

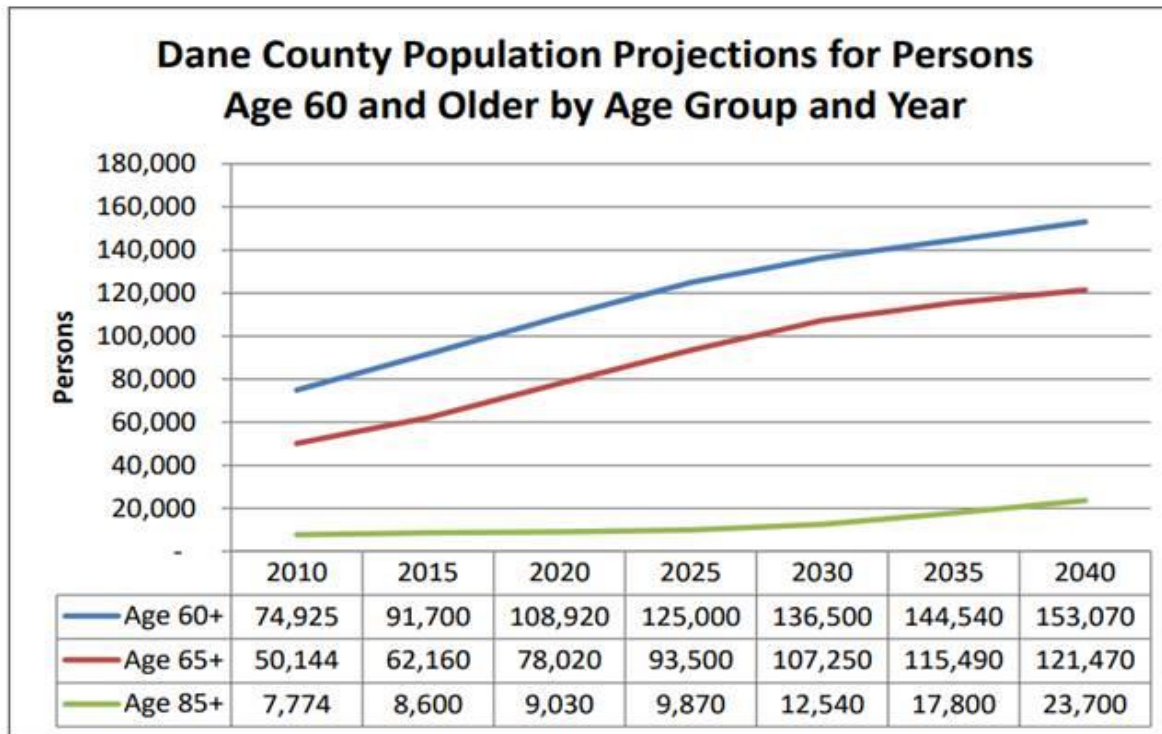
The State of Adult Protective Services in Dane County

JULY 11, 2024 HEALTH AND HUMAN NEEDS COMMITTEE



DANE COUNTY OLDER ADULTS

► POPULATION OF PERSONS OVER 60 YEARS OF AGE



DANE COUNTY OLDER ADULTS WITH DEMENTIA

▶ POPULATION OF PERSONS OVER 65 YEARS OF AGE WITH DEMENTIA:

- ▶ 2010 6084
- ▶ 2020 8012
- ▶ 2025 9,978
- ▶ 2040 projection 17,143

PILLARS OF ADULT PROTECTIVE SERVICES

Elder Abuse & Adults at Risk

- Elder and Adults at Risk Investigations
- APS Helpline
- Victim Advocate Programs
 - Persons over 60 years old
 - Adults with IDD
- Community Coordinated Response Teams
 - EA CCR
 - FAST
 - ID CCR
 - Hoarding Task Force
- Community Education & Training related to EAN/AAR

Adult Guardianship Program

- Author comprehensive evaluations on all protective placement petitions in Dane County
- Receive and petition on behalf of Community Referrals (low income, vulnerable)
- Petition for Protective Placement (for all in Dane County)
- Conduct Annual Protective Placement reviews aka "Watts reviews"
- Ongoing support of persons under court ordered protective placement
- Monthly Guardian Support Group
- Coordinate annual Domestic Violence in Later Life conference
- Community Education & Training related to Adult Guardianship

Dementia Crisis Support

- In person assessment of persons with dementia experiencing physically aggressive behaviors – including those in assisted living settings
- Training and education on best practice interventions and support for persons with dementia who are dysregulated with goal of helping them to calm and relieve suffering
- Advocate for micro and macro level changes needed to best support persons with dementia in crisis and those who support them
- Oversee Dementia Support Team
- Collaborate with community partners including law enforcement, Crisis, residential providers, caregivers, etc to achieve best outcomes for person with dementia whenever possible

ADULT PROTECTIVE SERVICES: GUIDED AND IMPACTED BY WI STATUTES

- ▶ Wisconsin Statute Chapter 46.90: Elder Abuse Reporting System
 - ▶ [WI Statute Chapter 46.90](#)
- ▶ Wisconsin Statute Chapter 55.01: Adults at Risk
 - ▶ [WI Statute Chapter 55.01](#)
- ▶ Wisconsin Statute Chapter 55: Protective Service System
 - ▶ [WI Statute Chapter 55](#)
- ▶ Wisconsin Statute Chapter 54: Guardianships and Conservatorships
 - ▶ [WI Statute Chapter 54](#)
- ▶ Wisconsin Statute Chapter 51: State Alcohol, Drug Abuse, Developmental Disabilities and Mental Health Act
 - ▶ [WI Statute Chapter 51](#)

APS Elder Abuse/Adults at Risk Program

Mandated by WI Statute 46.90 and 55

UNDER WISCONSIN STATUTES CHAPTER 46 AND 55

- ▶ Dane County Dept of Human Services APS is designated as the lead agency to receive & investigate reports on:
 - ▶ Ch. 46.90 Elders (AGE 60+) who have experienced, currently experiencing or at risk of experiencing: Abuse, Financial Exploitation, Neglect, and self-neglect.
 - ▶ Ch. 55.01 Adults at Risk (AGE 18-59) who have any physical or mental impairment who has experienced or is currently at risk of abuse or neglect

EAN/AAR Services

- ▶ Dane County APS is NOT an emergency/crisis response team
- ▶ Dane County APS UPHOLDS the values of Self Determination- supporting:
 - ▶ Right to decide how and where to live
 - ▶ Choose to accept or refuse recommendations/services
 - ▶ Make poor decisions/choices
 - ▶ Engage in least-restrictive alternatives

THE WORK OF EAN/AAR: 2023 SNAPSHOT

- ▶ Responded to 4008 calls to APS Helpline, an increase of 478 from 2022
 - ▶ Consulted on 1354 calls identified as related to persons over 60 years of age, increase of 224 from 2022
 - ▶ 1078 Hours spent responding to Helpline related contacts
 - ▶ 627 hours responding to calls on Helpline – both consultations and reports taken related to persons over 60 years of age, increase of 106 hours from 2022
- ▶ 470 Reports investigated related to persons over 60 years of age – 95 more than in 2022
 - ▶ 144 Self Neglect
 - ▶ 146 Financial Exploitation
 - ▶ \$1,352,794 in estimated loss due to financial exploitation

APS Elder Abuse/Adults at Risk Program Issues

1. Total number of investigated cases has increased by 25%-553 average
2. Financial exploitation cases are the number one investigated type of abuse
3. 49% of the investigated cases in 2023 were for financial abuse.
4. Helpline calls increased by 72% and length of time spent on calls by 52%
5. Number of reports involving persons in Family Care Programs increased by 106% from 2019 to 2023.
6. Number of reports involving Assisted Living investigations Community-Based Residential Facilities (CBRFs) and 3-4 bed Adult Family Homes (AFHs) increased by 156% from 2019-2023.

APS Adult Guardianship Program

Mandated by WI Statute 54 and 55

- ▶ **Chapter 54** – Regulates Guardianship. **A guardian is a court-appointed decision-maker for an individual who is not able to make their own decisions due to cognitive impairments** related to a degenerative brain disorder, developmental disabilities, serious and persistent mental illness, or other like incapacities (such as a traumatic brain injury).
- ▶ **Chapter 55** – It is also known as the Protective Service System.
 - ▶ A person cannot have a Protective Placement Order unless they have a guardian.
 - ▶ The individual is **so totally incapable of providing for his/her own care or custody as to create a substantial risk of serious harm to himself or herself or others.**
 - ▶ This statute mandates that a person needs to live in the least restrictive setting based on their current needs. The Placement Order is reviewed annually.
 - ▶ Person has a Guardian and is living in a facility of 16 beds or more = Protective Placement Order

AGP Responsibilities

- ▶ Complete comprehensive evaluations as required by court orders
- ▶ Respond to needs of individuals on their caseloads
- ▶ Complete annual protective placement reviews – known as Watts reviews - and providing ongoing monitoring
- ▶ Participate in contested Watts reviews
- ▶ Assess and petition for vulnerable individuals in the community who need a petition for guardianship and/or protective placement filed
- ▶ Additional duties

APS Guardianship Program Statistics

2020 – 2023

- ▶ Cases with ongoing activity has increased by 55%.
- ▶ The number of community referrals has increased by 27%. The situations are also more complex and hours spent on community referrals has increased by 113%.
- ▶ The number of contested hearings has increased by 118% and the number of hours assessing these situations has increased 150%.
- ▶ Since 2022 there has been a 50% increase in the amount of time it takes to complete a Watts Review.

THE WORK OF AGP: 2023 SNAPSHOT

- ▶ 218 Petitions filed by Adult Guardianship staff
- ▶ 2,244 hours to complete court 66 ordered evaluations
- ▶ 480 hours participating in 48 contested Protective Placement hearings
- ▶ 2020 hours completing annual Protective Placement reviews for 505 adults
- ▶ 930 hours responding to 93 open cases with other case related activity

AGP Issues/Challenges

- ▶ In 2021 WI Act 97 passed which created a training requirement for proposed guardians. This act applied to guardianship petitions filed on January 1, 2023.
- ▶ Doctors do not want to complete the mandated MD form
- ▶ Not having time to petition for guardianship and protective placement of individuals in Dane County who have been assessed by their MD of not being capable of making informed decisions
- ▶ Finding individuals to serve as guardians
- ▶ Difficulty with Family Care provider (funding source) finding a facility to care for the person
- ▶ Keeping individuals in the Dane County community

Statistics and Behavioral Expressions of people with dementia

- People with neurodegenerative disorders (generally known as dementia) may experience physically-aggressive episodes due to their disease process
- Approximately 50% of people with dementia will experience agitation and/or aggression
- In 2025, it is expected that 10,000 people will be living with dementia in Dane County and that 90% of these will have some form of behavioral expression. 50% (5,000) will have agitation and/or aggression
- In 2023, 71 of these were referred to the Dementia Crisis Program within Dane County's APS program

THE WORK OF DEMENTIA CRISIS: 2023 SNAPSHOT

▶ 71 Individuals came to Dementia Crisis Specialist Attention

- ▶ 21 by Police
- ▶ 14 by Hospitals & Doctor Clinicians
- ▶ 8 through ADRC
- ▶ 7 by Adult Protective Services Social Workers/Case Managers
- ▶ 6 by Home/Health Care Agencies
- ▶ 4 by Journey Mental Health/Cares Team
- ▶ 5 by family members
- ▶ 3 by Senior Center Case Managers
- ▶ 3 by Managed Care (Family Care)

▶ Behavioral Expressions

- ▶ 16 physical aggression
- ▶ 16 elopement
- ▶ 9 unsafe behavior
- ▶ 8 dangerous behavior
- ▶ 5 hallucinations
- ▶ 4 delusions/paranoia
- ▶ 4 verbally aggressive
- ▶ 3 sexually and verbally inappropriate
- ▶ 3 repetitive/anxious police calling
- ▶ 2 neglect

Dementia Crisis Options

Training/Preventative Helpful until the crisis begins – CIT for police/EMS, Training Providers

In-Home Care Helpful when available – may not prevent crisis – may not help when crisis begins

Assisted Living Refuse to admit if individual is not seen as “stable”

Assisted Living facilities are required by law to keep individuals safe – if a resident elopes from their facility they must report this to the Department of Quality Assurance, which often leads to disciplinary actions. When a resident with dementia harms another resident, this can also occur. Due to this, assisted living facilities are often reluctant to admit residents who might elope or become a threat to other residents. This often leaves these individuals without a safe place to go.

Hospitals

People are turned away from emergency rooms, because necessary resources are not available

Dementia Crisis Options

Mental Health System

Wisconsin law states that “dementia is not a treatable mental health condition,” therefore they cannot be detained against their wishes in a psychiatric hospital. People with dementia are served by those in the mental health crisis system, then they must wait up to 48 hours to be seen by a dementia crisis specialist

Police & EMS

Limited ability to help, no place to take these individuals, will walk away and have begun to fine facilities for frequent calls

Emergency Protective Placement

Despite the law indicating there should be options for Emergency Protective Placement, Dane County does not have a facility that can accommodate this such as a Dementia Stabilization Facility

Dementia Crisis Program Specialist

The Dementia Crisis Specialist position was created to address the needs of people with dementia whose disease process has caused aggressive expressions. In 2023, the Dementia Crisis Specialist received 71 referrals, all of which were for people who posed a threat to themselves or others. This program has not been made accessible to all due to capacity issues.

Challenges

No dementia crisis-specific facility/system:

Once crisis happens, the only available option equipped to handle it is the Dementia Crisis Program Specialist

Currently crisis response is “dementia informed” but not specialized to meet the needs of individuals with dementia

Limited Effective Options:

People with dementia and their family are left to struggle on their own, which causes extreme stress and can result in emotional and/or physical injury

People with dementia are often in and out of the hospital and - if admitted - are often sedated and restrained, which can lead to death

People with dementia are not receiving the same level of care as the general public

Doors are repeatedly closed upon these individuals from every direction, including assisted living facilities, memory care, home care, hospitals, psychiatric hospitals, behavioral health hospitals, EMS, police, and crisis responders

Centerstone Report: APS Role

- ▶ Enterprise Crisis Response System would centralize and capitalize on APS response specialties and partners
- ▶ Virtual Crisis Response if non-emergent can refer to Dementia Crisis Specialist and Intellectual/Developmental Victim Advocate for follow-up
- ▶ Comprehensive initial and ongoing training in de-escalation of behavioral expressions for both dementia and IDD crisis response by existing and highly collaborative system partners
- ▶ Build on data collected currently in APS related to dementia and IDD crisis

QUESTIONS?

