



DEPARTMENT OF ECONOMIC SECURITY

Your Partner For A Stronger Arizona



Adult Protective Services

Presenter

Lisa Sarno **Program Administrator**

Lisa has spent her career advocating and supporting vulnerable adults in many areas. For over 30 years, Lisa has worked in a variety of roles including providing support for the aged and disabled population and individuals with developmental disabilities.

In 2015, Lisa joined Adult Protective Services as an investigator and was promoted a year later to an APS Field Supervisor. In 2018, Lisa was promoted to APS Assistant Program Manager and then in 2021 to APS District Program Manager.

Lisa is currently the Program Administrator overseeing a team of managers that are responsible for the APS Central Intake Unit, APS Quality Unit, APS Training Academy, and APS Records Unit. Lisa feels strongly about the role that she has within APS and the support that these areas give to the APS Field Teams, the vulnerable adult we serve, and all of the Arizona Community.

Presentation Overview

Adult Protective Services (APS)

- Authority, Duties and Limitations
- Terms and Definitions
- Recognizing Maltreatment
- Financial Exploitation (Scams)
- Filing a Report, Central Intake Unit and Reporting Process
- Mandated Reporters
- Local and Statewide Resources
- **Q & A**



APS Authority & Duties

APS:

- Receives reports of abuse, neglect, self-neglect and exploitation of vulnerable adults throughout the State of Arizona. Except on tribal lands UNLESS there is a Memorandum of Understanding (MOU) in place
- Evaluates the need for protective services and offer appropriate services based on need, availability, and acceptance
- Refers for guardianship and/or conservatorship via the Public Fiduciary when appropriate
- Has the authority to request medical or financial records during the course of an investigation (A.R.S. § 46-454(E))
- Maintains the APS Registry

APS Limitations - APS Cannot:

- Take custody of an adult
- Remove the adult from his or her living environment against his or her will
- Interfere in a capacitated adult's chosen lifestyle
- Require the adult to accept services, including Adult Protective Services
- Make financial decisions on behalf of the adult, take control of the adult's finances, or request that the adult's accounts be frozen (A.R.S. § 46-452(B))
- Serve as a guardian and/or conservator

Adult Protective Services Reporting Criteria:

Definition of a Vulnerable and Incapacitated Adult as set in statute:

➤ **Vulnerable Adult (A.R.S. § 46-451(A)(11)):**

- An individual who is 18 years of age or older
- Unable to protect themselves from maltreatment as defined as abuse, neglect (self-neglect) or exploitation by others because of a physical or mental impairment.
- It includes an incapacitated person as defined in A.R.S. § 14-5101.

➤ **Incapacity (A.R.S. § 14-5101):**

- Impairment by reason of mental illness, mental deficiency, mental disorder, physical illness or disability, chronic use of drugs, chronic intoxication or other cause to the extent that the person lacks sufficient understanding or capacity to make or communicate responsible decisions concerning his or her person

Certain adults are considered “Categorical” Vulnerable Adults:

- **Has an appointed Guardian or Conservator**
- **Is a member of the Division of Developmental Disabilities (DDD)**
- **Is in receipt of Arizona Long Term Care Services (ALTCS)**
- **Has a Serious Mental Illness (SMI) designation**

Maltreatment

Abuse

Neglect

Self-Neglect

Exploitation

Abuse

Defined in A.R.S. § 46-451(A)(1): (a) Intentional infliction of physical harm, (b) Injury caused by negligent acts or omissions, (c) Unreasonable confinement, (d) Sexual abuse or sexual assault, (e) Emotional Abuse

Some potential signs of abuse:

- Unexplained injuries, bruises, burns, bite marks
- Welts, Lacerations
- Open/Healing wounds, cuts or punctures
- Being locked in a room
- The individual reporting being hit, slapped, kicked or mistreated
- Requests for help being regularly ignored/given the silent treatment



Neglect

Defined in A.R.S. § 46-451(A)(6): *The deprivation of food, water, medication, medical services, shelter, cooling, heating or other services necessary to maintain a vulnerable adults minimum physical or mental health*

Some potential signs of neglect:

- Pressure sores
- Changes in mood
- Poor & unsanitary living conditions
- Desertion in a public place or home
- Poor hygiene or foot care
- Low body weight or unusual weight loss
- Over/under medication



Self-Neglect

Defined in the Elder Justice Act 2010 (**not in state statute**): *“An adult’s inability, due to physical or mental impairment or diminished capacity, to perform essential self-care tasks including— (A) obtaining essential food, clothing, shelter, and medical care; (B) obtaining goods and services necessary to maintain physical health, mental health, or general safety; or (C) managing one’s own financial affairs.”*

Some potential signs of self-neglect:

- Poor hygiene
- Lack of utilities
- Living in squalor & hoarding
- Withdrawal from family or friends
- Unattended or ignored housekeeping tasks
- Lack of medical care for a prolonged time



Exploitation

Defined in (A.R.S. § 46-451(A)(5)): The illegal or improper use of a vulnerable adult or the vulnerable adult's resources for another's profit or advantage

Some signs of exploitation may include:

- Misuse of a power of attorney
- Misuse of financial resources or assets for personal gain
- Fraudulent/Romance scams
- Sudden changes in bank account or banking practice, unexplained withdrawals
- Coercing a vulnerable adult to steal from a store or sell their medication and forced to give money to an alleged perpetrator.
- Posting photos/videos of vulnerable adult on the internet or transmitting the images to another electronic device.
- Provision of substandard care or bills left unpaid despite the availability of adequate financial resources



How to file an APS Report

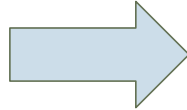
Collect and document as much information as possible about your concerns, including:

- Name and contact information of reporting source
- Name, demographics and contact information of the vulnerable adult (potential victim)
- Nature of the adult's vulnerability, details of their living situation
- Description and date/s of the incident/concerns (abuse, neglect, self-neglect, and/or exploitation)
- Significant others: witnesses to the maltreatment
- The alleged perpetrator
- Safety or health hazards at the vulnerable adult's location



How to File an APS Report 2

Phone:



1-877-SOS-ADULT

1-877-767-2385

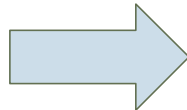
Monday - Friday

7:00 a.m. - 7:00 p.m.

Saturday, Sunday & State holidays

10:00 a.m. - 6:00 p.m

Online:



The online reporting form is available 24 hours a day, seven days a week

[Report Adult Abuse, Neglect and Exploitation](#)

***For life-threatening emergencies,
call 911 immediately.***

Central Intake Unit (CIU) Functions

- Receives information regarding suspected maltreatment
 - Provides information on available community resources
 - Collects and documents information on all reported concerns
 - Assesses information to determine if it meets report criteria based on statute
 - May cross report to appropriate agencies - mainly for reports received over the weekend.
 - If the information meets report criteria: Assigns a response time to promote the vulnerable adults safety
 - Routes the case information to one of four districts based on the adult's temporary location or home address
 - If the information does not meet report criteria: If no case is currently open for that adult, the information is saved as an Information & Referral (I&R) If a case is currently open for that adult, the additional information is documented to aid in the ongoing investigation
-

Conducting the Investigation

APS Investigators:

- Initiate the investigation within established timeframes (1- 5 business days), based on level of risk and presence of aggravating or mitigating circumstances
 - Determine the timeframe for alleged maltreatment and gather and evaluate evidence to determine vulnerability during that time frame
 - Determine whether there is a factual basis for the allegations through: Interviewing all involved parties, including the vulnerable adult, alleged perpetrator, reporting source, and significant others
 - Gather and analyze all pertinent records and documents - including medical records and financial statements.
-

Cross Reporting and Partnerships

Depending on information received throughout various stages of the investigation, Investigators may need to cross report with other agencies. Investigators will also collaborate with such agencies to help meet the assessed needs of the vulnerable adult. These agencies include, but are not limited to:

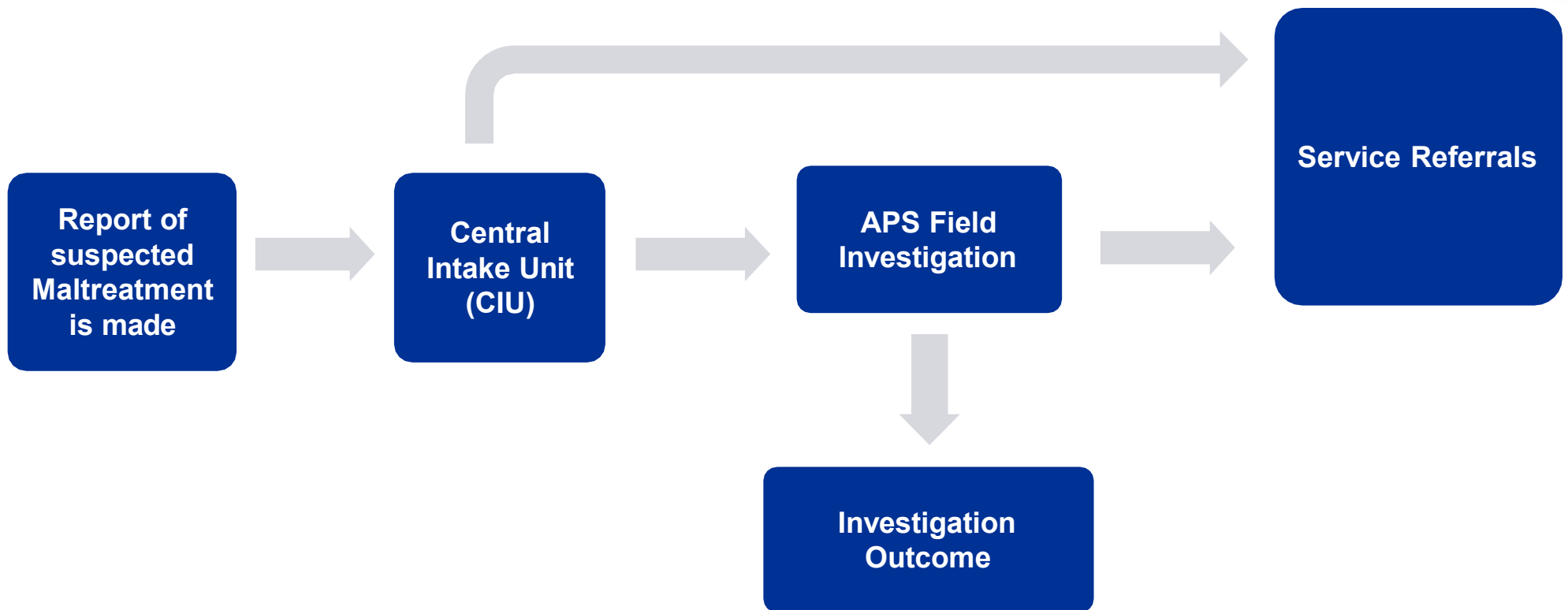
- Arizona Department of Health Services and Division of Developmental Disabilities
- Law Enforcement
- The Public Fiduciary for guardianship/ conservatorship
- Arizona Long Term Care Ombudsman
- Tribal Authorities
- Area Agencies on Aging (AAA)
- Regional Behavioral Health Authorities



Investigation Outcomes

- The investigation must establish a “**preponderance of evidence**” to substantiate allegations of maltreatment
 - APS is required to provide due process for the alleged perpetrator (A.R.S. §46-458)
 - The investigation can lead to the case being:
 - **Unsubstantiated:** Allegations are determined not true
 - **Verified:** Allegations are determined true but will not substantiate against the perpetrator
 - **Substantiated:** Allegations are determined true, and the perpetrator’s name is placed on the APS Registry for 25 years. The APS Registry is available to the public online and by written request (A.R.S. §46-459).
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APS Reporting Process



APS Registry

The purpose of the APS Registry is to prevent vulnerable adults and children from being victimized by individuals who have been found, through an APS investigation and due process, to have abused, neglected or exploited a vulnerable adult.

- Once an investigation is completed and the recommendation is made to “substantiate” the allegation, the information is sent to the Appeals Unit and the information is referred to the Office of the Attorney General.
 - An Administrative Hearing is held with the Attorney General's Office and the alleged perpetrator in front of a judge.
 - The name and date of birth of the perpetrator is placed on the registry up to 25 years.
 - The registry can be accessed online: <https://des.az.gov/APSRegistry>
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Mandated Reporting



MANDATORY REPORTERS

Who are they?
What should they report?
What happens next?

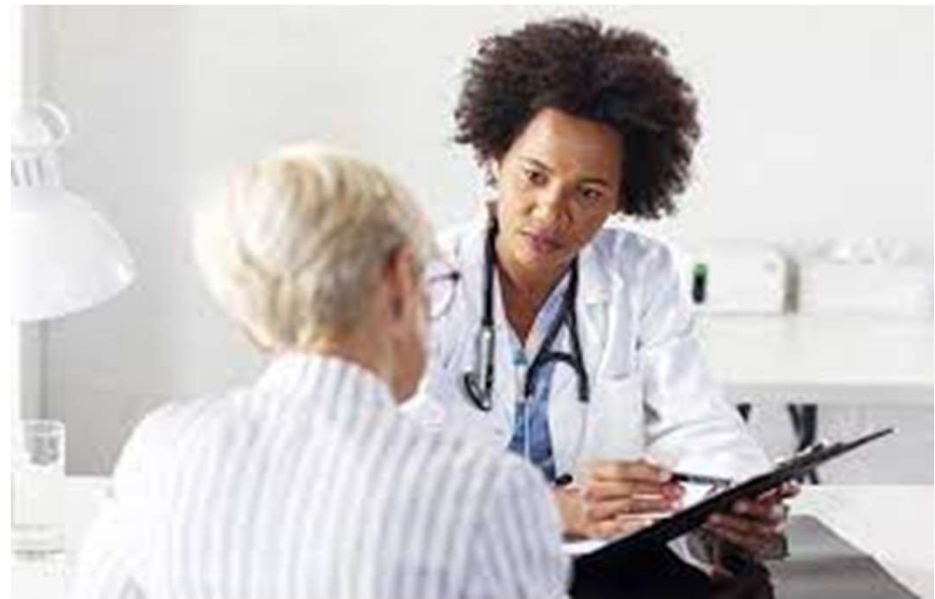
Who Are Mandated to Report?

Arizona Revised Statute § 46-454

Duty to report abuse, neglect and exploitation of vulnerable adults;

A.R.S. § 46-454(A) -

Mandates that individuals such as physicians, physician assistants, registered nurse practitioners, licensed practical or registered nurses, peace officers or other person who has responsibility for the care of a vulnerable adult to report suspected maltreatment to law enforcement or to APS.



Who Are Mandated to Report 2?

Arizona Revised Statute § 46-454

Duty to report abuse, neglect and exploitation of vulnerable adults;



APS. A.R.S. § 46-454(L) -

Retaliation against a person who in good faith reports abuse, neglect or exploitation is prohibited. Retaliation against a vulnerable adult who is the subject of a report is prohibited. Any adverse action taken against a person who reports abuse, neglect or exploitation or a vulnerable adult who is the subject of the report within ninety days after the report is filed is presumed to be retaliation.

A.R.S. § 46-454(M) -

A person who violates this section is **guilty of a class 1 misdemeanor**.

Online Training

APS Online Computer-Based Training on Recognizing and Reporting Maltreatment

- 60-minute training outlines the process of an APS investigation, how to make a report, and defines who are Mandated Reporters.
- Proof of completion is emailed upon successful completion of the training and quiz.
- https://des.az.gov/sites/default/files/MandatedReporter/index_scorm.html



Adult Protective Services 2

Abuse and Neglect Prevention Campaign

- SpeakUpAZ.org
- Announced June 26 in collaboration with Governor Katie Hobbs
- Educates all Arizonans about the prevalence of abuse and neglect among vulnerable adults, as well as how to prevent, identify and report it



Adult Protective Services 2



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About **Services** How do I? Documents Center Media Center Office Locator Report Fraud

Home / Services

Services

Basic Needs ▾

- Adult Protective Services (APS)
- Food Assistance
- Medical Assistance
- Refugee Resettlement
- Shelter and Housing
- Domestic Violence Support
- Sexual Violence Support

Child and Family ▾

- Cash Assistance
- Child Care
- Child Support Services
- Community Resources

Services

Español



The Department of Economic Security (DES) is the safety net agency for the State of Arizona. As one of the largest agencies in state government, DES serves more than 2 million Arizonans annually through more than 40 programs that address the social and economic needs of those we serve. DES's more than 8,000 employees serve Arizonans from Phoenix to Tucson, Yuma to Flagstaff and from Douglas to Page. The agency's tagline: "Your Partner for a Stronger Arizona" is intended to frame the work efforts toward growing the capacity of Arizonans in need of safety net services, and where possible, reduce their dependency on those vital supports.

Questions



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Thank You