

**Elder Justice Interagency Working Group**  
Participating Federal Departments and Agencies  
Mission Statements and Agency Activities Relevant to Elder Justice

The Elder Justice Interagency Working Group (EJWG) brings together federal officials responsible for carrying out elder justice activities including elder abuse prevention, research, grant and program funding, and prosecution. This informal group has been meeting since its inception in 2001 to discuss emerging issues, promising practices, and mechanisms for coordinating efforts throughout the federal government. Listed below are programs, initiatives, and/or activities relevant to elder justice within each of the participating agencies.

**UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**ADMINISTRATION ON COMMUNITY LIVING/ADMINISTRATION ON AGING**

AoA/ACL manages a portfolio of programs for the protection of vulnerable adults. This portfolio consists of several distinct but complementary programs designed to prevent, detect, and respond to elder abuse, neglect, and exploitation.

**PREVENTION OF ELDER ABUSE**

(Contact: Stephanie Eliason)

OAA formula grants

- The Prevention of Elder Abuse and Neglect program provides formula grants to States for training and education and promoting public awareness of elder abuse. The program also supports State and local elder abuse prevention coalitions and multi-disciplinary teams. These activities are important elements of AoA's enhanced focus on elder justice. The program coordinates activities with State and local adult protective services programs (over half of which are directly administered by State Units on Aging) and other professionals who work to address issues of elder abuse and elder justice.
- AoA supports these grants by providing technical assistance to states on specific issues and challenges that arise in the operation of the grants, as well as by providing guidance in the development and review of their State Plans on Aging.

National Center on Elder Abuse (NCEA)

- AoA/ACL also funds the National Center on Elder Abuse (NCEA) (<http://ncea.AoA/ACL.gov>). The NCEA provides relevant information, materials, and support to enhance state and local efforts to prevent and address elder mistreatment. NCEA disseminates information to professionals and the public, and it provides technical assistance and training to states and to community-based organizations. The NCEA makes available news and resources; collaborates on research; provides consultation, education, and training; identifies and provides information about promising practices and interventions; answers inquiries and requests for information; operates a listserv forum for professionals; and

advises on program and policy development. NCEA also facilitates the exchange of strategies for uncovering and prosecuting fraud and scams targeted at seniors.

- In 2011, AoA/ACL awarded funds to establish the NCEA National Indigenous Elder Justice Initiative (NIEJI) (<http://www.nieji.org/>). The NCEA NIEJI will begin to address the lack of culturally appropriate information and community education materials on elder abuse, neglect and exploitation in Indian Country. Some of the undertakings of the initiative will include establishing a resource center on elder abuse to assist tribes in addressing elder abuse, neglect, and exploitation; identifying and making available existing literature, resources, and tribal codes that address elder abuse; and developing and disseminating culturally appropriate and responsive resources for use by Tribes, care providers, law enforcement and other stakeholders.

#### National Adult Protective Services Resource Center

- In response to the growing need for Adult Protective Services (APS) programs to improve investigation and response, train APS staff, and develop and disseminate best practices for interventions into reported incidents of elder abuse, neglect, and exploitation, in FY 2011 AoA/ACL established the first ever Federal grant program to provide a national APS resource center (APSRC) (<http://www.napsa-now.org/resource-center>).
- The goal of the APSRC is to provide current and relevant information and support to enhance the quality, consistency, and effectiveness of APS programs across the country. The NAPSRC works to enable state APS programs to enhance their critical role in responding to elders and adults with disabilities who are facing abuse, neglect, and exploitation

#### Elder Abuse Prevention Intervention Grants

- In FY 2012, ACL received \$5.5 million from the Prevention and Public Health Fund (PPHF) to test and evaluate comprehensive approaches to preventing elder abuse. This prevention project will focus on evaluating replicable best practices in support of the development of secondary and tertiary prevention and intervention strategies. Using the results of these prevention projects, AoA/ACL will develop a compendium of best practices and lessons learned that APS programs across the nation can use to improve their programs. The project period is September 2012 – September 2015.

#### IOM Forum on Global Violence Prevention

- AoA has supported the IOM Forum on Global Violence Prevention since FY 2010 by providing \$10,000 per year in funding for Forum Activities. Each year, the Forum conducts two (2) workshops. AoA has repeatedly advocated for a workshop focused on the international problem of elder abuse, neglect, and exploitation. This year, AOA has been successful in its advocacy efforts and the April 2013 workshop was devoted to the issue of elder abuse.

### Late Life Domestic Violence

- For many years, AoA has been a member of the DHHS Violence Against Women Act (VAWA) Steering Committee. The VAWA committee has the responsibility for coordinating the DHHS response to issues related to violence against women and their children, and also coordinates DHHS violence related activities with those of other Federal agencies. AoA's participation ensures that the interests of older women victims are represented in the Committee's work.

### **LEGAL ASSISTANCE AND ELDER ABUSE**

Legal assistance and elder rights programs under Title III-B are instrumental in addressing the harmful consequences of elder abuse including financial damage caused by exploitation and fraud. With the rapidly increasing aging population creating unique demands on existing service delivery systems, the need to have aging services, legal services, and elder abuse prevention and response networks working cohesively together to protect the rights of older persons will become even more critical. (Contact: Omar Valverde)

### Title III-B Legal Providers

- Legal services provided under Title III-B, Section 321, of OAA are part of the essential core of AoA/ACL's legal assistance and elder rights programs. There are approximately 1,000 OAA funded legal services providers nationwide, which provide over one million hours of legal assistance per year.
- Legal services under Title III-B can protect older persons against the direct challenges to independence presented by elder abuse. These cases involve complex legal issues which may include:
  - Cases of financial exploitation, fiduciary abuses, and consumer fraud: legal services providers are involved in civil asset recovery actions; petitions for conservatorship to preserve assets: and court orders to freeze bank accounts.
  - Cases of physical abuse: Legal services providers are involved in the procurement of civil protection orders and guardianship petitions to protect the physical safety of vulnerable elders as well as defense against unwarranted guardianship.
  - Cases of neglect/self-neglect: These cases encompass the majority of APS case loads and invoke a number of legal issues: benefits issues, mental health, public health and safety issues, housing issues, and instances where underlying financial exploitation has directly contributed to an elder's condition of self-neglect.

### National Legal Assistance and Elder Rights Projects

- National Legal Assistance and Elder Rights Projects (NLAERP) grants comprise a comprehensive national legal assistance support system for aging and legal service providers and advocates, including those involved in addressing elder abuse. Currently, five (5) organizations in partnerships comprise the National Legal Resource Center which provide

case consultation, training, technical assistance, and other informational resources to both aging and legal networks.

- Elder abuse is a priority legal subject matter area addressed by the NLRC.

#### Model Approaches to Statewide Legal Assistance Systems

- Since 2006, AoA/ACL has conducted the Model Approaches to Statewide Legal Assistance Systems (Model Approaches) grant program, designed to promote the development of integrated legal services delivery systems that coordinate the efforts of the Legal Assistance Developer, Title III-B legal providers, senior legal helplines, private bar pro bono activities, law school clinics, and self-help sites to ensure maximum impact from limited resources.
- A new series of Model Approaches demonstration grants entitled Model Approaches – Phase II were offered to states in 2013. A major objective of Model Approaches - Phase II is to promote the creation of well integrated and cost effective legal service delivery systems that are more responsive to complex legal issues emerging from cases of elder abuse, neglect, and financial exploitation.

#### Pension Counseling and Retirement Planning

(Contact: Valerie Soroka)

- Thousands of individuals reach retirement age each year, only to be told that they cannot receive the benefits that they expected. Since 1993, the AoA/ACL Pension Counseling projects have helped older adults access information about their retirement benefits and negotiate with former employers and pension plan administrators for due compensation. Monetary recoveries have helped people achieve and maintain financial security, which has increased their independence and decision making.
- AoA/ACL currently funds 5 regional counseling projects covering 22 States, and a National Pension Assistance Resource Center, which strengthens the pension counseling skills and capacities of the AoA/ACL Pension Counseling projects, SUAs, and AAAs.

#### **LONG-TERM CARE OMBUDSMAN PROGRAM**

States' Long-Term Care Ombudsman Programs serve residents of long-term care facilities (nursing homes, board and care, assisted living and similar settings) and work to resolve resident problems related to poor care, violation of rights, and quality of life. Ombudsmen also advocate at the local, state and national levels to promote polices and consumer protections to improve residents' care and quality of life. (Contact: Becky Kurtz)

- AoA provides federal leadership and administers OAA formula grants for states to operate their Office of State Long-Term Care Ombudsman Program. There are 53 state ombudsmen (50 states, plus the District of Columbia, Puerto Rico, and Guam). In most states, the Office of the State Long-Term Care Ombudsman is housed within the state unit on aging or another

state agency. In others, the office is housed in a private non-profit agency. Each state has an Office of the State Long-Term Care Ombudsman, headed by a full-time State Long-Term Care Ombudsman who directs the program statewide.

- Training and technical assistance are provided to state and local ombudsmen by the AoA-funded National Long-Term Care Ombudsman Resource Center, operated by the National Consumer Voice for Quality Long-Term Care. The resource center website is <http://www.ltombudsman.org>. The site includes state and local ombudsman contacts and other resources.
- Long-term care ombudsmen support residents who are victims of alleged abuse, neglect and financial exploitation. In most states, they are not the primary finder of fact in order to substantiate allegations of abuse. However, they coordinate with adult protective services, regulatory agencies, law enforcement agencies, long-term care facilities, and others to prevent abuse and to strengthen responses when abuse is substantiated.

### **SENIOR MEDICARE PATROL (SMP) PROGRAM**

Since 1997, ACL has led a national program to provide Medicare beneficiaries information on protecting themselves against fraud, errors, and abuse within the Medicare system. The program mission is to empower and assist Medicare beneficiaries, their families, and caregivers to prevent, detect, and report healthcare fraud, errors, and abuse through outreach, counseling, and education. (Contact: Rebecca Kinney)

- ACL funds 54 Senior Medicare Patrol (SMP) statewide projects (each state, Guam, Puerto Rico, U.S. Virgin Islands and D.C.) with funds authorized in the Older American Act and the HCFAC Wedge. SMP projects recruit and train volunteers to educate Medicare beneficiaries on how they can detect and prevent fraud, errors and abuse in Medicare.
- The program is supported by The National Consumer Protection Technical Resource Center (the Center). The Center, established in 2003, provides technical assistance, support and training to the SMP projects, ensuring a fully consolidated national approach to reaching Medicare and Medicaid beneficiaries. The goal of the Center is to provide professional expertise and technical support, serve as an accessible and responsive central source of information, and maximize the effectiveness of the SMP projects in healthcare integrity outreach and education. The Center, a grantee, has been instrumental in supporting ACL efforts to forge national visibility for the SMP program.
- During FY 2012, ACL and HHS/OIG continued a collaborative effort to help ensure SMP referrals of beneficiary complaints of potential fraud are received by law enforcement in a timely fashion. This has included development of processes for SMP referral of beneficiary complaints to the HHS/OIG hotline, including mechanisms for capturing outcomes related to these referrals. In addition, a workgroup between ACL and HHS/OIG meets regularly to review potential fraud cases for submission to the OIG hotline.

## **NATIONAL EDUCATION AND RESOURCE CENTER ON WOMEN AND RETIREMENT PLANNING**

(Contact: Dianne Freeman)

- The National Education and Resource Center On Women and Retirement Planning was established through a cooperative agreement with the Women's Institute for a Secure Retirement (WISER).
- The mission of the Center is to provide women with access to a one-stop gateway that integrates financial information and resources for retirement planning, future, health, and long-term care with Older Americans Act Programs. Often, programs such as OAA Nutrition and Supportive Services Programs become critical to the retirement security of older women.
- Through the Center WISER is making user friendly financial education and retirement planning tools available to traditionally hard-to-reach women. This includes average and low income women, women of color and women with limited English speaking proficiency, rural and other "under served" women.

## **OFFICE FOR AMERICAN INDIAN, ALASKAN NATIVE AND NATIVE HAWAIIAN PROGRAMS (OAIANNHP)**

(Contact: Cynthia LaCounte)

### Native American Resource Centers:

- ACL is currently funding three Resource Centers for Older Indians, Alaska Natives, and Native Hawaiians. These centers provide culturally competent health care, community-based long-term care, elder abuse and related services. They serve as the focal points for developing and sharing technical information and expertise for Native American organizations, Native American communities, educational institutions, and professionals working with elders.
- Since 1994 the AoA has funded the National Resource Center on Native American Aging, University of North Dakota. A culturally sensitive staff and national steering committee governs the Resource Center. The resource center provides education, training, technical assistance, and research. It also assists in developing community-based solutions to improve the quality of life and the delivery of related support services to the Native elderly population. A major project of this Resource Center has been the development of an elderly needs assessment tool to assist Tribes in planning for elder care services. The latest version of this tool has additional questions addressing elder abuse.
- AoA funded the National Resource Center on Native American Aging at the University of Alaska-Anchorage in 2003. Initially, this Center will: 1) empower Native communities to incorporate traditional and contemporary health practices that have the potential to effectively support and treat elders within community health care systems; 2) provide technical information to promote culturally sensitive and functionally appropriate services to maintain social well-being; and 3) provide an arena for discussions about the increasing

problems of elder abuse to help Native communities in developing their own plans to reduce and control occurrences.

- The National Resource Center for Native Hawaiian Elders was established in 2006 under a grant from the Administration on Aging to the University of Hawaii School of Social Work. With the nation's largest enrollment of Native Hawaiian students, the University of Hawaii has as its mission the development and transmission of knowledge for the betterment of all Native Hawaiians. The National Resource Center for Native Hawaiian Elders seeks to continue this commitment with a focus on improving the well-being of Native Hawaiian elders by forging stronger collaborative relationships between the University, Native Hawaiian and gerontology communities.

#### National Title VI Training and Technical Assistance Forum and Listening Session:

- The Older Americans Act Sec. 201 (c)(3)(H) compels the Director of the Office for American Indian, Alaskan Native, and Native Hawaiian Aging to "develop and provide technical assistance and training programs to grantees under Title VI." The National Title VI Training and Technical Assistance Forum serves this purpose. Additionally, Older Americans Act Sec. 203A requires the Assistant Secretary for aging to "consult and coordinate with ... recipients of grants under title VI in the development of Federal goals, regulations, program instructions, and policies under this Act." Each national forum includes a "listening session" with a ACL leader that fulfills this function. The Forum in 2012 included sessions on Elder Abuse as well as discussion at the Listening Session regarding program directors concerns around the area of elder abuse in their communities. More attention will be given to this area at the upcoming LTSS joint conference with IHS and CMS.

#### Monthly Title VI Chats (Webinars):

- For several years OAIANNHP has facilitated monthly chats (webinars) for the Title VI program directors and staff. These chats cover a broad range of topics to assist the directors in running and expanding their program activities. The chats allow for topic presentations and discussion, including the topic of elder abuse.

#### AoA/IHS/CMS Memorandum of Understanding:

- The purpose of this agreement to foster joint activity between AoA, IHS, and CMS to engage with IHS direct service providers, Tribes, Tribal Organizations, and Urban Indian Health programs to expand the development and delivery of long term services and supports through technical assistance in the implementation of the relevant provisions of the Patient Protection and Affordable Care Act and the Indian Health Care Improvement Act. These activities include webinars and a LTSS Conference. Both activities allow for opportunities to address the area of elder abuse in Indian Country.

#### Tribal Elder Abuse Prevention Intervention Projects:

- At the end of FY2012 ACL awarded three Tribal Elder Abuse Prevention Intervention projects through the PPHF funds received. Each of the Tribal Organizations will be developing screening tools as well as providing training and education to elders, caregivers, and those working with these populations. The Poarch Band of Creek Indians have also

developed a multidisciplinary team to help move forward their project and provide guidance on how best to address issues of elder abuse within their community.

## **HIGHLIGHTS OF SPECIFIC ACCOMPLISHMENTS**

In 2010, under the leadership and direction of the Assistant Secretary for Aging, AoA/ACL engaged in a strategic planning process to develop specific targets for the agency's elder justice portfolio and activities. Six (6) Strategic Objectives were identified covering the areas of health, prevention, research and data collection, financial exploitation, promoting national recognition of elder abuse, and integrating elder abuse awareness and prevention into AoA/ACL core programs. Below are highlights of specific accomplishments under each of those priority objectives.

**Objective 1 Health/Medical :** Improve the recognition, detection, and awareness of elder abuse, neglect, and exploitation by health professionals

### *Accomplishments:*

- Efforts were made to incorporate elder abuse screening into the CMS proposed rule on annual wellness visits. Working with SAMHSA, CDC, and NIH/NIA, AoA made major progress toward a goal – physician screening for elder abuse –important to the advancement of the field.
- As a result of this outreach, CMS convened an Elder Mistreatment Symposium in March 2013 specifically aimed at revising the existing elder abuse PQRS measures to include a recommendation for elder abuse screening, including preferred screening tools that could be used, as well as protocol for handling suspicions of elder abuse.
- AoA staff met with American Medical Association (AMA) Director of Aging and Community Health, Joanne Schwartzberg, and others to explore ways to work more closely with AMA to improve physician education on elder abuse, neglect, and exploitation. Of particular interest was the potential role(s) for AMA Senior Ambassador Program volunteers in the network.
- ACL/AOA has encouraged and supported the development and recognition of elder abuse training and continuing education for health professionals through the NCEA.
- AoA/ACL promoted awareness among oral health service providers about elder abuse screening and reporting (i.e. P.A.N.D.A – Prevent Abuse and Neglect through Dental Awareness), while creating familiarity with the Aging Services Network.
- AoA/ACL designed an awareness and training campaign to teach oral health service providers and office staff how they can play a vital role in identifying elder abuse through screening.



**Objective 2 Prevention:** Leverage opportunities to develop and promote policies and programs that focus on preventing elder abuse, neglect, and exploitation

*Accomplishments:*

- Elder Abuse Prevention grants announced at the World Day 2012 event generated a high level of interest (39 applications) and the final awards will test and evaluate a range of elder abuse prevention strategies at the state, local, and tribal levels.
- The Institute of Medicine's Forum on Global Violence Prevention on April 18-19, 2013 focused on elder abuse. This has the potential to greatly improve the legitimacy for, and momentum toward, more research in the field of elder abuse, neglect, and exploitation.
- ACL/AOA staff continues to participate on AoA's prevention workgroup to promote elder abuse awareness training for caregivers.
- The ACL-AoA Regional office staff participated in a call with the State of Texas about a grant that is available (\$7,000) for a 1 year period to improve guardianship services for the state, specifically to start an ongoing "Working Interdisciplinary Networks of Guardianship Stakeholders" (WINGS).
- ACL-AoA Regional Office staff participates in training sessions provided by the Colorado Coalition for Elder Rights and Abuse Prevention.
- To raise awareness of and state-level support for federal elder abuse prevention initiatives, AoA/ ACL Regional staff presented to various statewide audiences in Illinois (Statewide Annual Elder Rights Conference), Iowa (Statewide Elder Abuse Summit), Wisconsin (Midwest Service Coordinators Symposium) and Minnesota (SUA Strategic Planning Meeting).
- To promote elder abuse awareness training among nursing home staff, AoA/ACL participated with CMS in creating and distributing the "Hand in Hand" training curriculum. The ACA mandated that HHS develop elder abuse prevention and dementia training for nursing facility staff . The training curriculum was distributed in the fall of 2012.
- In an effort to prevent abuse and neglect, Congress has provided for improved screening of formal caregivers in in-home and facility settings (through the Elder Justice Act). AoA/ACL has collaborated with CMS on the development and implementation of a national background check program through grants to States.
- In order to prevent consumer fraud related to long-term care facility selection, OLTCO and the National Ombudsman Resource Center organized a discussion between State LTC Ombudsmen and FTC regarding misleading consumer activities by long-term care placement and referral agencies (2011). FTC's work on this issue resulted in two enforcement actions with placement agencies in September 2012.

**Object 3 Research/Data Collection:** Enhance the body of knowledge needed for more effective prevention and intervention efforts to address elder abuse, neglect, and exploitation.

*Accomplishments:*

- ACL/AoA proposed a question on elder abuse for inclusion in the General Social Survey (GSS), as well as a fuller module to determine a national household prevalence of experience of elder abuse. The GSS monitors societal change within the U.S.
- In partnership with CDC, AoA/ACL has worked to fund the development and execution of an elder abuse module to add to the National Intimate Partner and Sexual Violence Survey (NISVS) in order to annually assess the prevalence of elder abuse, neglect, and exploitation.
- ACL/AoA created the first national resource center dedicated specifically to addressing the issues of adult protective services professionals in 2012. In partnership with the Urban Institute, the APSRC is working to establish a baseline of survey data on the structure, organization, funding, and function of state and local APS programs will inform future national developments in APS and information sharing and partnerships within and among state programs.
- ACL/AOA convened a meeting with leaders and national trade groups from the various service sectors with a role in addressing elder abuse to stress importance of addressing the issue and to discuss best practices for collaboration.
- With other federal partners and key stakeholders, ACL/AOA developed a research agenda of specific research gaps and needs in elder abuse, including elder abuse in Indian Country.
- AoA/ACL and the National Ombudsman Resource Center have collected and provided information regarding Long-Term Care Ombudsman perspectives on emotional and verbal abuse in nursing homes. This information was shared in order to assist CMS Survey and Certification staff as they provide guidance to States regarding nursing facility surveys in June 2012.

**Objective 4 Financial Exploitation:** Improve the recognition, reporting, and response to elder financial abuse.

*Accomplishments:*

- AoA/ACL is working on a Aging/Disability network dissemination campaign featuring the training curriculum on financial exploitation that BITS has recently distributed to the financial services industry. In addition, ACL/AoA/OER intends to develop a tool kit for the Aging/Disability networks intended to be a short guide on creating coordinated community responses to financial exploitation.
- AoA/ACL has agreed to collaborate with Wells Fargo Advisors to develop training materials targeted to the aging network and at APS professionals. Announced at the World Day event

in 2012, this cooperative work with a major financial institution has the potential to inspire similar efforts and interest from other financial institutions.

- AoA/ACL has worked collaboratively with the Social Security Administration to improve their representative payee program. The potential to improve information sharing between and among state APS and court systems could go a long way toward curbing the financial and other types of abuse that may be associated with the representative payee program.
- ACL/ AOA met with Skip Humphrey at the CFPB to discuss coordinated efforts to address financial exploitation. This partnership continues to enhance the federal response to financial exploitation through the Elder Justice Coordinating Council. A “Joint Statement of Principles” agreement was drafted.
- The Assistant Secretary on Aging has continued to engage other federal partners to promote the BITS APS-banking partnership through AoA/ACL participation in the BITS Roundtable financial exploitation working group.
- ACL/AOA has worked with NCEA/NIEJI to increase the availability of outreach materials and information on financial exploitation in Indian Country and develop educational materials on financial exploitation for use by the tribes.
- The National Legal Resource Center (NLRC) is involved in the development of training and educational materials on fiduciary responsibilities related to preventing elder abuse and financial exploitation. This includes NLRC webinars addressing a wide range of guardianship issues and other elder abuse related issues. .
- Through conversations with SSA and SSA-OIG on improving coordination and collaboration between aging networks, APS, and Ombudsman on financial fraud investigations involving Representative Payees, SSA-OIG agreed to explore opportunities to facilitate information exchange and training for aging and protective service networks.
- AoA/ACL Office of Elder Rights staff presented information on federal efforts to combat financial abuse at the American Bankers Association conference and the National Aging and Law conference.
- ACL/AoA’s Model Approaches to Statewide Legal Assistance Systems grants encourage Senior Legal Helplines (SLHs) to play a greater role in the identification of and intervention in cases related to elder financial abuse.
- In order to prevent elder financial exploitation, AoA/ACL is partnering with the CFPB in its development of, a guide for the prevention of elder financial exploitation affecting older adults in congregate settings. (to be published in 2013)

**Objective 5 Promoting National Recognition of Elder Abuse Prevention:** Increase the recognition of elder abuse, neglect, and exploitation and the importance of addressing it across the full spectrum of national public, private, and nonprofit entities

*Accomplishments:*

- World Elder Abuse Awareness Day 2012 included an event at the White House with high ranking officials, including the Secretary, the DAG, and Director of CFPB Richard Cordray in attendance. The event featured multiple announcements from public and private participants. The featured announcements were \$6 million for state and tribal elder abuse prevention intervention grants and the establishment of the Elder Justice Coordinating Council from the EJA.
- World Elder Abuse Awareness Day events in prior years included the first-ever federal event in commemoration of World Day in 2010 and the first-ever Congressional event in 2011 that was hosted by the House Victims' Rights Caucus.
- The inaugural meeting of the Elder Justice Coordinating Council was held October 11, 2012. The Council provided a formal mechanism to bring federal partners working on elder justice issues together to learn from experts in the field about the array of opportunities for the federal government to support and coordinate activities relating to elder abuse, neglect and exploitation and other crimes against elders.
- The NCEA was reorganized in 2011 to focus its mission on becoming a national authority and clearinghouse for information on elder abuse, neglect, and exploitation. Additionally, the first national center dedicated to information and assistance for Native American, Alaskan Native, and Native Hawaiian populations, the National Indigenous Elder Justice Initiative (NIEJI), was created. The NCEA will continue to work with the Rosalyn Carter Institute on preventing Elder Abuse training for caregivers.
- ACL/AOA has promoted research and data collection to philanthropies and other funders and identified elder abuse as an administration priority.
- ACL/AOA leadership has continuously encouraged the Secretary of Health and Human Services to ask the President to mention elder abuse in a presidential address (i.e., State of the Union) and has worked to promote Elder Abuse as a public health issue during other national observances, such as OA month, DV Month, Sexual Assault Mo, National Victims of Crime Week, etc.
- ACL/AOA continues to participate on the HHS VAW Steering Committee to ensure older adults are included, as appropriate, with other departmental efforts to address intimate partner violence.
- The NCEA partnered with the Eldercare Locator to produce a consumer guide, *Protect Your Pocketbook: Tips to Avoid Financial Exploitation*, to help inform discussions with older adults around strategies to prevent financial exploitation. The guide was distributed

nationally, and has received considerable media attention, including numerous stories highlighting prevention of elder financial exploitation.

- In order to enhance the work of State-level Medicaid Fraud Control Units (MFCU) in responding to patient abuse, OIG revised its standards (released June 2012). OIG adopted OLTCO comments designed to support state-level coordination with LTCO and APS programs.
- AoA/ACL Regional staff initiated development of relationships with the Office of Older Americans, Consumer Financial Protection Bureau (CFPB) staff, with the aim to provide technical assistance on Aging Network involvement regarding CFPB-supported elder financial protection pilot collaborations at local levels.
- ACL-AoA Regional Office staff participates in the HHS OCR HUD Olmstead Housing Coalition. HUD Headquarters has proposed a tri-regional training opportunity for Regions V (Chicago), VII (Kansas City) and VIII (Denver) in 2013 to further the HHS/HUD Livable Communities Initiative and their stakeholders.

**Objective 6 Integrating Elder Abuse Awareness and Prevention into AoA Core Programs:**  
Integrate relevant elder abuse work into all aging network programs and efforts

*Accomplishments:*

- Elder abuse screening will be included in the training for the new Options Counseling grant program. Screening for elder abuse was also encouraged in the ADRC/Options Counseling P.A., and approximately half of grant awardees included plans for elder abuse screening in their grant proposals.
- AoA staff continues to present information on elder abuse at Title VI conferences and Title VI monthly webinars, as scheduled.
- ACL/AOA has worked within AoA offices to incorporate specific protocols for screening for elder abuse (Eldercare Locator, intake, legal services, others).
- As part of the National Alzheimer's Plan, the National Legal Resource Center implemented a four-part webinar series for aging and legal providers on working with clients with diminished capacity (Alzheimer's/dementia), including clients experiencing abuse and financial exploitation.
- ACL-AoA Regional Office staff respond to a variety of constituent and caregiver calls related to Elder Abuse.
- AoA/ACL had an elder abuse program submitted for approval as an Evidence-based disease prevention/health promotion program to be posted on the OAA Title IID webpage.

- In order to clarify the States' roles and responsibilities related to elder justice activities and to enhance the effectiveness of the Long-Term Care Ombudsman Program, AoA/ACL has proposed publication of a Notice of Proposed Rulemaking NPRM which would clarify, among other things state units on aging role in providing elder justice coordination and leadership and the State Long-Term Care Ombudsman Program role in LTC resident abuse investigations and referrals of cases where abuse, neglect or exploitation is alleged.
- In order to strengthen State-level focus on elder justice activities, the AoA/ACL has requested States to describe their leadership in this area in their FY2014 State plans. AoA/ACL provided written instruction, technical assistance, and training to States on planning for elder justice activities in their State planning process in the fall 2012. In addition, AoA/ACL elder rights staff have reviewed the previous plans submitted by states coming due in 2014, and provided feedback via the Regional Office staff, suggesting areas for improvement in the forthcoming plans.
- In order to assist the Aging Network better understand the appropriate and distinct roles and responsibilities between adult protective services and Long-Term Care Ombudsman Programs, AoA/ACL and its Resource Centers developed training on APS and LTCO coordination and distinct characteristics in coordination with NASUAD in September 2012.

#### **ASSISTANT SECRETARY FOR PLANNING AND EVALUATION (ASPE)**

The HHS Office of the Assistant Secretary for Planning and Evaluation (ASPE) is the principal advisor to the Secretary of the U.S. Department of Health and Human Services on policy development, and is responsible for major activities in policy coordination, legislation development, policy research, evaluation, and economic analysis. Within ASPE, the [Office of Disability, Aging, and Long-Term Care Policy](#) (DALTCP) conducts policy research and analysis to support the independence, productivity, health, and long-term care needs of children, working age adults, and older persons with disabilities. (Contact: Helen Lamont)

#### Related ASPE Elder Abuse Prevention Activities:

- *Report to Congress on the Feasibility of Establishing a Uniform National Database on Elder Abuse.*
- In 2010, ASPE submitted a report to Congress on the Feasibility of Establishing a Uniform National Database on Elder Abuse. This report was written with input from ACL/AoA, DoJ, CDC, and NIH/NIA. The report outlines the data sources, limitations, and considerations for establishing a uniform database of administrative data on elder abuse.
- ASPE is currently involved in the evaluation of the 2012 ACL Elder Abuse Prevention Grants.

**CENTER FOR DISEASE CONTROL AND PREVENTION (CDC)**  
**Division of Violence Prevention (DVP)**

- *Elder Abuse Surveillance: Uniform Definitions and Recommended Data Elements*  
CDC's Division of Violence Prevention is finalizing development of a surveillance document to promote national level surveillance of elder abuse in order to capture data for use in setting priorities and making other decisions regarding prevention efforts. (Contact: Jeffrey Hall)
- *Fatal Elder Maltreatment Surveillance Pilot Project*  
CDC is working on a pilot project that links National Violent Death Reporting System (NVDRS) data with state Adult Protective Services (APS) data to capture details of violent death due to elder abuse. It also links "natural" death vital statistics data for the elderly to assist in understanding risk and protective factors for violent death. This may inform prevention by increasing knowledge about the precursors of violent death and injury as a result of elder abuse. (Contact: Jeffrey Hall)
- *Inclusion of questions on physical, sexual, and psychological violence by any perpetrator among adults aged 70 and older in the National Intimate Partner and Sexual Violence Survey (NISVS)*  
A small number of elder abuse related questions (on physical, sexual, and psychological violence) were administered in the first year of the National Intimate Partner and Sexual Violence (NISVS) survey data collection. Since most violence against older adults is perpetrated by non-intimate partners, questions for non-intimate perpetrators (e.g., caregivers, friends, those who help with ADLs/IADLs, or relatives other than a spouse) were asked only for persons age 70 and older. (Contact: Jeffrey Hall)
- *Adult Protective Services (APS) Data Analysis*  
Using data from Illinois, regarded as one of the more comprehensive APS systems in the U.S., CDC is analyzing longitudinal data and linking multiple reports. These data will be utilized to provide yet another avenue for understanding risk and protective factors for violent death among older adults. (Contact: Jeffrey Hall)

**NATIONAL INSTITUTES OF HEALTH (NIH)**

**National Institute on Aging (NIA)**

NIA continues to provide approximately \$1,000,000 in research funding each year on issues related to elder mistreatment. Although there has been no specific solicitation for research applications directly related to elder mistreatment since the 2006 and 2007 initiatives, unsolicited research applications continue to be funded. Among these are research on resident to resident elder mistreatment in long term care facilities (AG014299; Mark Lachs), research on the impact of vitamin D on self-neglect (AG033261; Carmel Dyer), and a study of the epidemiology of psychological distress, in part attributable to elder mistreatment, in a Chinese aging population (AG042318; XinQi Dong).

In addition to funding additional applications there have been multiple scientific publications in the peer reviewed literature resulting from the 2006 and 2007 solicitations as well as from other NIA funding of elder mistreatment research. One notable study is currently used as the “standard” for both measurement and incidence of elder mistreatment (Acierno, et al., *American Journal of Public Health*, 2010, 100(2):292-297). Several studies have published results examining the experience of elder mistreatment in minority populations. Examples of these publications include: DeLiema, et al., *Journal of the American Geriatrics Society*, 2012, 60(7):1333-1339; Mosqueda and Dong, *Journal of the American Medical Association*, 2011, 306(5):532-540; and Beach, et al., *The Gerontologist*, 2010, 50(6):744-757. One of the most difficult issues in elder mistreatment research is the measurement and design of studies that accurately assess the occurrence of this phenomenon in the population. Several peer reviewed research studies have addressed this problem, for example: Fulmer, et al., *Gerodontology*, 2012, 29(2):96-105; Russell, et al., *Journal of Elder Abuse and Neglect*, 2012, 24(4):326-339; and Beach et al., *Journal of Official Statistics*, 2010, 26(3):507-533. NIA anticipates that publications contributing to the field of elder mistreatment and funded by the Institute will continue to appear in the scientific peer reviewed literature. Because of their overall scientific quality, this accumulated body of work will continue to contribute to the nation’s understanding of elder mistreatment. (Contact: Drs. Lis Nielsen and Sidney M. Stahl)

#### **OFFICE OF WOMEN’S’ HEALTH (OWH)**

There are currently no Elder Justice activities in the Office of Women’s Health. However, OWH represents an excellent resource for disseminating information to the groups that it serves. (Contact: Mary Worstell)

#### **CENTER FOR COMMUNITY AND FAITH BASED INITIATIVES**

There are currently no Elder Justice activities in the Center. However, the Center represents an excellent resource for disseminating information to the communities that they serve. (Contact: Lisa Carr)

#### **CENTER FOR MEDICARE AND MEDICAID SERVICES (CMS)**

##### *Division of Nursing Homes*

- CMS is developing a Survey and Certification Memo to State Survey Agency Directors entitled “Nursing Homes – Clarifications on Issues Related to Federal Regulations for Abuse, Neglect, Mistreatment, and Misappropriation of Resident Property” so as to clarify regulations on these issues and emphasize that facilities are responsible for employee, contractor, and volunteer behavior in this regard.
- Section 1150B of the Social Security Act, as established by section 6703 (b)(3) of the Patient Protection and Affordable Care Act of 2010, requires specific individuals in applicable long term care facilities to report any reasonable suspicion of crimes against a resident of that facility. In order to promote timely application,



CMS distributed guidance via Survey and Certification Memos to State Survey Agency Directors. The Survey and Certification memos entitled, "Reporting Reasonable Suspicion of Crimes in Long Term Care Facilities" addressed: (1) the obligations of applicable long term care facilities, States and covered individuals; (2) defined terms included in the Affordable Care Act and other sources; and (3) provided answers to frequently asked questions. In addition, CMS currently responds to Section 1150B-related inquiries and provides guidance and instruction recommendations to internal sources, long term care facilities, States, covered individuals, provider organizations and law enforcement agencies.

- Section 6121 of the Affordable Care Act contains a provision that nursing homes must provide training to nurse aides. The Centers for Medicare & Medicaid Services has developed training products as one option for nursing homes to use in training nurse aides on the topics of abuse prevention and caring for persons with dementia. (Contact: Kathleen Wilson)

## **UNITED STATES DEPARTMENT OF JUSTICE**

### **CIVIL DIVISION**

#### Elder Justice and Nursing Home Initiative

The Elder Justice and Nursing Home Initiative coordinates and supports the Justice Department's Elder Justice activities. The Initiative supports the Department's investigative and enforcement efforts against nursing home and other long term care providers that have allegedly provided grossly substandard care to Medicare and Medicaid beneficiaries. The Initiative supports these efforts by providing training, funding investigative consultants (e.g., nurses, auditors, accountants), and by hosting regular calls with US Attorney's Offices to discuss emerging trends and developments. The Initiative also works closely with and supports the other Justice Department components working on issues involving elder abuse, neglect and exploitation. (Contact: Andy Mao, 202/616-0539, [andy.mao@usdoj.gov](mailto:andy.mao@usdoj.gov))

#### Fraud Section, Commercial Litigation Branch

In addition to housing the Elder Justice and Nursing Home Initiative, the Fraud Section investigates False Claims Act allegations, including claims that nursing homes and other long term care providers billed the government for "worthless services" provided to Medicare and Medicaid beneficiaries. (Contact: Andy Penn, 202/305-3071, [Andrew.penn@usdoj.gov](mailto:Andrew.penn@usdoj.gov)).

#### Consumer Protection Branch, Commercial Litigation Branch

The Consumer Protection Branch focuses on fraud on the elderly as part of a broader emphasis on fraud on vulnerable populations and has successful prosecutions and pending investigations concerning a number of frauds targeting the elderly including reverse mortgage fraud scams and lottery scams. This is in addition to enhancing public education through collaboration with others such as AARP.

## **OFFICE OF INSPECTOR GENERAL**

The Office of Counsel to the Inspector General and the Office of Investigations work closely with DOJ's Fraud Section, Commercial Litigation Branch in investigating False Claims Act allegations, including claims that nursing homes and other long term care providers billed the government for "worthless services" provided to Medicare and Medicaid beneficiaries. The Office of Counsel also negotiates and monitors Corporate Integrity Agreements (CIAs) with providers found to have provided "worthless services." The CIAs focus on the providers' implementation and improvement of robust quality systems designed to prevent, detect, and remediate quality of care issues. (Contact: Katie Arnholt, Laura Ellis)

## **CRIMINAL DIVISION**

### Fraud Section

The Fraud Section prosecutes mass-marketing fraud cases and identity-theft cases that target senior citizens. These include internationally operating fraud schemes that target seniors in the United States with fraudulent promises of lottery or sweepstakes prizes. The Section also chairs national and multinational working groups that foster coordination and information-sharing between law enforcement agencies on fraud and identity theft, including foreign-based fraud schemes that target seniors. (Contact: Jonathan Rusch, 202/514-0631  
[Jonathan.Ruschg2@usdoj.gov](mailto:Jonathan.Ruschg2@usdoj.gov))

### United States Attorney's Offices

The U.S. Attorneys are the chief federal law enforcement officers in their districts, responsible for federal criminal prosecutions and civil cases involving the United States Government. There are 94 United States Attorneys offices nationwide. The United States Attorneys Offices aggressively prosecute fraud schemes targeting the elderly – from Ponzi schemes, to what are known as "grandparent schemes," "lottery schemes," "affinity fraud," "phantom debt," and other "strike it rich" scams.

## **FEDERAL BUREAU OF INVESTIGATION**

The Financial Crimes Section investigates various financial frauds, to include Securities Fraud and Mass Marketing Fraud. The elderly are often victims of these fraud schemes. The FBI works closely with our international, federal, state and local partners to investigate these crimes. The FBI also works with these partners to provide training and to educate potential victims of fraud scams targeting the elderly. The FBI has Legal Attaches stationed in U.S. embassies worldwide to facilitate investigations with an international nexus. The FBI has partnered with the National White Collar Crime Center (NW3C) to establish the Internet Crime Complaint Center (IC3) to receive Internet related criminal complaints. These complaints are reviewed and referred to federal, state, local, or international law enforcement and/or regulatory agencies for appropriate investigation. (Contact: Michelle Pickels, 202/324-3854,  
[michelle.pickels@ic.fbi.gov](mailto:michelle.pickels@ic.fbi.gov))

## **CIVIL RIGHTS DIVISION**

### Special Litigation Section

The Special Litigation Section enforces the Civil Rights of Institutionalized Persons Act (CRIPA) by protecting residents of publically-owned or –operated residential facilities such as LTC facilities. This Division enforces CRIPA and develops and implements remedial measures to eliminate conditions that might lead to abuse, neglect, undue restraint, and inadequate care.

In 2009, the Civil Rights Division also began aggressive enforcement of the integration mandate of the Americans with Disabilities Act (ADA), which requires that people with disabilities, including many vulnerable elders, not be needlessly segregated in institutions. The Supreme Court's decision in *Olmstead v. L.C.* ensures that people with disabilities can receive services in the most integrated setting appropriate to their needs. The Division works with state and local government officials, disability rights groups and attorneys around the country, and other federal agencies, including the Department of Health and Human Services to end the unnecessary segregation of people with disabilities in institutional residential settings, in work, and in day programs used by many vulnerable elders.

## **OFFICE OF JUSTICE PROGRAM**

### Bureau of Justice Assistance (BJA)

BJA's mission is to provide leadership and services in grant administration and criminal justice policy development to support local, state, and tribal justice strategies to achieve safer communities. BJA supports programs and initiatives in areas of law enforcement, justice information sharing, and protecting vulnerable populations. BJA has worked on several projects to protect the elderly. Some are listed below.

- **Elder Abuse Toolkit for the Courts**  
A grant to the National Center for State Courts created a “toolkit” to increase awareness and improve court responses to elder abuse, neglect, and exploitation. (Contact: Linda Decker-Hammond)
- **Pocket Guide on Legal Issues Related to Elder Abuse**  
BJA produced a “Pocket Guide” template for state and local justice system professionals for ultimate use throughout the U.S. (Contact: Linda Decker-Hammond)
- **Improving Public Safety – Responding to Today’s Emerging Trends**  
BJA created and disseminated public education materials and provides training for law enforcement agencies on “Responding to Caretaker Abuse of Seniors and Preventing Crime against Seniors.” (Contact: Linda Decker-Hammond)

### Bureau of Justice Statistics (BJS)

The mission of the Bureau of Justice Statistics is to collect, analyze, publish, and disseminate information on crime, criminal offenders, victims of crime, and the operation of justice systems

at all levels of government. Specifically indicated in BJS' authorizing legislation is the collection of data on crimes against the elderly.

- *Violent Crime against the Elderly Reported by Law Enforcement in Michigan, 2005-2009*  
This report presents statistics about violent victimization of persons age 65 or older reported by law enforcement agencies into the FBI's National Incident Based Reporting System from 2005 to 2009. (Contact: Erica Smith)
- *Assessment of Administrative Data on Elder Abuse, Mistreatment and Neglect (EAMN)*  
The EAMN data collection project is an ongoing pilot data collection established to examine the problem of elder abuse, mistreatment and neglect by collecting data on cases of suspected elder abuse referred to Adult Protective Services agencies. (Contact: Erica Smith)
- *Victimization of Persons with Disabilities in Residential Facilities*  
BJS recently awarded funding to undertake methodological research and data collection to study victimization of persons with disabilities residing in different types of group quarters living arrangements—including assisted living facilities, skilled nursing homes, other board and care facilities, and domestic violence shelters, among others—for the purpose of enhancing the capacity of the National Crime Victimization Survey (NCVS). (Contact: Erica Smith)
- *National Survey of Victim Services Organizations*  
BJS recently awarded funding to undertake the development of a statistical system based on victim service organizations and their records on services provided to victims. (Contact: Lynn Langton)
- *King County, Washington Elder Abuse Prosecution Data Collection Project*  
This data collection is a pilot effort to assess the feasibility of utilizing local resources to collect data from the administrative records of courts and prosecutors on elder abuse cases. (Contact: Erica Smith)
- *Crimes against Persons Age 65 or Older, 1993 to 2011*  
This report (in production) presents statistics on the levels and rates of violent and property crimes against persons age 65 or older using data from the National Crime Victimization Survey (NCVS) and the Supplementary Homicide Reports (SHR). Crimes include both those reported to police as well as those that were not reported. This report is projected for release in Winter 2013. (Contact: Erica Smith)

#### National Institute of Justice (NIJ)

The National Institute of Justice (NIJ) is the research, development and evaluation agency of the U.S. Department of Justice. NIJ provides objective, independent, evidence-based knowledge and tools to meet the challenges of crime and justice, particularly at the state and local levels.

NIJ supports an active portfolio of research grants on elder abuse, neglect, and exploitation which is at the cutting edge of applied information on elder mistreatment. Examples of completed studies include “bruising” as a forensic marker of elder physical abuse; using phone interviewing to obtain a national one-year point estimate of the prevalence of various types of abuse, neglect, and financial exploitation; the development of a validated risk assessment tool for Adult Protective Services (APS); and research on the conceptualization and operationalization of financial exploitation and psychological abuse. Findings from NIJ’s completed research projects can be found on the elder abuse topic webpage at <http://www.nij.gov/topics/crime/elder-abuse/welcome.htm>.

NIJ has solicited the field for research on elder abuse, neglect and exploitation in eight of the past nine years. Between 2005 and 2011, NIJ funded 21 research projects totaling approximately \$8.5 million. Some notable ongoing studies include an evaluation of the Forensic Center model, an implementation evaluation of a computerized system for elder abuse screening, treatment and referral decisions in Adult Protective Service (APS) agencies in Illinois, and a study of physician documentation of resident-to-resident mistreatment in residential care facilities.

NIJ hosts a series of webinars on topics such as those above. Recent webinars have provided a forum for discussion on findings from research on forensic markers of elder abuse, the incidence and prevalence of elder mistreatment, and innovative partnerships between practitioners and researchers. . In addition, there is a forthcoming NIJ Research in Brief that explicates theories of elder abuse in domestic settings. (Contact: Carrie Mulford; [carrie.mulford@usdoj.gov](mailto:carrie.mulford@usdoj.gov))

#### Office of Victims of Crime (OVC)

Established in 1988 through an amendment to the Victims of Crime Act (VOCA) of 1984, OVC is charged by Congress with administering the Crime Victims Fund (the Fund). This Fund supports a broad array of programs and services that focus on helping victims in the immediate aftermath of crime and continuing to support them as they rebuild their lives. The Fund is also used for training, technical assistance, and other capacity-building programs designed to enhance service providers’ ability to support victims of crime in communities across the Nation.

OVC’s formula and discretionary funding has supported projects and efforts such as the following:

- *Curricula and Training Videos*  
OVC has supported/produced curricula and training videos used by a variety of professionals involved in the investigation, care, and adjudication of victims of elder abuse and neglect (including nurses, physicians and medical students, law enforcement, judges, and corrections personnel). Currently, OVC is supporting the development training modules on elder abuse topics for adult protective services workers and an online curriculum on elder abuse for legal aid attorneys. (Contact: Meg Morrow)

- *Elder Abuse Fatality Team Replication Manual*  
OVC supported the development of a guide to developing a multi-disciplinary elder abuse fatality review team based on models developed by four pilot projects. (Contact: Meg Morrow)
- *Assistance to Victims of Crime*  
OVC supports formula grants to states to support direct assistance to victims of crime at the local level including victims of elder mistreatment. In addition, through its Training and Technical Assistance Center, OVC supports capacity building for professionals who serve victims of crime. (Contact: Meg Morrow)

### **OFFICE OF VIOLENCE AGAINST WOMEN (OVW)**

Created in 1995, the mission of the Office on Violence Against Women (OVW) is to provide federal leadership in developing the nation's capacity to reduce violence against women and administer justice for and strengthen services to victims of domestic violence, dating violence, sexual assault, and stalking. The Enhanced Training and Services to End Violence Against and Abuse of Women Later in Life Program was established by Congress to address the unique barriers to receiving assistance faced by individuals 50 years of age or older who are victims of elder abuse, neglect, and exploitation, including domestic violence, dating violence, sexual assault, or stalking. Through this program, OVW has supported the development of national curricula for law enforcement, prosecutors, and courts to enhance their ability to recognize, address, investigate, and prosecute cases of elder abuse, neglect and exploitation. Since 2006, OVW has provided grant funding to over 60 communities to:

- Providing training to criminal justice professionals, governmental agencies and victim assistants to enhance their ability to address elder abuse, neglect and financial exploitation in their communities;
- Providing cross training to professionals working with older victims.
- Developing or enhancing a coordinated community response to abuse in later life; and
- Providing enhanced services for victims who are 50 years of age or older.  
(Contact: Janice Green, 202/616-6728, janice.green@usdoj.gov)

### **OFFICE OF COMMUNITY ORIENTED POLICING SERVICES (COPS)**

The Office of Community Oriented Policing Services (COPS) advances the practice of community policing in America's state, local and tribal law enforcement agencies through the COPS Office Grant Programs and Funding. In addition, the COPS Office provides essential information in the form of best practices for law enforcement, Problem-Oriented Policing (POP) Guides addressing crime-related problems, and publications composed by subject matter experts within the federal government, academics, and law enforcement leaders. COPS published a Guide (2004) entitled, *Financial Crimes Against the Elderly Problem-Oriented Guide for*

## **ACCESS TO JUSTICE INITIATIVE**

The Access to Justice Initiative (ATJ) addresses the access-to-justice crisis in the criminal and civil justice system, irrespective of wealth and status. The Initiative's staff works within the Department of Justice, across federal agencies, and with state, local, and tribal justice system stakeholders to increase access to counsel and legal assistance and to improve the justice delivery systems that serve people who are unable to afford lawyers. The ATJ is currently collaborating with the Elder Justice Initiative and the Office of Victims of Crimes on developing online training for legal aid offices to detect and address elder abuse, neglect and exploitation. (Contact: Karen Lash, 202/307-3573, [Karen.Lash@usdoj.gov](mailto:Karen.Lash@usdoj.gov)).

## **CONSUMER FINANCIAL PROTECTION BUREAU**

The Consumer Financial Protection Bureau ("CFPB" or "Bureau") was established under Title X of the Dodd-Frank Wall Street Reform and Consumer Protection Act ("Dodd-Frank Act"). To create a single point of accountability in the federal government for consumer financial protection, the Dodd-Frank Act consolidated many of the consumer financial protection authorities previously shared by seven federal agencies into the CFPB and provided the Bureau with additional authorities to:

- Conduct rulemaking, supervision and enforcement with respect to the Federal consumer financial laws;
- Handle consumer complaints and inquiries;
- Promote financial education;
- Research consumer behavior; and,
- Monitor financial markets for risks to consumers.

### **Office of Financial Protection for Older Americans**

This Office is the only federal office solely dedicated to the financial well-being of older Americans. It works to:

- Ensure that seniors have the information they need to make sound financial decisions, and
- Help seniors, their family members, caregivers, and the professionals who assist them to identify and avoid unfair, deceptive, abusive, and discriminatory practices that target older Americans.

Current initiatives of the Office include:

- **Lay fiduciary guides.** Family members and other fiduciaries often have no experience handling someone else's money, and they need help so they can do the right thing. These user-friendly "how-to" guides will be for agents under powers of attorney, guardians, trustees, Social Security representative payees, and VA fiduciaries. The Bureau will produce: a set of national guides; state-specific guides for six states; and a replication manual for other states. The guides will explain what a fiduciary does, as

well as record-keeping, prudent investment requirements, limitations on comingling funds, and other critical basics to manage a vulnerable adult's money. In addition to this essential guidance on how to handle another person's finances, the guides will teach people to spot financial exploitation and protect assets from unfair, deceptive, and abusive practices by third parties. CFPB will publish these guides in the summer of 2013.

- **Financial exploitation in congregate settings.** Often when older adults residing in nursing homes or assisted living facilities are the victims of financial abuse, the first sign may be that their bills for their residences aren't getting paid and they are threatened with eviction. CFPB is producing a national guide to provide operators of congregate facilities with skills to identify and intervene in exploitation cases further upstream and to have protocols for doing so. In addition, CFPB will produce a replication tool for creating state-specific manuals.
- **Money Smart for Older Adults.** The Office is developing a new program called Money Smart for Older Adults, in collaboration with the FDIC. This community education and awareness program will focus on preventing, recognizing and reporting elder financial exploitation and will serve as training for older consumers, family caregivers and other key audiences.
- **Older American Protection Networks.** On the state and local level, the Office is working with key stakeholders in several states to help create and sustain "Older American Protection Networks." These coalitions aim to develop multi-disciplinary teams to provide community education, raise public awareness, enhance response to reports of abuse, and increase prosecution.
- **Guidance to financial institutions.** The CFPB has heard concerns and questions from financial institutions as to whether sharing personal account holder information when reporting elder financial exploitation is permissible under federal law. The Office for Older Americans, in collaboration with other Bureau offices, is developing strategies for communicating clearly to a spectrum of financial institutions that the Gramm-Leach-Bliley Act generally does not prohibit them from reporting suspected abuse to—or respond to requests for personal information from—law enforcement, APS agencies, and other relevant entities. In addition, the Bureau is exploring options for collaborating with other federal agencies in providing this guidance to financial institutions. Through its efforts, the Bureau hopes to convey that these actions are permissible and important.
- **Research Roundtable.** On April 1, 2013, the CFPB's Office for Older Americans convened a one-day invitational roundtable for academic researchers and representatives of federal partner agencies to focus on elder financial exploitation research. The goals of the Research Roundtable were to:
  - Assess the state of research on this topic to date;
  - Obtain input from experts on what additional research is needed to advance protections for older Americans against financial exploitation in its myriad forms;
  - Generate ideas on appropriate and promising research methodologies; and



- Help the CFPB shape its own research agenda on this topic.
- **Senior Designations for Financial Advisers: Reducing Consumer Confusion and Risks.** On April 18, 2013, the CFPB’s Office for Older Americans filed a report and recommendations to federal and state policymakers regarding financial advisers holding senior designations as required under the Dodd-Frank Wall Street Reform and Consumer Protection Act. In recent years, federal and state regulators, financial industry representatives and consumer groups have been reporting that some financial advisers with “senior designations” are targeting older consumers and selling them inappropriate and sometimes fraudulent financial products and services. Financial advisers often use “senior designations” to imply to consumers that they have advanced training or expertise in the financial needs of older consumers. The report found that the names and acronyms of senior designations confuse consumers, there is a wide variety of required training, qualifying exams, and oversight associated with different designations, and that older consumers can be attractive targets for some financial advisers using senior designations who are marketing various financial products. The recommendations in this report seek to reduce consumer confusion and protect consumers by improving the: (1) dissemination of information and consumer education around senior designations; (2) standards for the acquisition of senior designations; (3) standards for senior designee conduct; and (4) enforcement related to the misuse of senior designations.

In addition, in 2012 the Office for Older Americans collaborated with the Bureau’s research staff on a study of unfair, deceptive or abusive practices in the reverse mortgage industry. (Contact: Naomi Karp - [naomi.karp@cfpb.gov](mailto:naomi.karp@cfpb.gov))

## **SOCIAL SECURITY ADMINISTRATION**

### Centenarian Project

The SSA Centenarian Project ensures payment of benefits to eligible, living Title II beneficiaries and Title XVI recipients. A centenarian is an individual who is at or near 100 years of age. SSA contacts centenarians to verify whether they are living. When possible, SSA pays the centenarian directly. However, if during the interview, it is apparent that the centenarian is not handling his or her affairs and/or is not capable of continuing to do so, the individual is referred to the representative payee program for development. (Contact: Stacy Rodgers)

## **UNITED STATES POSTAL INSPECTION SERVICE**

The U.S. Postal Inspection Service (USPIS), founded in 1731 by Benjamin Franklin to regulate the Post Offices and bring accountability to postmasters, is one of the country's oldest law enforcement agencies. Its mission today is to protect postal employees, infrastructure and customers; to prevent postal crimes; to enforce laws that defend the nation’s mail system from illegal or dangerous use; and to ensure the public’s trust in the mail. USPIS investigates a variety of consumer frauds, including investment and lottery fraud that disproportionately victimize the elderly. The USPIS works closely with the Department of Justice in coordinated efforts to

combat mass-marketing fraud schemes that target Americans by actively participating in various working groups and criminal investigations. The USPIS works to prevent elder Americans from being victimized through public awareness campaigns that help individuals and businesses more readily recognize fraudulent solicitations and take action to avoid losses. Examples of prevention efforts include, producing Public Service Announcements, distributing materials related to consumer fraud prevention, and maintaining a Consumer Fraud website as a resource for professionals and the public, especially older Americans and their caregivers. (Contacts: Troy Raper; Clayton Gerber)

## **UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

The Department of Housing and Urban Development has several programs with potential for impacting elder mistreatment. Multifamily Housing is working with CMS to implement the Rental Assistance Demonstration program to provide long term project-based rental assistance contracts for affordable housing units set aside for extremely low-income persons with disabilities, some of whom are elderly. Services and supports will be provided directly to residents from the cooperating state Medicaid agency, which will use its established programs and procedures (ombudsmen, volunteers, etc) to address elder abuse.

HUD's Service Coordinators Program provides grants to eligible owners to hire Service Coordinators who assist elderly individuals and persons with disabilities, living in federally-assisted multifamily housing, to obtain needed supportive services from community agencies. Services are intended to prevent premature and inappropriate institutionalization. Training in elder abuse is one of eligible training topics covered by grant funds. (Contact: Claire Trivedi Brolin)

## **UNITED STATES DEPARTMENT OF THE TREASURY**

The **Go Direct** public education campaign is a national campaign aimed at educating Federal benefit check recipients on the requirement to switch to direct deposit by March 1, 2013. The Go Direct campaign has been in existence since 2005 and has continued to promote the safety and security associated with direct deposit. Since many older Americans are recipients of payments such as Social Security and are often targeted for financial crimes, the campaign specifically reaches out to this segment of the population with messaging and events focused on crime prevention. This includes Crime Prevention Month as well as National Night Out. Go Direct has over 1,800 partner organizations helping spread the word to the check receiving population including elder Americans. Influential partner organizations include the National Center on Elder Abuse (NCEA). NCEA is a prime example of how the Go Direct campaign spreads the word through the mission of our partner organizations and broadens the reach of our campaign. (Contact: Walt Henderson)

## **FEDERAL TRADE COMMISSION**

As part of its ongoing Initiative to Protect Seniors from Fraudulent and Abusive Marketing Practices, the Federal Trade Commission (FTC), through various divisions of its Bureau of Consumer Protection, has focused on strategies to combat unfair, deceptive, abusive and fraudulent practices that impact older Americans. These strategies include maintaining a strong enforcement presence, as well as developing consumer education materials to promote public awareness of the types of frauds which most commonly affect older Americans. For example, in the area of telemarketing and Internet-based fraud, the FTC actively prosecutes sweepstake, prize promotion and lottery scams; discount medical and prescription service scams; timeshare scams; shop-at-home scams; bogus advance fee loan companies; and mortgage modification and foreclosure scams. In addition, the FTC is currently focusing on identity theft issues involving the elderly, and is fact gathering to determine prevalent problems, resources available, and solutions in this area. The FTC also encourages older Americans to enroll in its Do Not Call Registry to help combat the targeting of seniors by fraudulent telemarketers.

The FTC coordinates its law enforcement initiatives with a broad range of other enforcement agencies at the local, state and federal level, in information-sharing, case referrals and case generation, and coordinating joint enforcement strategies. It also shares information and consumer education materials with legal services organizations located throughout the country. (Contacts: David Spiegel, Michelle Chua, Steven Toporoff)

## **U.S. SECURITIES AND EXCHANGE COMMISSION**

The mission of the U.S. Securities and Exchange Commission (SEC) is to protect investors, maintain fair, orderly, and efficient markets, and facilitate capital formation. In line with this mission, the agency participates in initiatives to protect older Americans from abusive sales practices and investment fraud, including educating senior investors and working on rules targeted to sales practices used in connection with products frequently marketed to seniors. SEC staff conducts its examination and inspection program with an eye toward issues affecting seniors. In addition, the SEC identifies seniors as a target population for its enforcement actions, and brings enforcement actions against individuals or firms for defrauding investors, and committing other violations of the federal securities laws.

- Educating Senior Investors. SEC staff regularly participates in outreach activities focused on educating older Americans and other investors about investment products and potential investment scams, and issues investor alerts and bulletins, maintains web resources, and distributes hard-copy brochures. Through the Outsmarting Investing Fraud program, SEC staff works with the FINRA Investor Education Foundation, AARP, and state securities regulators on how to identify common persuasion techniques used by con artists. The program also trains seniors to “ask and check” about investments and investment professionals before they invest so they can protect themselves and teach others in their community about effective fraud detection techniques.

- Detecting Cognitive Impairment in Brokerage Customers. SEC staff participated in FINRA's development of a training module to help firms identify and escalate issues of possible cognitive impairment by their customers. SEC staff has had ongoing discussions with broker-dealers on this issue because it implicates financial privacy.
- Reporting Elder Financial Abuse. SEC staff supported the successful efforts of the Financial Crimes Enforcement Network (FinCEN) to highlight for broker-dealers their reporting obligations under the Bank Secrecy Act for suspected elder financial abuse, and FinCEN's inclusion in the new version of the Suspicious Activity Report of a box for financial institutions to indicate suspected elder financial abuse.
- Conducting Examinations. In late 2012, SEC staff initiated risk-targeted examinations focused on potentially improper sales to senior investors. Among other things, these examinations are aimed at determining the products being sold to seniors, the suitability of these products, the training and supervision being provided to registered representatives in relation to seniors, the senior designations employees are being allowed to use, and whether the disclosures being given to seniors are adequate. These exams, which are being coordinated with FINRA, are ongoing and the staff intends to issue a final coordinated public summary report discussing its findings and observations.
- Bringing Enforcement Actions. Deterrence through strong enforcement action has been an important part of the SEC's efforts to protect senior investors from fraud. The SEC vigorously prosecutes violations of the federal securities laws, and has brought successful actions against, for example, fraudulent securities trading seminars which targeted retirees, among other investors. In the *Teach Me to Trade (TMTT)* case, the SEC charged former salespersons in *TMTT* securities trading seminars with fraud for lies and misrepresentations they made during televised infomercials and investor workshops in order to sell expensive *TMTT* packages of personal mentoring, software and classes. The *TMTT* action was one in a line of securities industry education industry actions that concluded with charges against 11 defendants and total penalties of nearly \$5 million. Most importantly, the SEC's actions against representatives of the three largest companies in the industry — *Teach Me to Trade*, *Better Trades* and *Investools* — had a clear deterrent effect on would-be fraudulent actors in the securities education industry.