

### **About the Sweetwater County Adult Protection Team**

The Sweetwater County Adult Protection Team is a multi-disciplinary team formed in 1996. The Team obtains its legal authority from statutes in compliance with Wyoming Statute 35-20-102 through 108 and the Adult Protection Rules of the Wyoming Department of Family Services. The mission of the Team is to:

“increase public awareness of the abuse of elderly and disabled adults, to network with existing community agencies for prevention and to provide a multi-disciplinary approach to staffing those at risk for abuse, neglect or exploitation.”

The team currently consists of representatives from the Department of Family Services, Memorial Hospital of Sweetwater County, Community Nursing of Sweetwater County, Lincare Inc., Mansface Terrace, Sage View Care Center, Rock Springs Police Department and the YWCA Support and Safe House Program and Southwest Wyoming Rehabilitation Center.

## **A Guide to Preventing Abuse and Neglect of the Elderly and Disabled in Sweetwater County**

This booklet was made possible through a grant to the Sweetwater County Adult Protection Team from the Wyoming Department of Health.

## **An Overview of the Problem**

According to the National Center on Elder Abuse, elder abuse is a serious problem. The agency alleges that the actual incidence is grossly under-reported, as it remains hidden under a shroud of family secrecy. Since 1986, this agency has been recording data on reports received of domestic elder abuse. The data indicate that neglect is the most common form of elder maltreatment followed by physical abuse. The victim is more often female with the majority of the perpetrators being male. The data also indicate that adult children are the most frequent abusers of the elderly followed by other family members and spouses. (National Center on Elder Abuse, Elder Abuse Information Series No. 2).

In Wyoming, the legal basis for Adult Protective Services is set forth in Wyoming Statutes 35-20-101 through 35-20-109. This legislation provides for the protection of both the elderly and disabled populations. Under these Statutes, the Wyoming Department of Family Services have a mandate to provide protective services. Protective services are those services provided by the Department of Family Services to assist disabled adults in order to prevent or terminate abuse, neglect, exploitation or abandonment until the disabled adult no longer needs the services. In order to accomplish these goals, they coordinate with law enforcement and work collaboratively with licensed professionals as well as the county's Adult Protection Team.

In Sweetwater County, the Department of Family Services has experienced an increase in adult protection referrals in recent years. Despite this increase, concern still exists that many people continue to be victimized and that the referrals received reflect only the tip of the iceberg as the National Center on Elder Abuse Incidence Study indicated. Possible reasons for the low report rate may be lack of knowledge regarding the problem or where to report concerns.

With this in mind, the goal of this booklet is to serve as a tool to aid those working with older adults and persons with disabilities in identification, assessment and intervention of abuse, neglect and exploitation of these populations.

## Understanding Abuse and Neglect

Key Definitions as per Wyoming Statute:

**Abandonment** – means leaving a disabled adult without financial support or the means or ability to obtain food, clothing, shelter or health care.

**Abuse** – means the willful infliction, whether by another person or self-inflicted, of physical pain, injury, unreasonable confinement or deprivation, which conduct threatens the welfare and well-being of a disabled adult.

**Caretaker** – means any person or agency responsible for the day to day care of a disabled adult because of (a) a family relationship; (b) voluntary assumption of responsibility for day to day care; (c) court ordered responsibility or placement (d) rendering services on adult workshop or adult residential programs or (e) rendering services in an institution or in community-based programs.

**Disabled Adult** – means any person eighteen (18) years of age or older who is unable, without assistance to properly manage and take care of himself or his property as a result of the infirmities of advanced age, physical or mental disability, or the use of alcohol or controlled substances; disability may be temporary, progressive or permanent.

**Exploitation** – means taking advantage of a disabled adult or of his physical or financial resources for personal or monetary profit by the use of undue influence, harassment, duress, deception, false representation, or false pretenses.

**Lacks the capacity to consent** – means lack of sufficient understanding or ability to make or communicate responsible decisions concerning oneself including one's finances, health, care, food, clothing or shelter.

**Mandated Reporter** – Any person who knows or has reasonable cause to believe that a disabled adult is abused, neglected, exploited or abandoned shall report the facts to the sheriff's department, the local police department or the Department of Family Services. Anyone who in good faith makes a report pursuant to this section is immune from civil liability for making the report.

**Mental disability** – is defined as a condition causing mental dysfunction resulting in an inability to manage resources, carry out the activities of daily living or protect oneself from neglect, abuse, exploitation, or hazardous situations without assistance from others. Whether or not a mental dysfunction of this degree exists is subject to an evaluation by a licensed psychologist, psychiatrist, or physician, if disputed.

**Neglect** – means the deprivation, including self-deprivation, of the minimum food, shelter, clothing, supervision, physical and mental health care, and other care necessary to maintain a disabled adult's life or health, or which may result in a life-threatening situation. The withholding of health care from a disabled adult is not neglect if:

1. Treatment is given in good faith by spiritual means alone, through prayer, by a duly accredited practitioner in accordance with the tenets and practices of a recognized church or religious denomination; or
2. The withholding of health care is in accordance with a declaration executed pursuant to W.S. 35-22-101 through 35-22-109 concerning living wills.

## Types of Abuse and Neglect

The National Center on Elder Abuse defines seven types of elder abuse as follows:

**Physical Abuse** is the use of physical force that may result in bodily injury, physical pain, or impairment.

**Sexual Abuse** is the non-consensual sexual contact of any kind with an elderly person.

**Emotional Abuse** is the infliction of anguish, pain, or distress through verbal or non-verbal acts.

**Financial/material exploitation** is the illegal or improper use of an elder's funds, property, or assets.

**Neglect** is the refusal, or failure, to fulfill any part of a person's obligations or duties to an elderly person.

**Abandonment** is the desertion of an elderly person by an individual who has assumed responsibility for providing care to the elder.

**Self-neglect** is the result of an adult's inability, due to physical and/or mental impairments or diminished capacity, to perform essential self-care tasks including:

- Providing essential food, clothing, shelter, and medical care;
- Obtaining goods and services necessary to maintain physical health, mental health, emotional well-being and general safety; and/or
- Managing financial affairs

From the National Center on Elder Abuse, Elder Abuse Information Series No. 1, Types of Elder Abuse in Domestic Settings.

## Tips for Working with Victims of Abuse/Neglect and Exploitation

### Ask about abuse

Leading statements are helpful in opening communication in a non-threatening manner. For example, "Because many of the people I work with are hurt by family members, I ask questions about relationships and abuse."

Examples of specific questions you could ask are:

- How are things going with your spouse (or adult child)?
- Are you getting out with your friends?
- Are you afraid of your spouse (or other family member)?
- Have you ever been hit, kicked, or hurt in any way by a family member? Does anyone threaten you or force you to do things you do not want to do?
- Have you ever been forced to do sexual acts you did not wish to do? Is this going on now?
- Has anyone close to you called you names, put you down or made you feel bad recently (From Hwalek-Sengstock Elder Abuse Screening Test, Wolf, 2000)
- Does anyone in your family make you stay in bed or tell you you're sick when you know you aren't (From Hwalek-Sengstock Elder Abuse Screening Test, Wolf, 2000)
- Has anyone taken things that belong to you without your OK? (From Hwalek-Sengstock Elder Abuse Screening Test, Wolf, 2000).

If Yes to any of these questions, ask for more information and specifically how they are staying safe.

If No to any of these questions, state that if a family member ever does hurt you or you know someone who is being hurt, there are people who can help and offer further information.

### Things to listen and watch for

#### From a potential victim

- Has repeated accidental injuries or untreated and unexplained bruises or injuries
- Appears isolated or often left alone
- Says or hints at being afraid
- Considers or attempts suicide
- Has a history of alcohol or drug abuse (including prescription drugs)
- Presents as a "difficult" patient or client
- Has vague, chronic complaints
- Is unable to follow through on treatment plans or medical care. Misses appointments.
- Exhibits severe depression

- Has not obtained prescribed medication
- Avoids seeking medical care or doesn't follow through with recommendations
- Has poor hygiene or bed sores
- Observe little warmth or affection between the elder and the caregiver

#### From a potential abuser

- Is verbally abusive to service providers, or is overly charming and friendly to service providers
- Says things like "he's difficult," "she's stubborn," "he's so stupid," or "she's clumsy"
- Attempts to convince others that the family member is incompetent or crazy
- Is "overly attentive" to the family member
- Controls the family member's activities
- Refuses to allow interview or exam to take place without being present
- Talks about the family member as if he or she is not a person

### Intervention: At least do not harm

**DO** everything possible to give the victim a sense of hope by

- Believing the account of the abuse
- Saying that abuse can happen to anyone and the victim is not to blame
- Planning for safety or finding someone who can
- Offering options and giving information about resources or finding someone who can
- Allowing the victim to make decisions about next steps (returning power to the victim)
- Keeping information shared by the victim confidential

**DO NOT** do anything that further isolates, blames or discourages victims, such as:

- Telling the victim what to do (i.e., "you should leave immediately")
- Judging a victim who returns to an abusive relationship
- Threatening to or ending services if a victim does not do what you want
- Breaking confidentiality by sharing information with the abuser or other family members
- Blaming the victim for the abuse (if only you had tried better or done this, the abuse might not have happened)
- Reporting abuse to the authorities without permission from the victim (UNLESS MANDATED BY LAW AS IS THE CASE IN WYOMING). If you are a mandated reporter, tell the victim what you're doing and why. Help the victim with safety planning or find someone who can.
- Documenting opinions

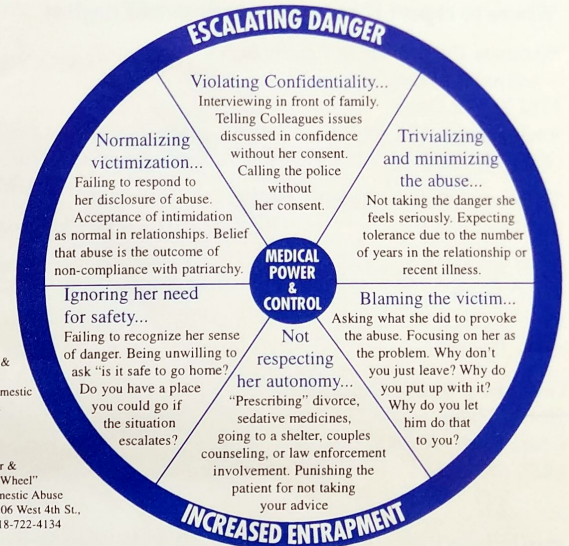
**DO NOT** collude with the abuser and give him/her more power and control by:

- Accepting excuses from the abuser and supporting the violence, ("I can understand how much pressure you are under. These things happen.")
- Blaming alcohol/drug use, stress, anger, or mental illness for the abuse. Abusers must be held accountable for their actions before they will change their behavior.
- Minimizing the potential danger to the victim or yourself if you offer help. Arrange for appropriate security for the victim and your staff when working with a potentially lethal batterer (i.e., has made homicidal/suicidal threats or plans, owns weapons).

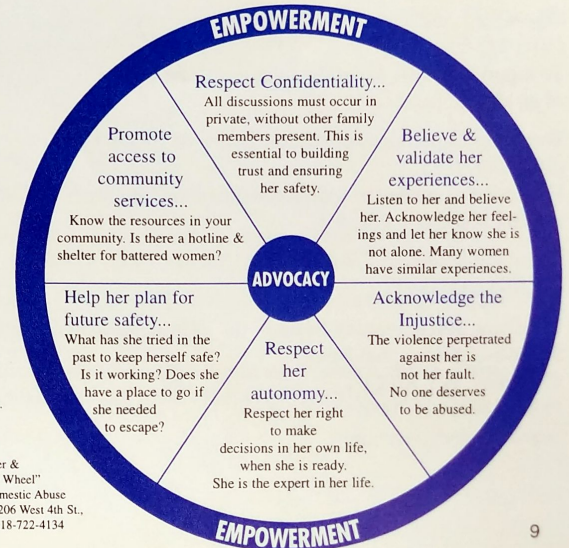
**Work Collaboratively**

- To learn more about potential interventions, contact local domestic abuse and/or sexual assault, victim/witness or adult protective services/elder abuse agencies.
- With the victim's permission, refer to appropriate agencies for assistance
- Use experts in a variety of fields as case consultants on difficult cases. Bring challenging cases to a multi-disciplinary team for review. Ensure client confidentiality.

Adapted from information from The Wisconsin Coalition Against Domestic Violence, 307 S. Paterson St., Suite 1, Madison, WI 53703. Phone (608) 255-0539 (4/99)



"The Medical Power & Control Wheel"™ Developed by the Domestic Violence Project, Inc. 6308 8th Ave., Kenosha, WI 53143 414-656-8502  
 \*Based on the "Power & Control and Equality Wheel" developed by the Domestic Abuse Intervention Project 206 West 4th St., Duluth, MN 55806 218-722-4134



"The Empowerment Wheel"™ Developed by the Domestic Violence Project, Inc. 6308 8th Ave., Kenosha, WI 53143 414-656-8502  
 \*Based on the "Power & Control and Equality Wheel" developed by the Domestic Abuse Intervention Project 206 West 4th St., Duluth, MN 55806 218-722-4134

### Where to report if you suspect abuse and neglect

Wyoming Department of Family Services  
Sweetwater County  
1682 Sunset Drive  
Rock Springs, WY 82901  
(307) 362-5630

Sweetwater County Sheriff's Office  
(307) 352-6720

Rock Springs Police Department  
221 C Street  
Rock Springs, WY 82901  
(307) 352-1575

Green River Police Department  
50 E. 2 North  
Green River, WY 82935  
(307) 872-0055

### Other Resources

Wyoming Long Term Care Ombudsman  
(307) 322-5553  
To report concerns about the long term care  
of an elderly person.

Wyoming Department of Health, Office of Health Quality  
(307) 777-7123  
For concerns related to a skilled medical facility, such as a skilled  
nursing home or a hospital.

Wyoming Medicaid Fraud Control Unit at 1 (800) 378-0345  
or (307) 635-3597

Protection and Advocacy System, Inc. (Physical/Mental Disabilities)  
320 West 25th st., 2nd Floor  
Cheyenne, WY 82001  
Phone (307) 632-3496  
<http://wypanda.vcn.com>

Wyoming Guardianship Alliance Corporation  
P.O. Box 2778  
Cheyenne, WY 82003  
(307) 635-8422

YWCA Support and Safe House  
352-1030 or 872-3250 crisis line  
352-6630 office number

### To learn more contact:

The National Center on Elder Abuse  
810 First St. N.E., Suite 500  
Washington, D.C. 20002-4267  
(202) 682-2470  
[www.elderabusecenter.org/](http://www.elderabusecenter.org/)

National Committee for the Prevention of Elder Abuse (NCPEA)  
C/O Institute on Aging  
Umass Memorial Health Care  
119 Belmont Street  
Worcester, MA 01605  
(508) 334-6166

Wyoming Department of Family Services  
Adult Protective Services  
(307) 777-6137

### References:

Wyoming Statute 35-20-101 through 35-20-109

The National Center on Elder Abuse, Elder Abuse Information  
Series No. 1, 2 and 3.

Wolf, R., (2000) Assessment Instruments, National Center on Elder  
Abuse Newsletter, Vol. 3, No. 1.

The Wisconsin Coalition Against Domestic Violence, 307 S. Paterson  
St., Suite 1, Madison, WI 53703. Phone (608) 255-0539 (4/99)