



Elder Abuse Toolkit

A Kansas Guide

last updated June 2023

Every year an estimated 5 million, or 1 in 10 older Americans experience elder abuse, neglect, or exploitation.

To learn more, please visit www.kabc.org to read Preventing Financial Harm, Abuse, Neglect & Exploitation of Older Adults, under the "Publications" tab, "Elder Care Booklet" section.



World Elder Abuse Awareness Day (WEAAD)

Observed on June 15th each year, WEAAD is an opportunity for people or organizations to take action by raising awareness about elder abuse, why it occurs, and what we can do to stop it.

We can act collectively to support justice for all.



What is Elder Abuse?

Elder abuse refers to any form of mistreatment or harm inflicted upon an older person, typically aged 60 or above. It can occur within various relationships, including family, caregiver, or institutional settings.

Types of Abuse can include:

- Physical abuse
- Sexual abuse
- Emotional, Psychological abuse
- Verbal abuse
- Neglect, Passive neglect
- Willful deprivation
- Financial exploitation

Keep in mind, studies estimate that only one in 24 cases of abuse are reported to authorities.

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By 2030, over 20% of Kansas' population will be 65 or older. As our aging population grows, so too will the targeting of older adults for financial abuse and exploitation along with other forms of abuse and neglect.

In Kansas, the Abuse, Neglect, and Exploitation (ANE) Unit was established in the summer of 2006. A decade later, on July 1, 2016, the Legislature amended statute to allow the Office of the Attorney General (OAG) to assist in the investigation, prosecution, and prevention of cases involving abuse, neglect, and exploitation. The attorney general relocated the ANE unit to a newly created Fraud and Abuse Litigation Division (FALD)

Three state agencies are involved in investigating allegations of abuse, neglect or exploitation of elder and dependent adults:

- Kansas Department for Children and Families (DCF)- Adult Protective Services (APS)
- Kansas Department for Aging and Disability Services (KDADS)
- Kansas Department of Health and Environment (KDHE)

A Kansas Guide *Continued*

From July 1, 2021 to June 30, 2022 (Fiscal Year 2022) the ANE Unit tracked a total of more than 5,800 referrals to law enforcement agencies throughout the state from the three designated state agencies that suspected criminal abuse, neglect or exploitation of vulnerable adults.

Of those 5,860 cases of reported abuse, neglect, or exploitation, only 381 cases were substantiated.

If substantiated by DCF, KDADS, and KDHE the perpetrator is added to the statewide adult abuse registry. In addition, KDADS has the responsibility to maintain the certified nurse aide (CNA) registry.

To view the List of Kansas Certified Nurse Aide (CNA) / Certified Medication Aide (CMA) with Findings of Abuse, Neglect or Exploitation, please visit:

<https://kdads.ks.gov/kdads-commissions/survey-certification-and-credentialing-commission/abuse-neglect-or-exploitation>



Financial Exploitation was the most reported allegation in all of the referrals received by the ANE Unit during Fiscal Year 2022 at 2,148 allegations.

Signs of Abuse

Physical Abuse

- Hitting, pinching, shoving, force-feeding, rough handling
- Bruises, skin tears, absence of hair, cuts, rope marks
- Over-medicating, chemical restraint
- Individual says they have been abused

Psychological, Emotional, or Verbal Abuse

- Sudden changes in behavior, fear, withdrawal, suspicion, new depression, hesitant to talk openly
- Loss of interest in things, or change in activity level
- Unusual changes in behavior or sleep
- Older adult reports verbal or emotional abuse

Sexual Abuse

- Scratches, tears, swelling around breasts, mouth, and penis or vaginal area
- Abnormal discharge, sexually transmitted infections, urinary tract infections
- Changes in walking or sitting behavior
- Unexplained shame, fear, or embarrassment
- Older adult reports they have been abused
- Reports of abuse by another individual, even one with confusion or dementia

Signs of Neglect

Neglect

Neglect means the failure or omission by one's self, caretaker or another person who has a duty to supply or provide goods or services that are reasonably necessary to ensure safety and well-being and to avoid physical or mental harm or illness.

- Weight loss due to lack of help with eating and drinking
- Not responding immediately when a person asks for help to use the restroom, causing the person to lose bladder or bowel control, or sit in urine or feces
- Smells of urine or feces, unpleasant body odor, bad breath resulting from lack of daily hygiene
- Limb contractures, pressure sores/bed sores
- Dehydration
- Not providing regular and needed mental, medical, or dental care
- Not providing assistance in walking that results in reduced mobility
- Ignoring cries or request for help
- Not giving medication as prescribed

Passive Neglect

Passive neglect means the failure by a caregiver to provide an older adult with the necessities of life including, but not limited to, food, clothing, shelter, or medical care, because of failure to understand the older adult's needs, lack of awareness of services to help meet needs, or a lack of capacity to care for the older adult.

Signs of Financial Exploitation

Financial Exploitation

Financial exploitation is taking unfair advantage of an adult's physical or financial resources for personal or another's financial gain by the use of undue influence, coercion, harassment, duress, deception, false representation or false pretense.

- A recent contact expresses an interest in finances, promises to give care, or "cozies up" with the older adult
- A relative or caregiver is hesitant to spend money for needed medical treatment for the older adult
- Older adult gives repeated "gifts" or "loans" of money to family, friends, or paid caregiver, especially if those gifts are uncharacteristic of prior giving patterns
- Family or paid caregiver takes an older adult's money, debit or credit cards, or personal items without asking
- Missing needed medication
- Complaints of stolen property
- Older adult who appears puzzled by increase in incurred debt or credit card expenses
- Telephone scams by person outside the home
- Collection notices in the mail
- At the bank, the elder is escorted by a relative or caregiver who refuses to let him/her speak for him/herself
- A will, power of attorney, or other legal document is drafted, but the older adult does not understand its effects

Steps to Take When Suspecting Abuse, Neglect, or Exploitation

REPORT AS SOON AS YOU HAVE CONCERN

If it is an emergency, call your local law enforcement agency or 911.

Contact Adult Protective Services



1-800-922-5330

For older adults residing:

- in Kansas communities (at home)
- in facilities licensed by the Kansas Department for Aging and Disability Services when the perpetrator is not a resident of or staff of the facility

Those who are most frail, dependent and socially isolated are at highest risk. Adult Protective Services social workers provide protective services to these adults, with their consent.

The intent of Adult Protective Services is to protect the most vulnerable adults from harm while safeguarding their civil liberties.

Steps to Take When Suspecting Abuse, Neglect, or Exploitation

REPORT AS SOON AS YOU HAVE CONCERN

If it is an emergency, call your local law enforcement agency or 911.

Contact Kansas Department for Aging and Disability Services



1-800-842-0078

Hours of Operation: Monday through Friday: 8 am to 5 pm

For older adults:

- Residing in an adult care home (nursing facility, assisted living facility, home plus, adult day care...)
- In a medical care facility
- Occurring with a home health agency

Kansas Long-Term Care Ombudsman

Ombudsmen investigate and work to resolve complaints made by or on behalf of residents of long-term care facilities.



1-877-662-8362

*For more information and to file a complaint, please visit:
www.ombudsman.ks.gov/file-a-complaint*

Other Helpful Resources

Attorney General's Medicaid Fraud Control Unit

1-866-551-6328

www.ag.ks.gov

Office of the Medicaid Inspector General

1-785-296-8637

[https://ag.ks.gov/fraud-abuse/
medicaid-inspector-general](https://ag.ks.gov/fraud-abuse/medicaid-inspector-general)

Kansas Legal Services

1-800-723-6953

www.kansaslegalservices.org

Disability Rights Center of Kansas

1-785-273-9661

www.drckansas.org

DCF Fraud Hotline

1-800-432-3913

988 Suicide and Crisis Lifeline

Available 24 hours a day/7 days a week

Kansas Advocates for Better Care

Long-term Care Advocates

1-785-842-3088



About Kansas Advocates for Better Care

Founded in 1975 as Kansans for Improvement of Nursing Homes, the mission continues to be "improving the quality of long-term care for older Kansans, at home and in residential care settings."

KABC is a 501 (C) (3) non-profit organization, funded by members, contributors and grants for special purposes.

If you have questions about any of the information in the publication, for guidance about a licensed care home problem, or to order consumer reports, call toll-free:

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