

Steve Sisolak
Governor



Richard Whitley
Director

State of Nevada
**Department of Health and
Human Services**

Elder Abuse Fatality Review Teams

Aging Disability Services Division

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Helping people. It's who we are and what we do.



NRS 427A

- *Appointed by Governor Sisolak*
- *NRS 427A.123 Attorney for the Rights of Older Persons, Persons With a Physical Disability, an Intellectual Disability or a Related Condition*
 - Provide Education, Advocacy, Technical Assistance
 - Act as Legal Assistance Developer (Older Americans Act)
 - Statewide Guardianship Commission

A Growing Problem

- Elder abuse has been referred to as a “hidden epidemic” in the United States, with estimates that 1 out of every 10 people age 60 and older are victims of caregiver neglect, financial fraud and exploitation, and/or psychological, physical, and sexual abuse every year.
- Individuals with developmental disabilities are four to ten times more likely to be abused than their peers without disabilities
- APS continues to see increases in cases



Mission Statement



ADULT PROTECTIVE SERVICES MISSION STATEMENT

To assist vulnerable adults, age 18 to 59, in addition to persons 60 years and older who are abused, neglected, exploited, isolated or abandoned by investigating, providing or arranging for services to alleviate and prevent further maltreatment while safeguarding their civil liberties.

As of July 1, 2019, Nevada received legislative authority to investigate allegations of abuse regarding the 18-59 vulnerable person population.

Call 888-729-0571 or 702-486-6930 to report Abuse



Expansion of Services



Effective July 1, 2019, Aging and Disability Services Division (ADSD) received legislative authority to receive and investigate reports of abuse, neglect, exploitation, isolation or abandonment for vulnerable adults age 18-59, in addition to persons 60 years and older, collectively referred to as vulnerable adults. The Elder Protective Services (EPS) program is now referred to as Adult Protective Services (APS). Adult Protective Services serves all of Nevada.



Types of Vulnerable Adult Abuse

- Abandonment;
- Abuse:
 - Physical;
 - Psychological;
 - Sexual;
- Neglect;
- Exploitation;
- Isolation;
- Self Neglect.
- In Nevada, an “older person” is defined as a person 60 years of age or older.
- A “vulnerable person” is defined as a person 18 years of age or older who:
 - (a) Suffers from a condition of physical or mental incapacitation because of a developmental disability, organic brain damage or mental illness; or
 - (b) Has one or more physical or mental limitations that restrict the ability of the person to perform the normal activities of daily living.
 - As defined by Nevada Revised Statute, NRS 200.5092

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Abandonment

- Desertion of an older person or a vulnerable person in an unsafe manner by a caregiver or other person with a legal duty of care;
- Withdrawal of necessary assistance owed to the older person or vulnerable person by a caregiver or other person with an obligation to provide services to the older or vulnerable person
 - This allegation type was added: 10/1/2015

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Abuse

Abuse is the willful:

- a) Infliction of pain or injury on an older person or a vulnerable person;
 - b) Deprivation of food, shelter, clothing or services which are necessary to maintain the physical or mental health of an older person or a vulnerable person;
 - c) Infliction of psychological or emotional anguish, pain or distress on an older person or a vulnerable person;
 - d) Nonconsensual sexual contact with an older person or a vulnerable person;
 - e) Permitting any of the acts described in paragraphs (a) to (d)
- Three Types of Abuse:
 - Physical;
 - Psychological (emotional);
 - Sexual.

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Physical Abuse

- Serious or unexplained injury;
- Sexual abuse;
- Inappropriate physical or chemical restraint;
- Medication abuse
 - Over or under medicating.



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Psychological (Emotional) Abuse

- Threatening, controlling or socially isolating the older person or vulnerable person;
- Disregarding the needs of the older person or vulnerable person;
- Harming, damaging or destroying any property of the older person or vulnerable person, including, without limitation, pets.

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Sexual Abuse

- An act that the older person or vulnerable person is unable to understand or to which the older person or vulnerable person is unable to communicate his or her objection;
- Intentional touching either directly or through the clothing;
- Anytime sexual abuse is alleged, law enforcement must be contacted immediately;
 - Report to APS should also be made.



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Neglect (continued)

- Special Considerations:
 - Older and vulnerable persons can be highly susceptible to weather extremes for many reasons including chronic health conditions, medications and metabolic change;
 - Older and vulnerable persons may be unable to express their needs in response to weather extremes.
 - Older and vulnerable persons left outside in extreme heat or cold are at high risk of dehydration, hypothermia, and even death.



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Self-Neglect

- Self-neglect is the failure of an older or vulnerable person to provide for his or her own needs because of an inability to do so;
- Self-neglect is not a crime;
- An older or vulnerable person has the right to make his or her own choices unless a judge declares the individual incompetent.



The Victims

- Persons over 80 years of age are 2 to 3 times more likely to be abused;
- Victims are likely to have dementia or cognitive impairment;
- Two thirds of the reports examined identify women as victims;
 - From: The Center on Elder Abuse, Center of Excellence on Elder Abuse and Neglect 2011



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The Victims (continued)

- People with Intellectual Disabilities/Developmental Disabilities are more likely to be victims of a crime as opposed to a perpetrator of a crime;
- Individuals with ID/DD are often taken advantage of and exploited;
- Often this is done by family, friends, and caregivers;
- More than 90% of people with developmental disabilities will experience sexual abuse at some point in their lives.

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What are EAFRTs?

- An Elder Abuse Fatality Review Team (EAFRT) examines deaths of individuals that may be caused by or related to elder or adult abuse with the goal of identifying system gaps and improving victim services. This focus makes EAFRTs unique among elder/adult abuse multidisciplinary teams and other cross-agency collaborations.
 - [*ABA – What Are EAFRTs*](#)

Elder Abuse Review Teams Nationwide

- Currently 35 teams are in 13 states: California, Colorado, Illinois, Maine, Michigan, Minnesota, Montana, New Hampshire, New Mexico, New York, Oregon, Texas, and Virginia.
- Members are from an array of agencies and services. The four largest categories of members are adult protective services, the medical examiner's or coroner's office, law enforcement, and prosecutors.
- Case review and protocol vary but all utilize a culture to avoid "blame and shame"



Outcomes

- The American Bar Association Commission on Law and Aging and the University of Texas Health Science Center at Houston identified some of the follow as positive outcomes from jurisdictions utilizing EAFRTs:
 - EAFRT participation enhances members' knowledge and ability to do their jobs
 - EAFRT members share what they learn at EAFRT meetings with their colleagues
 - EAFRT participation may facilitate changes in the policies and practices of members' organizations
 - EAFRTs often advance systemic changes in their communities and states



Nevada's Existing Fatality Review Teams

- Domestic Violence
 - Domestic Violence Fatality Review Teams created by enacting NRS 217.475 in 1997
 - Attorney General's Office established a statewide review team in 2011 which provides consistency and can review cases for regions without a local review team
- Child Death Review Team
 - Authorized under NRS 432B.403
 - Can also make recommendations for improvements to laws, policies and practice



Questions?

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Contact Information

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Acronyms

- APS – Adult Protective Services
- EAFRT – Elder Abuse Fatality Review Teams