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Elder Justice Act Signed into Law!

On March 23, 2010, thirty-two years after the first Congressional hearings were held on elder abuse, President Obama signed the Elder Justice Act and the Patient Safety and Abuse Prevention Act into law as part of the nation’s sweeping health care reform bill.

“This is a tremendous victory for our field and for older individuals. The Elder Justice Coalition is very grateful for the persistent degree of educating, informing, and hard work that was done by advocates across organizations and throughout the country,”

said Robert B. Blancato, national coordinator of the Coalition.

The main provisions of the Elder Justice Act include the following:

- \$400 million (\$100 million per year) is authorized in first-time dedicated funding for adult protective services (APS), in addition to \$100 million (\$25 million annually) for state demonstration grants to test a variety of methods to improve APS;
- \$32.5 million (over 4 years) is authorized in grants to support the Long-Term Care Ombudsman Program and an additional \$40 million (\$10 million annually) in training programs for national organizations and State long-term care ombudsman programs;
- An Elder Justice Coordinating Council is established at the federal level to propose recommendations within two years to the Secretary of Health and Human Services regarding coordination of federal, state, local, and private agency activities relating to elder abuse, neglect and exploitation.

The main provision of the Patient Safety and Abuse Prevention Act creates a national program of criminal background checks for persons seeking employment in nursing homes and other long-term care facilities.

According to Mr. Blancato, although the Elder Justice Act has been congressionally introduced four times since 2001, the core principles of the Act have not changed, calling for dedicated support for APS services and the implementation of a spectrum of preventative supports. He

recalled that at a press conference held in 2003 when Senators Breaux and Hatch introduced the Act they presented a time line depicting federal activity relating to elder abuse intervention. The time line began in 1978 when the first congressional hearings were held with not much following. "I think this, along with the demographic projections for the aging population, was quite compelling."

The bill has been signed into law and authorizes the above provisions. It must now undergo the appropriations process. Since the funds authorized are discretionary (as opposed to mandatory), the Sub-Committee on Labor, Health and Human Services, and Education (Labor HHS) Appropriations will now evaluate the requests for funding authorized by the Act.

"It is rare that appropriations fully match the funds authorized in a bill. However, this is a bill that has had great bipartisan support. It will be important to have funds appropriated in the first fiscal year, in this case FY 2011, which begins in October 2010. The Coalition is in the early stages of discussion with congressional members to support the request for appropriations. We are hopeful that funds will be in place sometime this fall."

Decisions regarding funding will move through the Sub-Committee on Labor, Health and Human Services, and Education, to the Appropriations Committee, to the full House and a similar process in the Senate. Mr. Blancato indicated that the Labor HHS bill is typically among the last to be decided, so announcement of final appropriations may not be made until the fall. He believes that

the documentation collected by APS regarding the negative impact of budget cuts, research available on elder abuse, and the Act's bipartisan support will be influential factors.

Mr. Blancato's involvement in seeking a federal response to address elder abuse began in the 1970's when he first worked on the House Select Committee on Aging and its efforts to bring the issue before congress. From 1988 through 2001, he was the first vice-president of the National Committee for the Prevention of Elder Abuse, serving with the late esteemed researcher and advocate, Rosalie Wolf. After Dr. Wolf died in 2001 he assumed the role of president, serving until 2005. He became national coordinator of the Elder Justice Coalition when it was established in 2003. Having witnessed and championed this movement since its earliest stages, Mr. Blancato is particularly mindful of the collective contributions of so many that were necessary to push the issue forward.

"This evolved into an almost unprecedented nationally coordinated and grassroots effort, including the Elder Justice Coalition and outstanding individual efforts by some of our 622 members, especially the National Council on Aging, OWL, the Elderly Financial Protection Network, WITNESS, NAPSA, and others. There are many to be commended, and congratulated."

(To read the October-November NCEA E-News article on grassroots advocacy efforts, [Click Here.](#))

“Join Us” at the Movies

For the second straight year, the NCEA will disseminate the Elder Abuse Information Piece (EAIP), a 15-second video message featuring actor William Mapother, in movie theaters throughout the US. The message was the cornerstone of the NCEA’s [“Join Us in the Fight Against Elder Abuse”](#) campaign, which launched in conjunction with World Elder Abuse Awareness Day during the Spring of 2009.

As the NCEA collaborator responsible for raising public awareness nationally, the Clearinghouse on Abuse and Neglect of the Elderly (CANE) at the University of Delaware (UD) has again contracted with National Cinemedia to place the EAIP as an in theater advertisement. The message will appear on 221 screens throughout 14 major metropolitan areas, including regions surrounding New York City, Los Angeles, Chicago, Philadelphia, Washington, DC, Boston, Las Vegas, San Antonio, San Diego, and Columbus.

The trailer will run for four weeks, from May 28th through June 24th, 2010. Once again, it will span the coveted Memorial Day weekend when summer blockbusters typically premier. The timing of the placement will also reinforce public awareness activities that coincide with World Elder Abuse Awareness Day.

“These weeks are ideal for placing a national message,” commented Sharon Merriman-Nai, project director at UD. “May is Older Americans Month. Mother’s Day is celebrated in May, Father’s Day is celebrated in June, and World Day is observed on June 15th each year. Each of these events is ideal for public awareness

activities; that they all occur within a few weeks’ span makes this an especially potent time frame for outreach. And with the recent passage of the Elder Justice Act, organizations and advocates will have a tremendous opportunity to collaborate and engage public attention.”

“It is extremely exciting to be able to run the message for a second time this year,” noted Karen Stein, UD project supervisor. “We know that one of the keys to successful social marketing is to reinforce a consistent message. Last year we laid the groundwork, and this year we are reiterating the theme.”

In the run up to the launch of the “Join Us” campaign and the placement of the EAIP, NCEA experienced an uptick in media interest in elder abuse and noted more World Day activities in 2009. During the months that followed, NCEA also observed an uptick in inquiries from the public and professionals when compared to the same time period in previous years.

“We are hopeful that the second run will help to sustain public attention,” said Dr. Stein.

The “Join Us” campaign asks each of us to consider the personal relevance of elder mistreatment and challenges us to become involved in awareness and prevention efforts. To support community efforts in this involvement, the NCEA has created a series of fact sheets, tip sheets, and other materials. This information can be found on the [“Join Us”](#) section of the NCEA website.

The NCEA would like to thank Mr. Mapother for his generous and invaluable contribution to elder abuse public awareness efforts. A stage and screen actor, Mr. Mapother is known for his work as Ethan Romm on the ABC hit drama, "Lost," and in feature films including "In the Bedroom," "The World Trade Center," and "Zodiac." The NCEA would also like to thank the State of Kentucky Cabinet for Health and Family Services for co-producing the Elder Abuse Awareness PSA series on which the EAIP was based. The Series was executively produced by Kimberly Baker, formerly of the Cabinet, and filmed and edited by Bruce Johnson and his production team at Eastern Kentucky University.

April is Sexual Assault Awareness Month

Though less common than other types of elder abuse, research increasingly indicates that elder sexual abuse occurs in the community and within institutional settings, with far reaching and negative consequences for those victimized. Ageism, in particular, simultaneously marginalizes elders and depicts them as asexual, contributing to the invisibility of the problem. The physical and cognitive limitations of many victims increase their vulnerability to this and other types of abuse, and create barriers to detecting, reporting, substantiating, and prosecuting abusive incidents.

The following internet resources provide information relating to elder sexual abuse:

[Addressing Elder Sexual Abuse: Developing a Community Response - Multimedia Curriculum](#)

Pennsylvania Coalition Against Rape and the Pennsylvania Department of Aging

[Elder Sexual Abuse - Continuing Education Course](#) by Holly Ramsey-Klawnsnik, PhD
National Association of Social Workers

[Elder Sexual Abuse \(2004\)](#)

and

[Elder Sexual Abuse - An Update of the Literature \(2007\)](#)

CANE Annotated Bibliographies
National Center on Elder Abuse

Additional training materials are accessible through the [NCEA Training Library for Adult Protective Services and Elder Abuse](#).

CANE TWEETS!

Are you interested in the latest news on elder abuse research, information, and resources? Follow the Clearinghouse on Abuse and Neglect of the Elderly (CANE) on Twitter. Using the group name "[ElderAbuseCANE](#)," the Clearinghouse will regularly highlight new research findings and other relevant information through "tweets" – very brief posts that include links to various sources of interest. To follow ElderAbuseCANE on Twitter, visit:

<http://twitter.com/ElderAbuseCANE>

CANE, a service of the National Center on Elder Abuse, provides an online database indexing elder abuse research and scholarly literature, along with public awareness materials and other resources. The CANE database may be searched to

find citations and brief summaries of peer-reviewed journal articles, as well as books, agency reports, videos, memoranda of understanding (MOU), and online resources addressing the abuse and neglect, self-neglect, and financial exploitation of elders. New references are added to the database weekly. Twitter not only allows CANE to tweet about the latest research published, it also allows followers to share news.

As they say on the [Twitter](#) home page, "Join the Conversation!"

To search the CANE database, [Click Here](#).

Call for Presentations:

27th Annual APS Conference in San Antonio, Texas

The Texas Department of Family and Protective Services is hosting its 27th Annual Adult Protective Services Conference: Empowering - Enriching - Protecting Lives. The conference will be held in its traditional location, San Antonio, at the Holiday Inn Select San Antonio International Airport, from October 26th - 29th, 2010.

Conference organizers are currently soliciting presentations. If you are interested in submitting a workshop proposal, please contact Thomas Ortiz at 512-929-6645 or by [email](#).

For more information on the conference, [visit the conference web site](#).

35th NCCNHR Annual Meeting and Conference

NCCNHR (formerly the National Citizens' Coalition for Nursing Home Reform) is hosting its annual conference in Orlando, Florida October 19th-22nd, 2010.

Conference organizers are soliciting proposals for presentations from: "citizen advocates, resident and family councils, ombudsmen, researchers, and others who are involved in advocacy for consumers of long-term care. Advocacy for individual residents as well as effective systemic advocacy and educational programs are topic areas of particular interest. We are looking for presentations that demonstrate concrete advocacy strategies that can not only be replicated but make things happen that positively impact consumers. We will consider sessions about advocacy in the entire long-term care continuum including nursing homes, assisted living and home- and community-based services. We encourage you to address the successes and barriers in your efforts...."

Proposal Deadline: April 30, 2010 at 5:00pm ET.

[Click Here](#) for more information and to download the full announcement and submission document.

Submit proposals by [email](#) to Christina Taylor, NCCNHR Event Planner or mail to:

NCCNHR
1828 L Street, NW, Suite 801
Washington, DC 20036

Notifications will be emailed by May 31, 2010.

NCEA Webcast Series on Worker Safety

Recognizing that safety for APS workers is a priority for all APS organizations, the NCEA is presenting a series of two webcasts addressing the topic. The first presentation, which aired on March 2, 2010, provides an overview of safety issues that APS workers face as they visit clients in their homes. Featured presenter Lieutenant Wade Gourley of the Oklahoma City Police Department discusses topics such as recognizing danger, preventing danger, what to do when a situation becomes dangerous, verbal and non-verbal communication, and methamphetamine labs. ["Worker Safety for APS" \(March 2, 2010\)](#) is now archived and accessible from the [NCEA Events Archive web page](#).

The second presentation in the series is scheduled to air live on May 6, 2010 (time to be determined) and will feature Janet Nelson, MSW, a teacher, trainer, and clinician. Ms. Nelson has combined her social work expertise with a background in martial arts to develop a unique approach to self-defense and worker safety. She will focus on recognizing and de-escalating potentially dangerous situations, topics identified as high priorities among viewers of the first webcast.

Time and registration details will be forthcoming on the [NCEA website](#) and through the [NCEA Listserve](#).

NCEA webcasts are hosted by the National Adult Protective Services Association

(NAPSA), the NCEA collaborator responsible for conducting training initiatives. Presentations are archived and accessible through the NCEA web site.

Special thanks to Aubrey Grant of NAPSA for contributing this article.

Illicit Drug Use among Older Adults

In December 2009, the Substance Abuse and Mental Health Services Administration (SAMHSA) issued a new [National Survey on Drug Use and Health \(NSDUH\) Report](#). The report examined the prevalence of illicit drug use, marijuana use, and nonmedical use of prescription type psychotherapeutic drugs among Americans over 50 years old. The findings of this report are annual averages based on 2006 to 2008 NSDUH data.

Because of the high rates of lifetime illicit drug use among the baby boom generation (individuals born between 1946 and 1964) and the large size of this cohort, it has been predicted that by the year 2020 the number of people over 50 needing treatment for substance abuse will double. Because of the rise in illicit drug use, and because substance abuse is a risk factor associated with elder mistreatment, it is vital to prepare for the substance abuse prevention and treatment needs of those over 50. Older adults present a unique challenge in designing appropriate substance abuse treatment. Age related physiological, psychological, and social changes make older adults more vulnerable to the damaging effects of illicit drug use, and many older adults use over the counter medications which could

interact adversely with illicit drugs or have the potential for abuse.

This report found that 4.3 million, or 4.7 percent of adults aged 50 or older, had used an illicit drug in the previous year. Marijuana use was most common for those adults aged 50 to 59, while adults over the age of 65 were more likely to abuse prescription type drugs. Among males over the age of 50, marijuana use was more common than nonmedical prescription drug use, while women over the age of 50 had similar rates of nonmedical prescription drug use and marijuana use. It is likely that as the baby boomers and subsequent cohorts continue to age, the rates of drug use among older groups will continue to increase.

An integrated system of care among the medical and behavioral health services is required to address substance abuse among the elderly, and health practitioners must routinely screen for substance abuse problems.

To read the NSDUH report, [Click Here](#).

Special thanks to Katie Wolinski of the University of Delaware Center for Community Research and Service for contributing this article.

Funding Opportunities: Fellowships in Victim Assistance, Aging and Law

OVC FY 10 Victim Assistance Professional Development Fellowship Program

The U.S. Department of Justice, Office of Justice Programs (OJP), Office for Victims of Crime (OVC), is soliciting applications for the Fiscal Year 2010 Victim Assistance Professional Development Fellowship Program. According to the announcement, "This program furthers the Department's mission by supporting the activities of up to six fellowship positions to assist OVC in its mission to advance victims' rights and services through training, technical assistance, and public awareness activities...."

Fellowships may be awarded in the following six areas:

- Victim Assistance and Compensation
 - Tribal
 - Underserved Crime Victims
 - Evidence-Based Training and Technical Assistance
 - Federal and Military Victim Assistance
 - Financial Fraud and Non Violent Crimes
-
- Application Deadline: April 27, 2010, 8:00 PM ET
 - Registration Deadline for the Grant Management System: April 20, 2010, 8:00 PM ET

To read the complete solicitation, [Click Here](#).

Note: Applicants are urged to contact Meg Morrow, Attorney Advisor, at 202-305-2986 or by [email](#) before developing an application.

Borchard Foundation 2010-2011 Fellowship in Law and Aging

The Borchard Fellowship in Law and Aging provides funding for one year "for two law school graduates interested in, and perhaps already in the early stages of pursuing, an academic and/or professional career in law and aging, the opportunity to pursue their research and professional interests."

The \$40,000 fellowship is intended as a full-time position only. Eligible candidates must be either U.S. citizens or legal residents of the U.S.

For details on the fellowship requirements or application process, or to submit an application, visit the [Borchard Foundation](#) online.

- Application deadline: April 15, 2010.

World Elder Abuse Awareness Day is June 15th!

What is your community planning?

[Click Here](#) to share news of World Day events in your region. Your ideas may inspire others.

Together, we have the power to prevent elder abuse.

State News

Kansas - Johnson County Creates FAST Team

Johnson County District Attorney Steve Howe and Economic Crime Unit Section Chief Vanessa Riebli recently created a Financial Abuse Specialist Team (FAST). The team was established in conjunction with the Kansas Department of Social and Rehabilitation Services (SRS) and local law enforcement agencies.

The team is comprised of medical volunteers, attorneys and investigators from the DA's office, police officers, sheriff's deputies, social workers, and attorneys from SRS. FAST's goal is to improve coordination among these entities to enhance investigation and prosecution of elder abuse cases, particularly those involving financial abuse and exploitation. Team participants note that this coordinated response allows for early interventions which help minimize the financial devastation often experienced by those victimized. They also believe that having medical professionals involved is pivotal to successful prosecution because it is helpful in obtaining -- and understanding -- relevant medical information of victims.

In addition to investigation and prosecution, FAST members will focus on educating the public on prevention strategies, identifying signs of potential abuse, and minimizing risk factors. Professional outreach to educate mandatory reporters is also a key component of the team's strategy to

reduce elder abuse throughout the county.

Kentucky - Elder Abuse is a Crime: Awareness is Prevention Conference

On April 22, the Big Sandy Council on Elder Maltreatment will sponsor its first conference on elder abuse prevention in conjunction with National Crime Victims' Rights Week. Special thanks to Leslie Caudill of the Kentucky Cabinet for Health and Family Services for providing the following details:

"The council is very excited about this conference and proud to have these outstanding, nationally recognized speakers: Attorney General Jack Conway (invited), Honorable Paul Greenwood, Dr. William Smock, Professor of Emergency Medicine at University of Louisville, Kentucky State Police Commissioner Rodney Brewer, and Mary Ellen Conley.

"As a bonus, we will be observing a Mock Trial on Elder Abuse presented by the Montgomery County High School Mock Trial Team with the assistance of their teacher and coach, Jon Mansfield and Billy Stover. Judge Marc Rosen will preside."

The conference is free and open to the public with lunch provided. Continuing education credits are pending. The event will be held at the US 23 Country Music Highway Conference Center, U.S. 23 South Kentucky Route 40, in Paintsville. For more information or to obtain a registration form, [email](#) Ms. Caudill.

Pennsylvania: State Commission Proposes Changes to Curb Power-of-Attorney Abuse

In 2007, a Pittsburgh Post-Gazette series on power-of-attorney abuse prompted Pennsylvania State Representative Jesse White of Washington County to propose a government commission to analyze these issues. [Recommendations of the 18-month study were recently released.](#)

Although the committee considered adopting the model Uniform Power of Attorney Act and began by conducting a side-by-side comparison of the Act with existing Pennsylvania law, they determined the existing statutes were structurally sound and instead proposed a series of alterations.

The major recommendation proposed would forbid an agent from changing an estate plan without permission expressly granted in the document or via the approval of an Orphans Court judge. Another significant change would allow courts broader power to initiate investigations or intervene when allegations of abuse are made. Currently, the law requires that a third party demand an accounting of money handling. Such measures could lead to early intervention in cases of abuse and minimize the degree of victimization.

Proposed legislation based upon the committee's finding is expected to be introduced.

To read the Commission report, [Click Here.](#)

Share Your State News!

To send NCEA updates on programs, projects, and news from your state,

[Click Here.](#)

Calendar of Events

April 2010

Sexual Assault Awareness Month
National Observance

April 7 - 8, 2010

[Office for Victims of Crime Training and Technical Assistance Center: Compassion Fatigue/Vicarious Trauma](#)
Renaissance Pittsburgh
Pittsburgh, PA

April 14 - 16, 2010

[Florida Crime Prevention Training Institute: Florida Elder Crime Practitioner Designation Update](#)
Embassy Suites Orlando North
Altamonte Springs, FL

April 18 - 24, 2010

[National Crime Victims' Rights Week](#)
National Observance

April 22, 2010

Big Sandy Council on Elder Abuse - Elder Abuse Crime: Awareness is Prevention
US 23 Country Music Highway Conference Center
Paintsville, KY
Email: [Click Here](#)
Telephone: 1-800-737-2723

April 27 - 29, 2010

2010 International Family Justice Center Conference

The Crowne Plaza Hotel - Riverwalk
San Antonio, TX

April 29, 2010

[Elder Abuse Conference: See It. Stop It. Prevent It.](#)
Manhattan VAMC
New York, NY

May 1 - 31, 2010

[Older Americans Month](#)
National Observance

May 3 - 5, 2010

[Florida Crime Prevention Training Institute: Law Enforcement's Role in Elder Crime](#)
Embassy Suites Orlando North
Altamonte Springs, FL

May 7, 2010

[4th Annual Geriatric Mental Health Conference: Caregiving in the 21st Century: Complex Roles, Innovative Practices](#)
Marriott Hotel at the Brooklyn Bridge
Brooklyn, NY

May 13 - 15, 2010

[The American Bar Association/National Legal Aid and Defender Association Equal Justice Conference](#)
Pointe Hilton Tapatio Cliffs Resort
Phoenix, AZ

June 14 - June 16, 2010

[National Institute of Justice Conference 2010](#)
Crystal Gateway Marriott
Arlington, VA

July 17 – 21, 2010

[N4a 35th Annual Conference and Trade Show](#)

Hyatt Regency St. Louis at The Arch
St. Louis, MO

September 14-16, 2010

[National Center for Victims of Crime – 2010 National Conference](#)

Hilton Riverside New Orleans Hotel
New Orleans, LA

October 19-22, 2010

[35th NCCNHR Annual Meeting and Conference](#)

Caribe Royale All-Suite Resort &
Convention Center
Orlando, FL

October 26 - 29, 2010

[27th Annual Adult Protective Services Conference: Empowering, Enriching, Protecting Lives](#)

Holiday Inn Select San Antonio
International Airport
San Antonio, TX

November 8-10, 2010

["Healing the Culture of Abuse"](#)

21st Annual NAPSA Conference in
partnership with the University of California,
Irvine
San Diego, CA

Credits and Contact Information

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<http://www.ncea.aoa.gov>.

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