Day One

Hope. Healing Action!

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A Roadmap to Handling Elder Abuse

A handbook to help protect our older adults.

Day One

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Please Remember:

Everyone in the state of Rhode Island is a mandated reporter. You do not need to have evidence to report any suspicion of elder abuse, you only need to have a concern that abuse may be taking place. Please report any suspicion of elder abuse.

Rhode Island law § 42-66-8 mandates that anyone with a suspicion of elder abuse is required to report it. You can make a report on the Office of Healthy Aging's website: https://oha.ri.gov/report-elder-abuse. Or call 401-462-0555.

To learn more about § 42-66-8, visit the Rhode Island General Assembly website relating to this law: https://webserver.rilegislature.gov/Statutes/TITLE42/42-66/42-66-8.htm.

Reactions to Discussing Abuse

These reactions are not unique to victims of abuse. The person receiving the report of abuse can experience similar emotions or reactions.

- Anger, fear, numbness.
- Laughing, denial, confusion.
- Crying, guilt, isolation.
- Embarrassment/Shame.
- Self-Blame.
- Wanting to Forget.

Trauma Responses

- **Fight**: direct confrontation of the threat through assertion, aggression, or a proactive attitude.
- **Flight**: instinctive urge to escape or avoid the threat by creating physical or emotional distance.
- **Freeze**: a state of immobility or paralysis, where the body cannot move or act against the threat.
- **Fawn**: attempting to please someone to avoid conflict.

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Definition of Elder Abuse

As defined by the Center for Disease Control, abuse of an older person is "an intentional act or failure to act that causes or creates a risk of harm to an older adult. The abuse occurs at the hands of a caregiver or other trusted person."

Some common types of abuse: physical, sexual, emotional/psychological, neglect, self-neglect and financial.

More information can be found here: https://www.cdc.gov/elder-abuse/about/.

Types of Elder Abuse

Physical

- Intentional or reckless use of physical harm or coercion that results in bodily injury, pain, or impairment.

Financial

- Illegal, unauthorized or improper use of an older person's resources for monetary or personal benefit or gain, or that results in depriving an older adult of their rightful access to, or use of, benefits, resources, assets, belongings.

Types of Elder Abuse

Neglect

- Refusal or failure of a caregiver to fulfill any part of their obligations to care for an older adult. This can include maintaining the health and safety of an older adult.

Self-Neglect

- An adult's inability to perform essential self-care tasks due to impairment or diminished capacity.

Types of Elder Abuse

Sexual

- Non-consensual or coercive sexual contact of any kind.
- Post-Abuse Considerations:
  - Creating a safety plan, considering if the abuser has access to the residence.
  - Treating injuries.
  - Filing for a protective order.

Important Reminder: consent is clearly given free of coercion and can be revoked at any time.

Types of Elder Abuse

Abandonment

- The desertion of an older adult by an individual who has physical custody for or assumed responsibility of providing care for that older adult.

Emotional/Psychological

- Infliction of anguish, pain, or distress through verbal or nonverbal acts.

Examples of Elder Abuse

- **Physical:** hitting, beating, pushing, shaking, kicking, burning, unlawful/excessive use of restraints-chemical, physical, environmental (keeping an older adult isolated from their community), force feeding, over or under medication, smothering.
- **Sexual:** unwanted touching, sexual assault or harassment, forcing an older adult to watch sexual acts when the adult is unable to understand, unwilling to consent, threatened, or physically coerced.

Examples of Elder Abuse

- **Neglect:** failure or refusal to provide necessities such as food, water, shelter, clothing, medicine, healthcare.
- **Self-Neglect:** issues obtaining adequate food, water, hygiene, healthcare/medicine, managing finances, safety precautions. An older adult is excluded if they understand the consequences of these decisions and continues to voluntarily make them without coercion.
- **Emotional/Psychological:** verbal assaults, insults, threats, intimidation, humiliation, isolation, harassment, yelling, repeatedly ignoring the older adult.

To find more information on examples of elder abuse, refer to these links:
https://ncea.acl.gov/elder-abuse#gsc.tab=0
https://www.nia.nih.gov/health/elder-abuse/elder-abuse

Examples of Elder Abuse

- **Financial:** forging checks, taking someone else's retirement or social security benefits, withholding access to money/financial information, using an older adult's credit cards or bank accounts without permission.
  - Healthcare fraud: intentionally overcharging, billing multiple times for same service, charging for care that was not provided, falsifying insurance records.
    - Committed by health care staff or providers.

Examples of Elder Abuse

- **Financial Abuse Also Includes:**
  - Changing names on wills, bank accounts, life insurance policies, or house titles without permission
  - Financial neglect: ignoring an older adult's financial responsibilities (i.e.: paying rent/mortgage, medical expenses/insurance, utility bills, etc.).
  - Financial exploitation: misuse, mismanagement, or exploitation of property, belongings, assets.
  - Includes using an older adult's assets without consent, under false pretenses, or through intimidation or manipulation.

To find more information on examples of elder abuse, refer to these links:
https://ncea.acl.gov/elder-abuse#gsc.tab=0
https://www.nia.nih.gov/health/elder-abuse/elder-abuse

Warning Signs of Elder Abuse

- **Physical:**
  - Bruises, black eyes, welts, lacerations, or rope marks.
  - Bone fractures/broken bones.
  - Open wounds, cuts, untreated injuries.
  - Sprains, dislocations, internal injuries/bleeding.
  - Caregiver's refusal to allow visitors to see or speak to older adult.
  - Older adult's sudden change in behavior.

Warning Signs of Elder Abuse

- **Emotional/Psychological:**
  - Being emotionally upset/agitated.
  - Being extremely withdrawn, non-communicative, or non-responsive.
  - Exhibiting a change in sleeping patterns/eating habits.
  - Personality changes, such as apologizing excessively.
  - Depression or anxiety.
  - Unusual behavior, such as biting, sucking, rocking

Warning Signs of Elder Abuse

- **Neglect and Abandonment**
  - Dehydration, malnutrition, poor personal hygiene.
  - Unattended/untreated health problems.
  - Unsafe and/or unclean living conditions (i.e. improper wiring, no heat, no running water, uncleaned house).
  - Desertion of an older adult at a public location.
  - Lack of food in the refrigerator or cupboards.

Warning Signs of Elder Abuse

- **Sexual Abuse:**
  - Bruises around breasts or genital area.
  - Unexplained vaginal or anal bleeding.
  - Changes in an older adult's demeanor (i.e. showing fear or becoming withdrawn around a certain person).
  - Evidence of pornographic material being shown to an older adult with diminished capacity.
  - Blood on sheets, linens, or clothing.

Warning Signs of Elder Abuse

- **Financial:**
  - Sudden changes in bank accounts or banking practices (i.e., large withdrawal sums by a person accompanying the older adult).
  - Sudden inclusion of names on an older adult's bank signature card or bank account.
  - Unexplained disappearance of funds or valuable possessions.
  - Bills left unpaid or seeking a limited amount of healthcare despite the availability of adequate funds.

Warning Signs of Elder Abuse

- **Financial, continued:**
  - Sudden appearance of previously uninvolved relatives claiming rights to an older adult's property or possessions.
  - Payments for unnecessary services.
  - Unexplained credit card charges.
  - Forged signatures for financial transactions or for titles of the older adult's possessions.
  - Abrupt changes in their will or financial documents.
  - Unauthorized withdrawal of an older adult's funds using their ATM card.

To find more information on examples of elder abuse, refer to these links:
https://www.nia.nih.gov/health/elder-abuse/elder-abuse
https://www.ncoa.org/article/get-the-facts-on-elder-abuse/
https://www.justice.gov/elderjustice/red-flags-elder-abuse

Older Adults in the LGBTQ+ Community

Older adults within this community face unique challenges that make leaving abusive situations significantly more difficult.

- It can be difficult to find LGBTQ+ affirming services or senior living communities.
- Worries of facing further discrimination from police, medical staff, or any other individuals involved in the reporting process.
- Their partner may threaten to "out" them to friends or family if the older adult leaves.
- They may face additional bullying and discrimination from other older adults in the senior living community.

To find more information on examples of elder abuse, refer to this link: https://www.hrc.org/resources/understanding-intimate-partner-violence-in-the-lgbtq-community.

Older Adults in the LGBTQ+ Community

Below are some LGBTQ+ specific resources for older adults that could offer support when coping with or trying to leave an abusive situation.

Pride in Aging RI

- Offers advocacy and social programs for older adults to combat isolation and provide support.
- https://prideinagingri.org/

SAGE

- Offers advocacy and services for older adults.
- https://www.sageusa.org/

Diverse Elders Coalition

- Advocates for programs and policies that benefit the growing population of diverse older adults.
- https://diverseelders.org/about-us/

Elder Abuse Laws

§ 12-29.1-4:

- Under Chapter 29.1: Elderly Violence Prevention Act
- Mandatory arrest when:
  - Probable cause exists.
  - A violent crime has been committed.
  - Victim is 60+.
  - No domestic relationship is required.

§ 11-5-10: Assault On Person 60+ Causing Bodily Injury

- Assault/battery causing any bodily injury.
- Felony up to 5 years imprisonment, fine up to $1,000.

Elder Abuse Laws

§ 11-5-10.1: Assault on Person 60+ Causing Serious Bodily Injury

- Creates substantial risk of death or serious permanent disfigurement.
- Felony with 3-20 years imprisonment, fine up to $10,000.

§ 11-5-10.3: Assault on Person 60+ by Caretaker Causing Bodily Injury

- Felony up to 5 years imprisonment, fine up to $2,500.
- If healthcare facility attempts to cover up the assault, they can be fined up to $5,000.

Elder Abuse Laws

§ 11-5-10.4: Assault on Person 60+ by Caretaker Causing Serious Bodily Injury

- Felony from 2-20 years imprisonment, fine up to $10,000.
- If healthcare facility attempts to cover up the assault, they can be fined up to $15,000.

§ 11-8-2.3: Breaking and Entering of Dwelling House of Person 60+ When Resident on Premises

- 4-20 years imprisonment, fine up to $15,000 for first offense/conviction.
- 6-20 years imprisonment, fine up to $20,000 for subsequent offenses/convictions.

Elder Abuse Laws

§ 11-68-2: Exploitation of an Elder Person

- Obtaining or using:
  - Elder person's funds, assets, or property.
  - With means of deception or intimidation.
  - By person who stands in a position of trust with the elder person.

§ 11-68-3: Penalties for Violations [Felony]

- Up to 5 years imprisonment, fine up to $5,000 if value involved is less than $500.
- Up to 15 years imprisonment, fine up to $10,000 if value involved is from $500-$100,000.
- Up to 30 years imprisonment, fine up to $15,000 if value involved is over $100,000.

Elder Abuse Laws

Abuse in Healthcare Facilities:
§ 23-17.8-2: Duty to Report

- Any healthcare facility staff is required to report any knowledge of abuse or reasonable belief that it is occurring within 24 hours, or the end of the next business day.

All of these laws can be found on the RI General Assembly's website under the Bills&Laws tab. Click on "The State of RI General Laws".
https://www.rilegislature.gov/pages/legislation.aspx.

Elder Abuse Laws

Abuse in Healthcare Facilities:
§ 23-17.8-3: Penalty for Failing to Report

- Any person required to make a report who fails to do so, or who alters or destroys a report is guilty of a misdemeanor and can be fined up to $500.
- Any person who tries to coerce someone else not to report is guilty of a misdemeanor and can be fined up to $1,000 or up to 1 year prison time.
- Any managerial staff who fails to report is guilty of a misdemeanor and can be fined up to $1,000 or up to 1 year prison time.

Power of Attorney (POA) and Guardianship

- **Power of Attorney:**
  - An instrument which delegates authority to make decisions or financial management to another.
- **Guardianships:**
  - A court order granting certain powers to a family member, other individual, governmental agency, or institution to control the affairs of another person.

Tips to Verify POA and Guardianship

- Determine if guardian or person with POA spent victim's money on themselves rather than to benefit victim.
- Get copy of POA/guardianship documents.
- Check for prior complaints or investigations involving either the victim or suspect.
- Just because POA was used does not make it a civil matter.
- Work with local experts - probate court and Office of Healthy Aging.

If you suspect misuse or abuse of POA or Guardianship, file a report with the Office of Healthy Aging: https://oha.ri.gov/report-elder-abuse. Or call 401-462-0555.

Who can be a Perpetrator of Elder Abuse?

- Professional
- Caregivers
- Siblings
- Children
- Grandchildren
- Friends
- Medical Staff
- Other Family Members/Relatives
- Neighbors

This is not an exhaustive list of potential offenders, but rather a brief list of individuals who could be perpetrators of abuse.

Why Older Adults Don't Report

- The older adult is unable to report:
  - They may be dealing with memory loss or a condition that makes them unable to report.
- The older adult is isolated from their community.
- The older adult may be too ashamed to report.
- They may feel protective of the abuser, who may be a relative or a close friend.
- They may depend on care from their abuser, and may not know how to find that care outside of that person.
- The older adult may fear retaliation as a result of reporting the abuse.
- Older adults often suffer at the hands of the stereotype of memory loss, meaning people assume they are lying. This can lead to them choosing not to report.

Financial Scams and Fraud

Financial scams/fraud are the most common form of abuse that older adults are exposed to. A lot of these scams can and will involve gift cards! Here are some common scams that are circulated:

- Bitcoin ATM Scam: You are instructed to go to an ATM to withdraw money, then deposit that money into an ATM specifically meant for cryptocurrency. Then, you scan a QR code to send this deposit to someone.
- Grandparent Scam: Someone pretending to be your grandchild asks for money.
- Romance Scam: Someone pretends to be another person to start a romantic relationship, and then asks you for money.
- Fake Prize/Lottery Scam: Someone asks you to pay money to claim your winnings.

Financial Scams and Fraud

Financial scams/fraud are the most common form of abuse that older adults are exposed to. A lot of these scams can and will involve gift cards! Here are some common scams that are circulated:

- Bank Card Fraud: You may receive a text or email asking you to click a link to verify your account/identity.
- Check the Status of Your Package: You may receive a text or message from an unknown sender asking you to click a link to check the status of your package.

If you have been scammed or a scam attempt has been made, contact the Office of Healthy Aging to report:

401-462-0555

To learn more about financial scams and fraud, visit:
https://www.nia.nih.gov/health/safety/beware-scams-targeting-older-adults

Information/Referrals for Older Adults

United Way of Rhode Island
- 2-1-1
- Provides information and referrals for older adults.
- www.unitedwayri.org

Rhode Island Elder Info
- 401-585-0509
- Provides information and referrals for older adults.
- https://rielderinfo.com/

Eldercare Locator
- 1-800-677-1116
- Website that provides organizations that service older adults by zip-code.
- https://eldercare.acl.gov/Public/Index.aspx

Information/Referrals for Older Adults

Aldersbridge Health Navigator
- 401-654-4006
- Provides information and referrals for older adults.
- https://www.health-navigator.org/

Visit https://oha.ri.gov/ to download and view the Office of Healthy Aging's 2023 Pocket Guide to see more resources and services available in Rhode Island.

Here is a link to find senior centers in Rhode Island: https://rielderinfo.com/senior-centers-2/

Here is a link to find adult day centers in Rhode Island: https://oha.ri.gov/what-we-do/connect/home-care/adult-day-health-centers

Click here to learn more about the Crime Victim Compensation Program: https://treasury.ri.gov/cvcp.

Organizations Assisting Older Adults

These are some organizations that can be useful resources for older adults.

- **AARP (American Associated of Retired Persons)**
  - www.aarp.org/RI
- **Consumer Financial Protection Bureau**
  - https://www.consumerfinance.gov/about-us/contact-us/
- **Department of Justice**
  - https://www.justice.gov/usao-ri
- **Federal Trade Commission**
  - www.consumerfinance.gov

Abuse Services for Older Adults

Saint Elizabeth Haven Program

- Protects older adults who are victims of any type of abuse. Contact info can be found using this link:
- https://stelizabethcommunity.org/services-care/safe-haven-for-elder-abuse-victims/

Rhode Island Coalition Against Domestic Violence

- 401-467-9940
- Provides services to victims of domestic violence.
- www.ricadv.org

Day One

- Office: 401-421-4100
- Victims of Crime Helpline: 1-800-494-8100
- Provides support and clinical services to survivors of sexual assault.
- https://dayoneri.org/

Aging and Disability Resource Center (United Way)
- 401-462-4444
- Resources for individuals living with disabilities organized by the Point, who handles Medicaid applications as well.
- https://www.unitedwayri.org/get-help/point/

Disability Rights RI
- 401-831-3150
- Assists individuals living with disabilities to achieve inclusivity and eliminate barriers to equality.
- www.drri.org

RI State Long Term Care Ombudsman Program
- 401-785-3340
- Advocates and resolves issues for older adults living in long-term care facilities.
- www.allianceltc.org
- https://oha.ri.gov/resources/fraud-and-abuse/ombudsman-program

AARP RI
- 866-542-8170
- Lobbies on federal and state levels of government for programs/services for older adults 50+.
- www.aarp.org/RI

Rhode Island Office of Healthy Aging
- 401-462-3000
- Information and referrals.
- www.oha.ri.gov

Adult Protective Services
- 401-462-0555
- Unit of the Office of Healthy Aging, click the link below to report.
- https://oha.ri.gov/report-elder-abuse

Rhode Island Coalition for Elder Justice
- Advocates on behalf of older adults in RI.
- https://rielderjustice.org/

Financial Resources for Older Adults

Consumer Financial Protection Bureau
- 855-411-2372
- U.S. government agency that ensures fair treatment by banks, lenders, and financial institutions.
- https://www.consumerfinance.gov/about-us/contact-us/

Federal Trade Commission
- 202-326-2222
- Works to prevent fraudulent behavior.
- https://www.ftc.gov/

Internet Crimes Complaint Center (IC3)
- Individuals can report instances of scams/fraud as either the victim or a third party.
- www.ic3.gov

MTM
- Non-emergency medical transport in RI.
- https://www.mtm-inc.net/rhode-island/

Financial Resources for Older Adults

Low-Income Home Energy Assistance Program
- Apply at local community action agency/program. https://www.ricommunityaction.org/find-your-community-action-agency/

Money Management International
- 800-706-1773
- Provides full service financial counseling, financial education, debt management programs, and housing counseling.
- www.moneymanagement.org

Rhode Island Public Transportation Authority
- 401-781-9400
- Older adults can apply for a card that provides discounted bus fares. They also have the RIde program for individuals living with disabilities.
- www.ripta.com

Mental Health Resources for Older Adults

Mental Health Association of RI
- 401-726-2285
- Provides referrals and information for mental health services. They also advocate for mental health related policies.
- www.mhari.org

The National Suicide Prevention Lifeline
- Text or call 9-8-8
- www.988lifeline.org

The Samaritans of RI
- 401-272-4044 or 800-365-4044
- Helps people who are at risk of suicide.
- www.samaritansri.org

Healthcare Resources for Older Adults

Medicaid
- Provides healthcare coverage for eligible RI residents.
- Apply online or by mail: https://dhs.ri.gov/apply-now

RI Department of Behavioral Healthcare, Developmental Disabilities, and Hospitals
- Offers services for mental health, substance abuse, developmental disabilities, etc.
- This is the department to report abuse to if someone under the age of 60 living with a disability has been abused.
- https://bhddh.ri.gov/

My Options Counseling
- Offers counseling referrals and resources.
- https://myoptions.ri.gov/

Food Resources for Older Adults

Meals on Wheels
- 401-351-6700
- Provides home delivered meals to homebound older adults five days per week and who qualify.
- www.rimeals.org

RI Community Food Bank
- 401-942-6325
- Provides support and distributes food to dozens of food pantries across RI.
- Use the link below to find food near you in RI: www.rifoodbank.org

Legal Resources for Older Adults

RI Bar Association's Legal Information and Referral Service for the Elderly
- 401-521-5040
- Provides anyone 60+ with legal services and advice.
- www.ribar.com

RI Legal Services - Elder Protection Project
- 401-274-2652
- Helps low-income older adults 60+ with legal advice and assistance.
- www.rils.org

Housing Resources for Older Adults

Rhode Island Housing

- Housing Choice Voucher Program: 844-459-3600
- Oversees housing for low-income older adults. Includes section 8 housing.
- www.rihousing.com

Rhode Island Housing Help Center

- 401-457-1130
- Offers older adults a safe place to receive help with their mortgages and avoid foreclosure.
- https://www.rihousing.com/homeowner-assistance/

Community Action Agency Program (CAAP)

- These agencies offer support to low income individuals with finding housing, food, jobs, paying utilities, etc.
- Find a community action agency using this link: https://www.ricommunityaction.org/

A Message of Thanks to Our Partners

We would like to take a moment to thank our community partners for supporting us through the creation of this project. Without you, this would not have been possible. We look forward to future collaborations in support of responding to the abuse of older adults.