

FACT SHEET

APS wouldn't take my report. Why?

It is upsetting to report a situation of elder abuse to Adult Protective Services, only to be informed that your report is not eligible for investigation. This fact sheet provides brief insight into what cases APS can accept and why. Read the expanded version of this fact sheet to learn more.

APS is a state program, which means service eligibility will differ based on state statutes. A situation that is considered adult abuse in one state may be considered solely a law enforcement matter in another state. Here are some key points that may determine whether your report is eligible:

CLIENT REQUIREMENTS

- > Some states have age requirements for someone to be considered an elder, starting between 60 to 65
- > A vulnerability/disability increasing risk of abuse may determine eligibility
- > The scope of APS may vary in each state, and persons can be referred to a more appropriate program

DEFINITIONS OF ABUSE

- > Physical Abuse in some states may also include over-medicating or sexual abuse
- > Neglect statutes vary based upon rights to self-determination balanced with safety
- > Financial Abuse statutes differ and the alleged perpetrator may be required to be a "person in a position of trust"
- > Emotional or Psychological Abuse, Isolation, Abandonment and Exploitation are types of abuse that may not be included in the definitions of abuse

JURISDICTION

- > APS may not investigate facilities in some states, these complaints should be directed to your local long term care ombudsman or licensing entity
- > APS generally does not take cases of domestic violence, hate crimes, customer service complaints, landlord tenant disputes, disability rights issues, or general resource inquiries

We recommend visiting your states' APS webpage or reference this help in your area page on [National Adult Protective Services Association \(NAPSA\)'s website](https://www.napsa-now.org/get-help/help-in-your-area) (www.napsa-now.org/get-help/help-in-your-area).

APS didn't take my report – Now what?

If APS is not able to take your report, there are some next steps you should consider:

- 1** Ask the APS worker to clearly explain why he/she is unable to take your report.
- 2** Consider making a referral to another resource that can help assist the adult.
- 3** Contact the adult's family or medical provider to express your concerns.
- 4** Contact your local city or county government.

APS took my report but won't tell me anything.

APS operates under confidentiality regulations that are remarkably like the HIPAA laws we all know from visiting our doctors. In almost every state, the only person who can release information is the adult who is experiencing the abuse.

APS took my report but nothing has changed

APS clients have all the rights of adults, they can refuse help.

CONCLUSION

Ultimately knowing the signs of elder abuse and reporting suspected abuse is something we can all do to prevent elder abuse. We hope that the information provided here gives you a better understanding of how APS operates and why APS might not be able to open an investigation. But, more importantly, we hope this understanding encourages you to keep making reports. You are the eyes and ears of APS in the community. It is an important role, and we thank you for doing it!

