MURIEL BOWSER
MAYOR

November 10, 2022

The Honorable Phil Mendelson,
Chairman
Council of the District of Columbia
1350 Pennsylvania Avenue, NW, Suite 504
Washington, DC 20004

Dear Chairman Mendelson:

I am pleased to transmit to the Council of the District of Columbia the enclosed *Adult Protective Services Annual Report to the Council of the District of Columbia — Fiscal Years (FY) 2020 & 2021*, which was prepared by the Department of Aging and Community Living ("DACL") pursuant to section 14 of the Adult Protective Services Act of 1984, effective March 14, 1985 (D.C. Law 5-156; D.C. Official Code § 7-1913).

The report includes information about staffing and budget for the Adult Protective Services ("APS") division of DACL as well as an analysis of the work completed by APS in FY 2020 and FY 2021, including the number of cases reported, types of allegations, and number of investigations conducted. The report also highlights court actions taken as a result of APS investigations, education and training conducted by APS, and interagency partnerships and outreach.

APS seeks to promptly and thoroughly investigate allegations of abuse, neglect, self-neglect and exploitation, and intervenes to provide protective services when one or more of these allegations are substantiated. APS continues to increase awareness of adult abuse in all of its forms, provide information about services for older and vulnerable adults with a physical and/or cognitive impairment, and encourage the reporting of suspected abuse. The report highlights how APS continued to work throughout the COVID-19 public health emergency to protect our most vulnerable adults in the District and created a financial exploitation unit to work collaboratively with our partners and increase community awareness and reporting.

I am available to discuss any questions you may have regarding this report. In order to facilitate a response to any questions you may have, please contact Jessica Smith, Interim Director of DACL, at Jessica.Smith4@dc.gov or (202) 215-9894.

Sincerely,

Muriel Bowser

Enclosure

Adult Protective Services Annual Report

TO THE COUNCIL OF THE DISTRICT OF COLUMBIA

FISCAL YEARS 2020 & 2021

Department of Aging and Community Living
500 K ST. NE | 202-724-5626

Message from the Director

The Adult Protective Services (APS) Division of the Department of Aging and Community Living investigates allegations of abuse, neglect, self-neglect, or exploitation of vulnerable adults in the District of Columbia and provides services to stop and prevent further abuse.

In FY20, APS investigated 1,181 cases and in FY21, 1,071 investigations were conducted.

The COVID-19 pandemic had a significant impact on our city and the vulnerable adults that call the District home. Many reports to APS come from professionals that interact with clients in the field. Switching to virtual operations for an extended period meant less direct contact with vulnerable adults. However, APS staff continued to work throughout the pandemic, conducting investigations in person, when needed. DACL also worked to increase the visibility of APS services through direct mailings to more than 80,000 homes, Public Service Announcements on public television, and radio interviews.

Looking ahead, APS is expanding its outreach capabilities to focus more on financial exploitation prevention as well as building capacity for more staff training and continuing education opportunities on topics they encounter most frequently. Additionally, DACL is expanding its data and evaluation team in order to better develop long-term data collection and reporting capabilities.

APS staff are dedicated to serving some of the District's most vulnerable residents and are steadfast in their work to address safety needs, even during a global pandemic. I am proud to share this report that highlights their exceptional work.

Jessica Smith

Jessica Smith

Interim Director

Introduction

The Adult Protective Services (APS) Act of 1984, effective March 14, 1985 (D.C. Law 5-156; D.C. Official Code §§ 7-1901, *et seq*.) as amended ("APS Statute") requires that an annual report of the activities of the Adult Protective Services unit be provided to the Council of the District of Columbia. This is the first such report prepared by the Department of Aging and Community Living (DACL) since the APS teams transitioned to the Department on October 1, 2019, from the Department of Human Services. This report covers Fiscal Year 2020 (FY20) and Fiscal Year 2021 (FY21).

APS is responsible for the consistent and timely investigation of allegations of abuse, neglect, exploitation, or financial exploitation of an adult 18 years of age or older who is highly vulnerable to abuse, neglect, self-neglect, or exploitation because of a physical or mental impairment; has recently been or is being abused, neglected, or exploited by another or meets the criteria for self-neglect; and has no one willing and able to provide adequate protection.

An Adult Protective Services investigation is the most intense level of intervention available at DACL. To ensure that clients are receiving the most appropriate level of service, DACL utilizes a screening tool (Structured Decision Making (TM)) and a direct model which assigns referrals either to the adult protective services team (if they meet the criterion for abuse/neglect or exploitation) or diverts them to an appropriate alternative resource, such as the case management team, the Medicaid enrollment services team, the nursing home transition team, and/or the nutrition services team. Through this process, individuals who may come to the attention of APS but do not need the level of intervention provided by an investigation may still receive services.

Guiding Value

Every action taken by APS must balance the duty to protect the safety of the vulnerable adult with the understanding that adults have the right to self-determination.

Principles

- Adults have the right to be safe.
- Adults retain all their civil and constitutional rights, i.e., the right to live their lives as they wish, manage their own finances, enter contracts, marry, etc. unless a court adjudicates otherwise.
- Adults have the right to make decisions that do not conform with societal norms if these decisions do not harm others.
- Adults have the right to accept or refuse services.

Reporting

There are two types of reporting under APS, voluntary and mandatory. Both types of reporters have legal protection against retaliation, discrimination, and civil or criminal prosecution under the law. Under the provisions of voluntary reporting, any person who has reasonable cause to suspect that a vulnerable adult is a victim of abuse may call the Protective Services Hotline number at 202-541-3950. Voluntary reporters may choose to remain anonymous unless they are classified as mandated reporters. A mandatory reporter is an organization or group of people that uses public funds and is paid, in part, to provide care and support to adults in a licensed or unlicensed setting. In addition, if the allegation involves sexual abuse, serious injury, serious bodily injury, or suspicious death, the allegation will be reported to the Metropolitan Police Department (MPD). If the report involves financial exploitation, the report will also be shared with the Elder Justice Section, a Public Interest Division of the Office of the Attorney General for the District of Columbia.

In FY20, a total of 1,843 referrals were made to APS, of which 1,181 were screened in for an investigation. This represented a 9% decrease in the number of referrals received by APS compared to FY19 (2,030).

In FY21, a total of 1,764 referrals were made to APS, of which, 1,071 were screened in for investigation. This represents a decrease in the number of referrals received by 4% and a decrease in the number of accepted referrals by 9%.

It is important to acknowledge the significant impact that the COVID-19 Pandemic had on APS services. Most referrals to APS come from professionals working with seniors and vulnerable adults. Due to the pandemic, many agencies transitioned to a remote working posture and in-person activities were suspended, resulting in staff having limited in-person contact with their clients. We believe that this caused, in part, in a decrease in the number of referrals made to APS.

During the pandemic, the functions of APS continued even as staff moved to a remote working environment. APS staff continued to investigate referrals for abuse and neglect, utilizing phone screenings, where feasible, to determine the safety of clients, and staff continued to make visits, utilizing safety protocols approved by DC Health. Despite the challenges, DACL continued to provide timely and effective services to our most vulnerable residents.

Operations

The APS unit consists of 22 staff:

- Screening Services (1 Social Worker)
- Investigative Teams (10 Social Workers, 2 Supervisors)
- Continuing Services Team (4 Social Workers, 1 Supervisor)
- 1 Program Manager, 1 Program Analyst, and 2 Social Service Assistants.

The personnel budget for APS was $2,739,513.48 for FY20 and $2,677,183.53 for FY21.

APS is required by statute to have the capacity to receive reports of abuse/neglect/exploitation 24 hours a day, seven (7) days a week. APS accomplishes this requirement through the operation of a hotline where the caller can speak with a staff member at any time. To this end, APS has a cadre of social workers who work on-call to ensure referrals are received, assessed, and triaged.

Non-emergency referrals are investigated within ten (10) business days of receiving a report of abuse, neglect, exploitation, or self-neglect. If a case involves the risk of immediate and life-threatening harm to an individual, APS is required to contact the Metropolitan Police Department (MPD) and begin its investigation within 24 hours. These two (2) investigations can be initiated simultaneously.

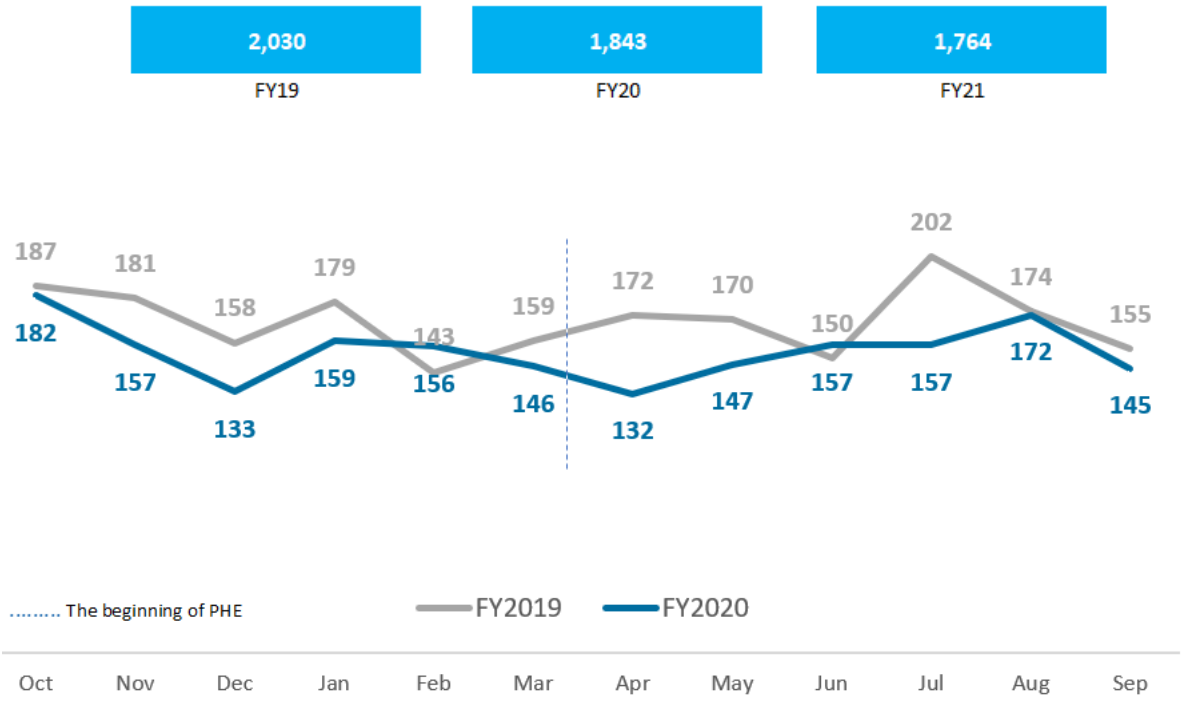
An APS investigation is the highest level of intervention possible within the continuum of DACL services. As indicated above, referrals that do not need the highest level of intervention may be diverted to other teams within DACL or community partners and other governmental agencies for appropriate services instead of being “screened in” for an investigation. These cases do not meet the criteria for an investigation, and risks can be mitigated with a lower level of intervention and disruption to clients’ lives. DACL worked to create a strong service continuum for clients when APS transitioned to the agency in FY20.

Referrals that are “screened in” are investigated by a licensed social worker. During an investigation, any emergent risk(s) are mitigated by the worker. Investigations are closed as either substantiated or unsubstantiated. Substantiated investigations are either closed, if the risk has been mitigated, or are referred for continuing services if there is further action that needs to be taken to resolve the presenting concerns.

Impact of the Public Health Emergency on Referrals Received

By comparing the number of referrals received in FY19, FY20 and FY21, the impact the pandemic may have had on referrals to APS can be seen. The data shows there was a significant decrease in referrals received in FY20 and FY21 compared to the prior year FY19. This may be attributed to there being less in-person contact between mandatory reporters and clients. The data stabilized between FY20 and FY21 showing only a 4% decrease during that timeframe.

APS Referrals Received



Number of Referrals by Referral Sources

Referral Sources	FY2020	FY2021
Health Care Professionals	503	448
Metropolitan Police Department	166	212
Mayor's Office	1	0
Financial Institutions	286	295
Family	203	192
Friend	119	123
Self	75	71
Property Manager	35	49
Home Health Agencies	30	23
Fire Emergency Medical Services	7	6

Residential Services Coordinator	2	4
Government agencies	34	20
Other Adult/ non-relative	27	22
Other	355	299
Total	**1,843**	**1,764**

Referrals Screened In for an Investigation

In FY20, two out of every five referrals screened in for an investigation concerned an allegation of self-neglect. This is the most common allegation on a case that is screened in for investigation and remains consistent with FY21 data.

Allegation Type[1]	FY2020 Referrals	% of Screened In Cases	FY2021 Referrals	% of Screened In Cases
Self-Neglect	481	41%	429	40%
Financial Abuse	434	37%	371	35%
Neglect by Caretaker	290	25%	251	23%
Physical Abuse	96	8%	108	10%
Emotional Abuse	84	7%	91	8%
Total Screened In Calls	1,181	100%	1,071	100%

Victim Characteristics

Consistent with previous years, women are more frequently the subject of a call that is screened in for an investigation.

Gender of Alleged Victim	FY2020 Referrals Screened in	% of Screened in Cases	FY2021Referrals Screened In	% of Screened in Cases
Female	711	60.2%	652	61%
Male	431	36.5%	369	34%
Transgender	1	0.08%	0	0%
No Information Provided	38	3.22%	50	5%
Total	1,181	100%	1,071	100%

Consistent with previous years, adults aged 60 and up are more frequently the subject of a referral that is screened in.

[1] A referral made to APS may have more than one allegation type. As such, the individual allegation types do not add up to the total number of screened in calls.

Age of Alleged Victim	FY2020 Referrals Screened In	% of Screened in Cases	FY2021 Referrals Screened In	% of Screened in Cases
Ages 18-59	152	13%	136	13%
Ages 60+	968	82%	872	81%
Age Unknown	61	5%	63	6%
Total	1,181	100%	1,071	100%

Court Actions

Adults have the right to make decisions about the way in which they choose to live and APS staff respect that right. However, should the APS investigation show evidence (via a mini-mental status exam (TM)) that the individual's cognitive functioning is impaired, APS can seek to have a psychological evaluation conducted to determine capacity and ask the court for a guardian or conservator to be appointed. In FY20, APS staff worked with the Office of the Attorney General (OAG) to file petitions for guardianship for 75 cases. Of those 75 cases, guardians/conservators were obtained in 44 cases. In FY21, out of 68 referrals made to OAG for guardians/conservators, 51 were obtained.

Additionally, APS refers cases that involve financial exploitation to the Elder Justice Section, Public Interest Division of the Office of the Attorney General. In FY20, 336 referrals were made to OAG for financial exploitation of a senior of vulnerable adult and in FY21, 443 referrals were made.

Education and Training

During the year, DACL provided five (5) trainings on the function of APS and mandatory abuse reporting to a wide range of professionals and community members through virtual seminars and outreach events. In addition, DACL has developed webinars on "Mandatory Reporting" to increase awareness of adult abuse and neglect. This annual training is provided to Department of Behavioral Health (DBH), Department of Health Care Finance (DHCF) and their Long-Term Care Administration staff, and other DC partner agencies.

Partnerships and Outreach

DACL has worked to strengthen partnerships with MPD, OAG and DBH to more effectively collaborate on cases that rise to the criminal level of the investigation. In FY22, DACL created a Financial Exploitation unit, specializing in the mitigation of financial abuse in collaboration with the OAG, MPD and DC local banks. Educational prevention outreach is now provided to residents regardless of the amount of assets lost. This is different from prior years where exploitation referrals were diverted to MPD/OAG and screened-out at the hotline if the bank ameliorated the financial loss. DACL's APS and Outreach Team will be focused on providing all

seniors with more information on financial exploitation and the signs to be aware of in the coming year.

In FY22, DACL transitioned all APS data from the legacy database into the agency-wide database. This will allow for more streamlined data collection and reporting. In addition, in FY22 DACL brought on a full-time data analyst who is working closely with APS and across the agency to develop long-term data collection and reporting capabilities.

Due to the transition of APS from DHS to DACL and to DACL's new database in April 2022, DACL was not able to access or report the same data that DHS previously reported. DACL continues to collect and analyze APS data and will report this same data in the FY 22 report.

Metrics that were not previously collected also will be reported in the FY22 report.