriffs.org/programs/locate-triad>. (last visited July 27, 2016). Additional research was conducted by CFPB to merge and remove duplicates from the networks on these lists.

<sup>60</sup> Because this report focuses on local communities' ability to prevent and respond to financial exploitation, we did not include networks that operate at the state level. We found that all states have at least one network that operates statewide.

<sup>61</sup> Census Bureau, American Community Survey, Table S0103, 5-Year Estimates Population 65 years and over in the United States 2010-2014, [http://factfinder.census.gov/bkmk/table/1.0/en/ACS/14\\_5YR/S0103](http://factfinder.census.gov/bkmk/table/1.0/en/ACS/14_5YR/S0103). (last visited July 27, 2016).

Lastly, because the lists of networks were created at different points in time and maintained by different organizations, some of the networks used in the analysis may no longer be operating, and recently formed networks may not be accounted for in the analysis.





## APPENDIX B: COMMON ACRONYMS

### TERMS

---

<b>AAA</b>	Area agency on aging
<b>APS</b>	Adult protective services
<b>EDRT/EFRT</b>	Elder death review team/ Elder fatality review team
<b>FAST</b>	Financial abuse specialist team
<b>FC</b>	Forensic center
<b>MDT</b>	Multi-disciplinary team
<b>NCEA</b>	National Center on Elder Abuse
<b>NCPEA</b>	National Committee for the Prevention of Elder Abuse
<b>SALT</b>	Seniors and Law Enforcement Working Together

---



“This course was developed from the public domain document: Report and Recommendations: Fighting Elder Financial Exploitation through Community Networks (2016) - Consumer Financial Protection Bureau (CFPB).”

“This course was developed from the public domain document: Protecting residents from financial exploitation: A manual for assisted living and nursing facilities (2014) – Consumer Financial Protection Bureau (CFPB).”