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Elder Rights: Safeguards for the Most Vulnerable Among Us

ELDER RIGHTS PROGRAMS PROTECT AND AFFECT US ALL

More and more Americans are being confronted with the challenge of protecting themselves or their loved ones from the threats of elder abuse, neglect, and exploitation. According to the 1998 National Elder Abuse Incidence Study, nearly half a million seniors suffer from abuse in domestic settings each year. This study also found that only one out of five cases of abuse is reported to the authorities.

In 1965, the Older Americans Act was enacted and decreed that older Americans were entitled to certain basic rights and benefits. The law provides funding for an extensive network of State and Area Agencies on Aging and local providers that coordinates and delivers services, and protects the rights of older persons.

The Older Americans Act has been amended several times, including in 1992 when Congress approved amendments that created Title VII: Allotments for Vulnerable Elder Rights Protection Activities. Title VII brought together the various advocacy programs of the Act into a system of services, programs, and personnel designed to help older persons understand their rights, exercise choice through informed decision-making, and benefit from the support and opportunities promised by law.

As the federal advocate for older Americans and their concerns, the Administration on Aging (AoA) is committed to protecting the rights of older people and preventing their abuse, neglect, and exploitation. Toward this end, AoA works to

heighten awareness among other federal agencies, organizations, groups, and the public about the needs of vulnerable older people.

SPECIFIC PROGRAMS TO PROTECT ELDER RIGHTS

AoA supports three programs that specifically promote the rights of seniors and protect them from abuse, neglect, and exploitation. AoA coordinates these programs at the national level, and members of the Aging Network implement them at the State and local level.

ELDER ABUSE, NEGLECT, AND EXPLOITATION PREVENTION

The goal of the Elder Abuse, Neglect, and Exploitation Prevention Program is to develop and strengthen prevention efforts at the State and local level. This includes funding for State and local public awareness campaigns, training programs, and multi-disciplinary teams.

To support and enhance these activities, AoA funds the National Center on Elder Abuse. The Center disseminates information about elder mistreatment to professionals and the public, and provides technical assistance and training to States and community-based organizations. To learn more about the Center visit <http://www.ncea.aoa.gov>.

LONG-TERM CARE OMBUDSMAN PROGRAM

Ombudsman staff and volunteers serving in the Long-Term Care Ombudsman Program advocate on behalf of older resident living in nursing homes, assisted living facilities and other

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residential settings. Every State has an Office of the Long-Term Care Ombudsman under which dedicated advocates assist residents to voice concerns, secure their rights, and correct conditions affecting their care.

Working through hundreds of grassroots programs, paid and volunteer ombudsmen serve residents and their representatives by educating them and providers about residents' rights and good care practices, including alternatives to chemical and physical restraints.

AoA supports the National Long-Term Care Ombudsman Resource Center, which provides training and technical assistance to assist ombudsmen in their demanding work. For more information about the Center or to locate an ombudsman in your area visit www.ltombudsman.org.

STATE LEGAL ASSISTANCE DEVELOPMENT PROGRAM

The State Legal Assistance Development Program is another essential element in protecting elder rights under Title VII of the Older Americans Act. The Act is one of the top funding sources for low-income senior legal assistance. Nationwide, approximately 1,000 legal services providers funded through the Act provide more than one million hours of assistance to seniors per year on a wide range of legal issues. Legal Assistance Developers at the state level coordinate these services and work to increase the availability of legal representation and advice to older adults throughout the state, especially those in the greatest social or economic need.

Predatory lending, investment schemes, identity theft, home repair scams, and other types of financial exploitation continue to be major problems for older Americans. Many victimized older adults lose their life savings or their homes and then require nursing homes. AoA's legal providers and legal help lines protect seniors

from these threats to home ownership by providing them with prevention information and help in seeking restitution.

Today, too many older Americans are confronted by the threats of abuse, neglect, and exploitation. AoA's Elder Rights Programs protect seniors from known abuses to which older adults are often susceptible and assure the basic rights and benefits of vulnerable older people. For more information on these programs visit

http://www.aoa.gov/AoARoot/AoA_Programs/Elder_Rights/index.aspx.

What is Elder Abuse?

Elder abuse is an umbrella term used to describe one or more of the following:

Physical Abuse is the infliction of physical pain or injury on a senior, e.g. slapping, bruising, or restraining by physical or chemical means.

Sexual Abuse is non-consensual sexual contact of any kind.

Neglect is the failure by those responsible to provide food, shelter, health care, or protection for a vulnerable elder.

Exploitation is the illegal taking, misuse, or concealment of funds, property, or assets of a senior for someone else's benefit.

Emotional Abuse is the infliction of mental pain, anguish, or distress on an elder person through verbal or nonverbal acts, e.g. humiliating, intimidating, or threatening.

Abandonment is the desertion of a vulnerable elder by anyone who has assumed the responsibility for care or custody of that person.

Self-neglect is characterized as the failure of a person to perform essential, self-care tasks and that such failure threatens his/her own health or safety.

If you suspect elder abuse, neglect, or exploitation, please call 1-800-677-1116, or visit <http://www.eldercare.gov> for assistance in locating the nearest reporting agency. If you or someone you know is in immediate danger, **call 911 or the local police** where the senior lives to get help right away.

FOR MORE INFORMATION ABOUT AOA

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