

# Elder Justice: Linking Research to Federal Policies

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# Introduction

- For the past 15 years, I have served as National Coordinator of the Elder Justice Coalition
- Have seen the development, introduction, passage and implementation of several significant elder justice bills in that time
- Two prime examples
  - The Elder Justice Act—which in less than one month will be 10 years old
  - The Elder Abuse Prevention and Prosecution Act
- In addition to legislation, there have also been important regulatory policies proposed/enacted by the executive branch
- Most notably, the work of the Elder Justice Coordinating Council, chaired by ACL Administrator Lance Robertson



# Research and Policy

- Until this presentation, I have not given much thought to what role research has played in federal policy.
- Clearly there has been a lot of research done over the years
- Many of our field's prominent researchers are here at this conference
- Research helped to identify core issues such as why elder abuse occurs, the impact of abuse on the health status and mortality of victims, and much more
- Research preceded policy as it relates to elder abuse
- It has provided a solid base
- But neither the research side or the policy side has ever used each other as well as they could



# Lack of Data Is a Concern

- One prime example—the lack of reliable and varied data that addresses the full scope of elder abuse
- Been episodic and sporadic
- Yet reality is data drives policy, especially funding decisions
- Some of this has been addressed through research, but not enough
- Some research done, but with too little emphasis on how it was disseminated and to whom
- Policy side looks for the quicker hit—the hotter finding—which may or may not emanate from a thorough research project



# The Three Elements

- A close examination of federal policies adopted and some proposed in elder justice reveals that three major elements have been used in persuading policymakers to act:
- Surveys
- Studies
- Stories



# Important Surveys and Studies

- Some surveys and studies that I remember more distinctly than others:
  - The famous MetLife study that put a real number, first \$2.6 billion then \$2.9 billion in estimated losses to victims due to financial abuse
- Work that Mark Lachs has done and also the NY elder abuse prevalence study dealing with numbers of reported vs. unreported cases
- As pointed out in the great Archstone Foundation legacy report, the forensic center research and evaluation done at USC and Weill Cornell



# Further Studies and Surveys

- Also abuse intervention model studies and adult protective services research studies
- The National Adult Maltreatment Reporting System data
- Very recently, the work at Virginia Tech in conjunction with our EJC on the growing relationship between elder abuse and misuse of opioids as reported by APS personnel in four states
- Hartford Foundation's laboratory on elder mistreatment



# The Stories

- Involving real victims
- Brooke Astor
- Mickey Rooney
- Stan Lee
- Names we know
- Then names we don't know
- Those in daily news feeds from across the nation
- And a name you may not know but whose story presented in Senate testimony is motivating new legislation—Patricia Olthoff-Blank





# The Point?

- The point is that in the actual development of legislation, rules and regulations, the definitions that anchor them are often produced because of research and studies
- The 2010 Elder Justice Act has numerous examples
- But in total candor, the relationship between research and practice—meaning federal policy—is not close enough and impactful enough in the elder justice space



# How Do We Fix It?

- It can be fixed any number of ways—I offer three
- First, federal agencies could fund more research that is translational into future policy. I commend three federal agencies for doing just that: NIA, ACL and the National Institute of Justice
- There are others but there could and should be more
- As the Elder Justice Roadmap recommended, create national resource centers of excellence to coordinate and accelerate research



# What Else?

- Researchers and those doing surveys and studies can and should become better resources to policymakers, particularly at the federal and state levels.
- One of the main functions of the EJC is to be part of the resource solution—done on a bipartisan basis.
- In 2019 that was demonstrated when on behalf of the EJC I was invited to testify before the Senate Finance Committee and the House Ways and Means Committee



# Advocacy!

- And finally a third fix—all of us in this room need to commit to doing more and better advocacy.
- Your voices are important because of what you do professionally, where you come from, whether the day to day front lines or from the research community
- We need more voices



# Quick DC Update

- We are very close to seeing the introduction of a new and improved Elder Justice Act
- Would renew 5 core elements of original bill: funding for long-term care ombudsmen, APS, forensic centers; continue the EJCC and create an Advisory Board
- Real expansion will be on the nursing home side – which is also part of the hold-up
- Changes to Nursing Home Compare and crime reporting; stronger language on emergency preparedness; criminal background checks
- Bipartisan and bicameral interest
- Our goal is to get it attached to the big Medicare/Medicaid extenders bill due in late May



# Quick DC Update (cont.)

- The Older Americans Act reauthorization is in the process of passing, recommitting to the work of the long-term care ombudsmen, legal hotlines, and elder abuse prevention programs
- Budget and funding process underway with the release of the President's budget proposal earlier this month
  - It's a mixed bag for elder justice
  - Positive and important proposals for Dept of Justice to implement the Elder Abuse Prevention and Prosecution Act
  - But also proposes to end SSBG, cut ombudsmen funding, reallocation of ACL elder justice funding
- Also, the ongoing implementation of the Senior Safe Act



# Conclusions

- To me, the key part of the mission of the Tamkin Symposium is its commitment to share findings and strategize solutions to help shape and propel the field of elder abuse/elder justice
- Especially meaningful to take what I learn here and apply it to where I work – in Washington, D.C.
- Elder abuse is still a relatively new focus compared to the almost 50-year policy history of child abuse prevention
- That should not be an excuse any longer for not advancing policies and programs that can impact elder abuse



# Conclusions

- 15 years ago, when the EJC was started, one of the big obstacles we faced was denial that elder abuse was even a problem
- We are beyond that now, but we must step up the game
- Today, the major obstacle is inadequate funding
- Senators from 31 different states sit on the Appropriations Committee; in the House, it is closer to 40. They must be our advocacy targets from this point on
- Let's leave here with a total commitment to advocate to better shape and propel the field of elder justice
- Let's do it together





# Resources

- <http://elderjusticecoalition.com>
- For slides: [bob@elderjusticecoalition.com](mailto:bob@elderjusticecoalition.com)