



The Elder Justice Coalition

A National Advocacy Voice for Elder Justice in America

John B. Breaux, Honorary Chair • Robert B. Blancato, National Coordinator

Elder Justice Coordinating Council Meeting – June 5, 2018

Statement of Robert B. Blancato, National Coordinator

Elder Justice Coalition

Good morning, Co-Chairman Robertson and members of the Elder Justice Coordinating Council:

The bipartisan 3000-member Elder Justice Coalition is pleased to be making its third appearance before the EJCC and we appreciate the invitation.

We are grateful that there has been a seamless continuation of the work of the EJCC between Administrations. It is a testament to the importance of the issue, your work, and the fact that the EJCC was created by the bipartisan Elder Justice Act.

We call out for special commendation the following activities undertaken in this Administration by agencies included in the EJCC:

We support the work of the Administration for Community Living in its creation of a home for Adult Protective Services (APS) and the National Adult Maltreatment Reporting System (NAMRS), the first national APS system with centralized and improved data collection on elder abuse, neglect, and exploitation cases. I should also mention the great value of the other programs under the ACL's Elder Justice Initiative, including its grants for elder abuse forensics, abuse education and prevention in Indian Country, addressing self-neglect, and guardianship quality improvement efforts.

The Department of Justice has recently conducted the largest elder fraud enforcement action in American history. The Elder Fraud Sweep, the work of the Consumer Protection Branch, and the designation of an elder justice coordinator in each of the 94 U.S. Attorneys' offices is to be highly commended. The Department's previous funding of the National White Collar Crime Center and now its efforts to create law enforcement partnerships around the country is particularly helpful in prosecuting perpetrators. These efforts are already bearing fruit with the announcement of charges against more than 200 defendants for committing elder fraud schemes. The estimated one million victims and more than \$500 million in resources stolen by these defendants is shocking, yet we know it is the tip of the iceberg. The ten DOJ regional Elder Justice Task Forces that bring together federal, state, and local prosecutors, law enforcement, and other key stakeholders are also essential in the battle against a growing

exploitation market. Finally, the elder justice website and training videos have been well-received by the field.

Providing new Medicare cards which assign a new Medicare number that is unique to the individual and is not their Social Security number is another important step in preventing fraud against older adults. We know that there are unscrupulous individuals already attempting to use this as an opportunity to defraud older Americans, but efforts to identify such scams and educate the public have been visible and hopefully effective.

We also appreciate the work that has been done to date on the eight existing EJCC recommendations adopted at the May 2014 meeting. The approach of the EJCC to report on the progress on these recommendations is valued. For example, issuance of the Long-Term Care Ombudsman Program regulations, support for training and technical assistance through a national resource center, and coordination with the DOJ on related issues addresses several of the recommendations. Further, release of the Elder Justice Roadmap by DOJ and HHS has provided the field with a needed tool to assess our priorities and think strategically.

The Consumer Financial Protection Bureau is also playing a critical role in protecting older adults from fraud and financial exploitation. They have done the research and developed tools for financial security, and educational materials, including placemats that can help us avoid common scams, and even information on planning for retirement.

These are some of the things that the federal government is doing to help protect older adults from abuse, neglect, and exploitation. There is of course much more you and we can do together. If there was ever a time for there to be a coordinated and comprehensive federal approach to fighting elder abuse it is now.

As we know, the national menace of elder abuse is continuing. One in ten older adults will experience abuse annually; close to 50% of people with dementia will be abused. And, recent reports from the FBI show that almost 50,000 people over 60 lost \$342.5 million in 2017 to internet fraud and scams.

We all recognize on a bipartisan basis that we should use existing federal resources as wisely and effectively as possible in this effort. It can make the case for additional resources that much more persuasive.

On that point, I commend today's focus on the national opioid crisis and its impact on older adults and its tie to elder abuse. To show how rapidly this issue has evolved, there is not a single reference to opioids in the 2014-2016 EJCC reports to Congress but here we are today having it as a front and center issue.

I think it is absolutely critical that before the billions in new funds are allocated to address the opioid crisis, the EJCC take the lead in ensuring that an adequate amount of these funds can go to help prevent opioid based elder abuse from spreading. It clearly meets the mission of the EJCC.

In preparation for this appearance today we asked our EJC members and others from the aging network to share stories about opioid abuse. Let me first note and submit for the record a survey done by NCEA assessing the mounting impact of opioid addiction on elder abuse, where respondents (28 in nine states) affirmed the correlation between opioid addiction and resultant elder abuse.

These findings are similar to a project our EJC has undertaken with Virginia Tech, led by Dr. Pam Teaster and Dr. Karen Roberto. We also gathered information about the relationship between opioid use and elder abuse. Focus groups have been held in four states (Kentucky, Ohio, Virginia, and West Virginia) with 20 representatives from agencies serving older adults. Multiple APS representatives in these focus groups estimate local double-digit percent increases in elder abuse and exploitation in recent years, solely because of family members, caregivers, and others having opioid-related problems

Other stories from the field include:

In North Carolina, a young grandson who was an opioid addict stole medications from his grandparents. When confronted he pushed his grandfather, fracturing his vertebrae and breaking a rib. The grandson also stole money and it took a protective order from APS to stop this abuse. Also, from North Carolina, a Vance County Commissioner stated that individuals are harming their animals and getting pain medication from veterinarians.

And, in Iowa, a Council Bluffs nurse pleaded guilty to stealing thousands of painkillers from those in her care in an older adult facility. More specifically, she stole 9,727 narcotic hydrocodone pills from 44 different residents. These cases are much more than someone stealing a few pills for his or her own use.

To the EJCC, I say that these are local stories of elder abuse today, but they will become grim national statistics if we don't begin to address this emerging new crisis in elder abuse.

Let me close with some recommendations directly for EJCC and for your individual agencies.

First, as opioid crisis funds flow into each of your agencies, work to ensure that these includes resources to help those on the ground helping older adults.

Funding is needed at the county/local level, particularly in rural America and particularly directed to Adult Protective Services, to develop protocols and systems to deal with older adults experiencing and abuse, neglect, and exploitation that is related to opioid abuse. Current and future opioid resources going to states could have dedicated funding to address this problem. Resources would be used for bringing together key public and private sector stakeholders for strategy development and information sharing. These meetings would lead to intra-agency agreements on data collection, data sharing, and collaboration on referrals and response protocols.

Also, there is a need for training (including national webinars) of key stakeholders and services and supports staff in recognizing, documenting, and intervening in cases of abuse which are linked to individuals with opioid addiction. Funding should be provided to train Older Americans Act program staff and for training caregivers on these issues.

Next, we need to create data collection and sharing systems between key agencies to support multiple agency coordination on opioid related cases. Part of this effort should include developing materials, public service announcements, a hot line to report cases, senior center programs, and other outreach to older persons to educate about and empower them to respond to the potential threats in the community by providing a safe place to contact if an opioid-related situation arises.

The EJCC needs to work more closely with Crime Victims Act funds to ensure that funds are being used as called for in the recent DOJ rule—in other words, that ten percent of funding is serving previously underserved victims, especially victims of criminal elder abuse. An extra emphasis would be those who are victimized because of someone else's opioid abuse.

The EJCC should recommend, as called for in the NCEA survey, the support of Statewide Prescription Drug Monitoring databases which identify patients with multiple sources of pain prescriptions accessed by doctors and pharmacists before filling prescriptions.

The EJCC should continue to support the good work of the CFPB and its Office of Older Americans.

The EJCC should work to have all twelve of its agencies provide highlights of their work in your reports to Congress.

Please ensure there are adequate resources in your budget proposals to help in a coordinated federal response to elder abuse. We call on each agency in EJCC to go to OMB with the strongest possible budget requests for the programs directly dealing with elder justice.

Finally, since elder justice and its achievement is locally driven, take the EJCC's next meeting on the road. Continue your focus on the opioid addiction's tie to elder abuse and go to a location hard hit by the problem—but one that is addressing it with solutions.

Thank you.