



### Objectives:

- \* General Facts Regarding Abuse and Neglect and Other Offenses
- \* Signs of Abuse, Neglect and Other Offenses
- \* Reporting Abuse, Neglect and Other Offenses

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### References:

<https://www.nia.nih.gov/health/elder-abuse>

NCDHHS/DHSR/H CPEC|NAT I Curriculum – July 2019 Module E Law and Ethics

NCDHHS/DHSR/H CPEC | Home Care Aide Curriculum | July 2021 Module 2 Legal and Ethical Issues

Adult Protective Services What You Must Know:

<https://ncea.acl.gov/NCEA/media/Publication-4.0/APS-Fact-Sheet.pdf>

## Recognizing and Reporting Signs of Abuse and Neglect

Abuse can happen to anyone, no matter the person's age, sex, race, religion, or ethnic or cultural background. Each year, hundreds of thousands of adults over the age of 60 are abused, neglected, or financially exploited. This is called elder abuse. Abuse can happen in many places, including the older person's home, a family member's house, an assisted living facility, or a nursing home. The mistreatment of older adults can be by family members, strangers, health care providers, caregivers, or friends. Vulnerable adults are adults who are at risk for abuse or mistreatment because they are not able to protect themselves from harm due to mental, emotional, developmental disability; or brain damage; or changes from aging. Abuse can happen to any older adult, but often affects those who depend on others for help with activities of everyday life including bathing, dressing, and taking medicine. People who are frail may appear to be easy victims. Abuse can happen to any older person, by a loved one, a hired caregiver, or a stranger. Abuse can happen at home, at a relative's home, or in an eldercare facility. According to the United States Department of Justice, *in the United States it is estimated that over 10% of those age 65 and older experience some form of elder abuse in a given year.*

Basic human rights protected by the Constitution of the United States state that a person has the right to be treated with respect, live in dignity, pursue a meaningful life and be free of fear. Adult Protective Services (APS) programs promote the safety, independence, and quality-of-life for vulnerable adults who are, or are in danger of, being abused, neglected by self or others, or financially exploited, and who are unable to protect themselves. APS is a social service program authorized by law in every state to receive and investigate reports of elder or vulnerable adult maltreatment and to intervene to protect the victims to the extent possible. Adult Protective Services and other agencies have trained professionals to investigate suspected abuse and neglect. When someone makes a report, they do not need to prove that abuse is occurring; it is up to the professionals to investigate the suspicions. Everyone has a role to play to protect vulnerable adults from:

- Neglect – a failure to provide goods and services necessary to avoid physical harm, mental anguish, or mental illness.
- Misappropriation of property – illegal or improper use of a person's money, property, assets; by another, without consent, for personal gain
- Abuse – the willful infliction of injury, unreasonable confinement, intimidation or punishment with resulting physical harm, pain, or mental anguish
- Exploitation – taking advantage of a person for personal gain by manipulation, intimidation, threats, or coercion.

Elder self-neglect is characterized by poor hygiene (e.g., not bathing or attending to personal hygiene), unsanitary living conditions, and inattention to basic needs (e.g., eating and drinking fluids, lack of food in the home) and healthcare needs. Talk to your supervisor if you see signs of self-neglect with your client. Interventions to assist clients who self-neglect may help to improve their quality of life and reduce their risk of declining health status.

## **Recognizing and Reporting Signs of Abuse and Neglect**

Part of quality care is the expectation that clients should never be abused physically, emotionally, verbally, or sexually by care givers. As an In-home aide you should be able to recognize client abuse and neglect. Because seniors are often more compromised due to poor health and little social support, the impact of abuse can be life-threatening. *An In-home aide should be aware of signs and symptoms of abuse and must report these to their supervisor immediately, this includes suspected abuse of a client by personal or paid caregivers or family members of a client.* As an In-home aide you will have frequent and intimate contact with clients and will often be the first to observe abuse, neglect and other offenses.

### **There are many types of abuse:**

- Physical abuse happens when someone causes bodily harm by hitting, pushing, or slapping. This may also include restraining an older adult against his/her will, such as locking them in a room or tying them to furniture.
- Emotional abuse, sometimes called psychological abuse, can include a caregiver saying hurtful words, yelling, threatening, or repeatedly ignoring the older adult. Keeping that person from seeing close friends and relatives is another form of emotional abuse.
- Neglect occurs when the caregiver does not try to respond to the older adult's needs. This may include physical, emotional, and social needs, or withholding food, medications, or access to health care.
- Abandonment is leaving an older adult who needs help alone without planning for his or her care.
- Sexual abuse involves a caregiver forcing an older adult to watch or be part of sexual acts.
- Financial abuse happens when money or belongings are stolen from an older adult. It can include forging checks, taking someone else's retirement or Social Security benefits, or using a person's credit cards and bank accounts without their permission. It also includes changing names on a will, bank account, life insurance policy, or title to a house without permission.

### **Signs of abuse could include but are not limited to:**

- Physical: Unexplained bruising, dislocations, fractures, injuries to the face or head and burns. An older adult's report of being hit, slapped, kicked, or mistreated. Broken eyeglasses/frames, physical signs of being subjected to punishment, or signs of being restrained.
- Sexual: Genital or rectal tearing, sexually transmitted diseases, pain, bruising or itching in the genital areas
- Psychological: withdrawn, poor self-esteem, frightened by a caregiver, depression, anxiety, or suicidal thoughts/verbalizations
- Financial: financial abuse or exploitation means taking money from the client without their consent or if the client feels forced into giving away money. This is something that the client will usually "tell" you about. It is often difficult to "see" financial abuse or exploitation
- Neglect: if a client is not being fed, changed, or is left alone away from socialization. An example would be if the In-home aide finds that a client is left in soiled adult briefs during the hours the In-home aide is not in the home to provide client care such as toileting, continence, and personal hygiene
- Appears dirty, underfed, dehydrated, over-or undermedicated, or not receiving needed care for medical problems. Has bed sores or other preventable conditions

It is hard to think about an elderly person, a disabled person or a child being abused or neglected, but unfortunately this type of abuse happens. There are individuals who are considered vulnerable to abuse and neglect. Frailty, or dementia, or an age or condition that requires dependence on another person, means that someone is vulnerable and puts them at risk for abuse or neglect at the hands of another individual.

## **Recognizing and Reporting Signs of Abuse and Neglect**

Abuse not only can happen by a family member or personal caregiver, but it can also happen by a paid caregiver such as an In-home aide. Any abuse, neglect, or exploitation of clients is strictly prohibited and consequences for a paid caregiver such as an in-home aide can be extremely serious. A home care agency is responsible for reporting allegations of offenses committed by In-home aides such as neglect, abuse, exploitation, and other reportable offenses to the appropriate reporting bodies in each state, this would include law enforcement. All 50 states plus the District of Columbia have a Nurse Aide Registry. A home care agency has responsibilities as an employer related to personnel hiring and protection of the public. A family or personal caregiver may express to you their feelings of being “burned out” from providing care. Notify your supervisor as there could be community resources and sources of respite that may be needed to assist the caregiver in providing care. If you as an In-home aide are feeling “burned out” from providing care to a client, notify your supervisor. Caregiving is hard work both physically and emotionally and it is important to recognize signs of burnout to potentially help avoid neglecting a client’s needs or other offenses such as abuse.

If you provide In-home aide services for children, keep in mind that child abuse and neglect can also happen. While the words abuse and neglect are often used interchangeably, each type of maltreatment is distinct. Abuse is the intentional maltreatment of a child and can be physical, sexual, or emotional in nature. Neglect, on the other hand, is the failure to give children the necessary care they need. The emotional scars of both types of maltreatment are often deep and no child deserves to be maltreated. If you provide care for children, talk to your supervisor about the signs of child abuse and neglect that you would need to report to your supervisor who may determine a need to contact Child Protective Services (CPS). Anyone can report to either child or adult protective services. In many states, medical workers are mandated to report any suspected abuse. CPS or APS can assess and put in a plan, and they may need to work with a family and a client. There could be caregiver burnout and the caregiver and family may need more resources in the home. A child’s family may need help with parenting skills, resources and supports, or other actions that are needed to protect the adult and/or child. If you witness a life-threatening situation involving any client, immediately call 911.

### **Key Takeaways:**

- When talking with your supervisor to discuss a suspected issue, try to have as much information as possible (e.g., names of anyone involved, type and extent of suspected injury or issue, etc.). Your supervisor may have to call a reporting agency, or Adult Protective Services (APS) or Child Protective Services (CPS) to have them determine allegation(s). One of those agencies will then determine if they will investigate the suspected abuse or other reportable offense
- Be mindful of your role in recognizing client abuse and neglect
- Report your observations per your agency policies
- Know your agency policies and procedures for recognizing and reporting client abuse and neglect
- Reach out before you burn out
- Keep in mind the reportable allegations that your employer is required to report related to you as an employee
- Abuse and neglect can be at the hands of family, personal caregivers, paid caregivers, unscrupulous business people, financial scammers, and others who may prey on vulnerable individuals. A person who is lonely may also be a victim of abuse and neglect at the hands of someone who may take advantage of the person’s emotional state.
- *“It was once said that the moral test of government is how that government treats those who are in the dawn of life, the children; those who are in the twilight of life, the elderly; and those who are in the shadows of life, the sick, the needy, and the handicapped.”*  
— Hubert H. Humphrey