

Annual Adult Protective Services Report

2023

Mission...

Adult Protective Services' (APS) mission is to protect adults from abuse, neglect, and exploitation by advancing self-sufficiency, recovery, and resiliency, as well as providing temporary assistance until risk is minimized and services are secured.



2023 SFY ADULT PROTECTIVE SERVICES STATEWIDE DATA

Ages 18-59

Ages 60 +

35,993

5-Year Averages
36,412
0.63% Increase
Year-Over-Year

64.3%

Total Number of Reports

55,938

35.7%

19,945

5-Year Averages
21,559
2.58% Decrease
Year-Over-Year

2,854

5-Year Averages
3,200
8% Decrease
Year-Over-Year

32.9%

Total Number of Reports that Met Criteria
*Calls/web reports that meet acceptance
criteria can contain multiple allegations of
abuse, neglect, or exploitation.*

8,668

67.1%

5,814

5-Year Averages
6,668
6.9% Decrease
Year-Over-Year

7.93%

5-Year Averages
8.80%
7.3% Decrease
Year-Over-Year

Percent Reports Met Criteria

15.5%

29.15%

5-Year Averages
30.89%
4.0% Decrease
Year-Over-Year

481

5-Year Averages
615
11.04% Decrease
Year-Over-Year

31.5%

Total Substantiated* Reports

1,528

68.5%

1,047

5-Year Averages
1,372
11% Decrease
Year-Over-Year

16.9%

5-Year Averages
19.2%
2.9% Decrease
Year-Over-Year

Percent of Reports Substantiated

17.6%

18%

5-Year Averages
20.5%
4.4% Decrease
Year-Over-Year

Adults over 60 years of age experience fewer reports to central intake, but represent two-thirds of reports that meet acceptance criteria for an investigation or assessment. Adults over 60 years old are also more likely to have their investigation substantiated.

* Substantiated findings means that the preponderance of the evidence shows that maltreatment occurred.

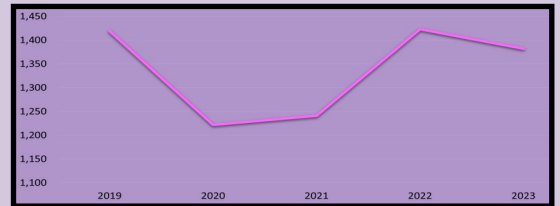
2023 SFY ADULT PROTECTIVE SERVICES STATEWIDE DATA

Ages 18—59

Court Ordered Guardianship Assessments

An assessment completed as a part of an interdisciplinary team to provide information to a judge or jury during guardianship hearings.

1,382 adults received a court ordered guardianship assessment

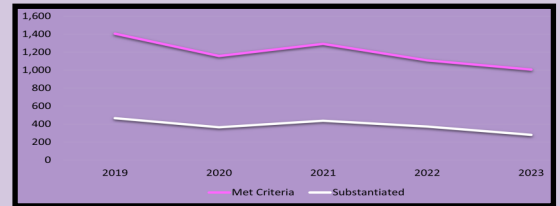


Self Neglect

A situation in which an adult is unable to perform or obtain for himself or herself the goods that are necessary to maintain his or her health or welfare.

1,007 adults experienced at least one investigation of self neglect

281 adults had a substantiated finding*

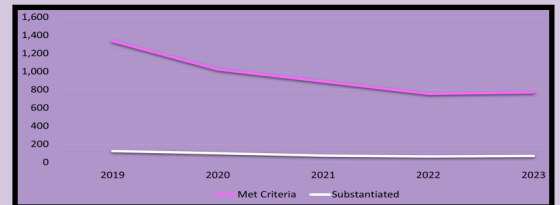


Caretaker Neglect

The deprivation of services by a caretaker that are necessary to maintain the health and welfare of an adult.

770 adults experienced at least one investigation of caretaker neglect

87 adults had a substantiated finding*

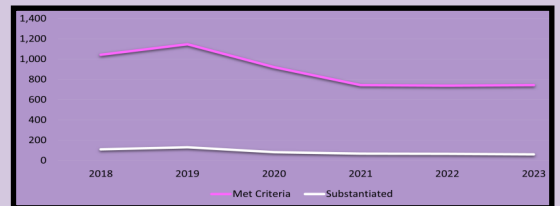


Abuse

The infliction of injury, sexual abuse, unreasonable confinement, intimidation, or punishment that results in physical pain or injury, including mental injury.

745 adults experienced at least one investigation of abuse

61 adults had a substantiated finding*

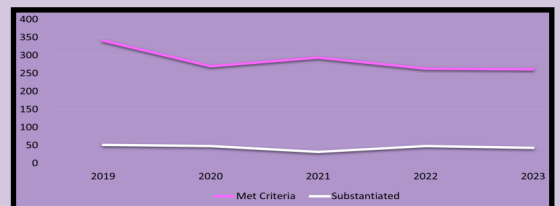


Exploitation

Obtaining or using another person's resources, including but not limited to funds, assets, or property, by deception, intimidation, or similar means, with the intent to deprive the person of those resources.

261 adults experienced at least one investigation of exploitation

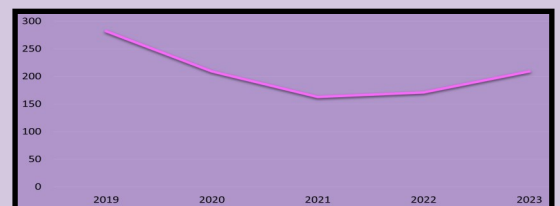
43 adults had a substantiated finding*



General Adult Services

Provides adults an enhanced opportunity to attain or maintain a level of self-sufficiency and autonomy in the community.

209 adults requested at least one referral for assistance



Adults over 18-59 years of age experience fewer investigations in all maltreatment types when compared to adults aged 60 years or older. Five out of the six types of referrals are currently trending down on the number of adults being served over the past five years. Court ordered guardianship assessments are trending up over the past five years. General Adult Services referrals have increased the past two years. *Substantiated findings means that the preponderance of the evidence shows that maltreatment occurred.

2023 SFY ADULT PROTECTIVE SERVICES STATEWIDE DATA

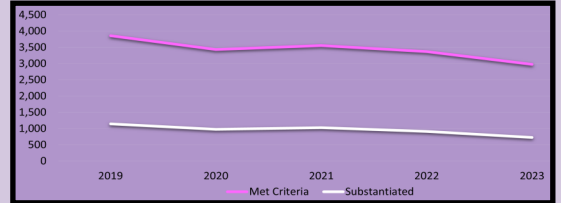
Ages 60 +

Self Neglect

A situation in which an adult is unable to perform or obtain for himself or herself the goods that are necessary to maintain his or her health or welfare.

2,975 adults experienced at least one investigation of self neglect

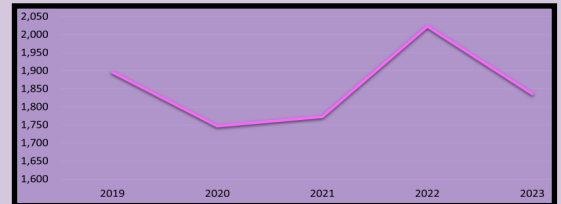
728 adults had a substantiated finding*



Court Ordered Guardianship Assessments

An assessment completed as a part of an interdisciplinary team to provide information to a judge or jury during guardianship hearings.

1,836 adults received a court ordered guardianship assessment

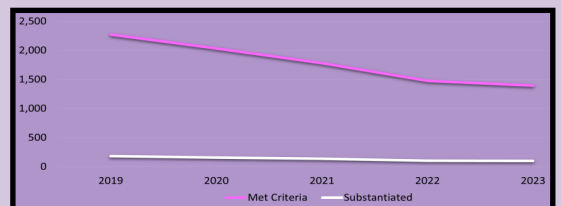


Caretaker Neglect

The deprivation of services by a caretaker that are necessary to maintain the health and welfare of an adult.

1,395 adults experienced at least one investigation of caretaker neglect

100 adults had a substantiated finding*

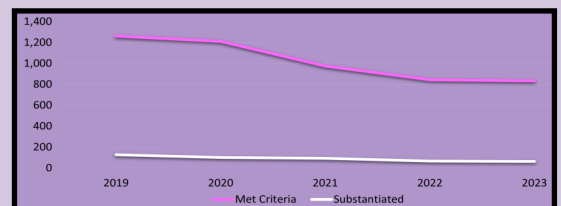


Abuse

The infliction of injury, sexual abuse, unreasonable confinement, intimidation, or punishment that results in physical pain or injury, including mental injury.

834 adults experienced at least one investigation of abuse

62 adults had a substantiated finding*

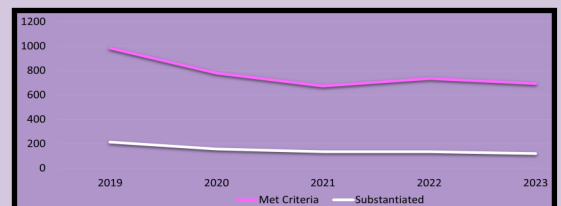


Exploitation

Obtaining or using another person's resources, including but not limited to funds, assets, or property, by deception, intimidation, or similar means, with the intent to deprive the person of those resources.

694 adults experienced at least one investigation of exploitation

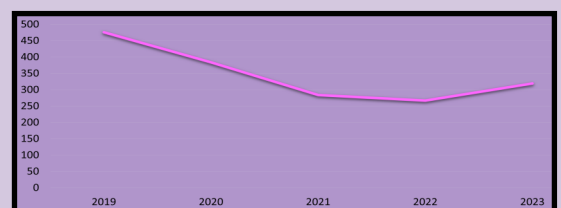
120 adults had a substantiated finding*



General Adult Services

Provides adults an enhanced opportunity to attain or maintain a level of self-sufficiency and autonomy in the community..

319 adults requested at least one referral for assistance



Adults over 60 years of age experience more investigations in all maltreatment types when compared to adults aged 18-59. Five out of the six types of referrals are currently trending down on the number of adults being served over the past five years. Court ordered guardianship assessments are trending up over the past five years.

* Substantiated findings means that the preponderance of the evidence shows that maltreatment occurred.

2023 OFFICE OF INSPECTOR GENERAL DATA (STATEWIDE)

	Level of Care	SFY 2016	SFY 2017	SFY 2018	SFY 2019	SFY 2020	SFY 2021	SFY 2022	SFY 2023	8yr Total	8yr Average
Total number of complaint allegations in long term care (LTC) facilities related to abuse, neglect, or misappropriation of resident property	FCH	4	4	3	7	1	1	0	0	20	2.50
	ICF	0	2	0	0	0	1	0	0	3	0.38
	ICF/IID	13	16	12	16	17	9	3	0	86	10.75
	LNF	1	0	0	0	0	0	0	0	1	0.13
	NH	1	2	1	1	0	0	0	0	5	0.63
	PCH	1	5	5	4	4	11	3	1	34	4.25
	PCH - FS	70	47	72	62	93	55	50	43	492	61.50
	SNF DP	60	65	71	70	72	80	79	52	549	68.63
	SNF	1	8	2	2	0	2	5	2	22	2.75
	SNF/NF	329	236	282	354	321	437	308	278	2,545	318.13
	Totals	480	385	448	516	508	596	448	376	3,757	469.63
Total number of LTC facility allegations related to abuse, neglect, or misappropriation of resident property that were substantiated	FCH	0	1	0	2	0	0	0	0	3	0.38
	ICF	0	1	0	0	0	0	0	0	1	0.13
	ICF/IID	7	4	4	5	8	2	3	0	33	4.13
	LNF	0	0	0	0	0	0	0	0	0	0.00
	NH	1	1	0	0	0	0	0	0	2	0.25
	PCH	0	1	0	0	0	3	0	0	4	0.50
	PCH - FS	19	11	14	15	27	14	5	9	114	14.25
	SNF DP	7	12	7	11	15	9	9	11	81	10.13
	SNF	0	0	0	0	0	0	0	0	0	0.00
	SNF/NF	62	43	52	55	63	87	44	86	492	61.50
	Totals	96	74	77	88	113	115	61	106	730	91.25
Total/Substantiated Percent:		20.0%	19.2%	17.2%	17.1%	22.2%	19.3%	13.6%	28.2%	19.4%	

FCH—Family Care Home

ICF—Intermediate Care Facility

ICF/IID—Intermediate Care Facility for Individuals with Intellectual Disabilities

LNF—Licensed Nursing Facility

NH—Nursing Home

PCH—Personal Care Home

PCH-FS—Freestanding Personal Care Home

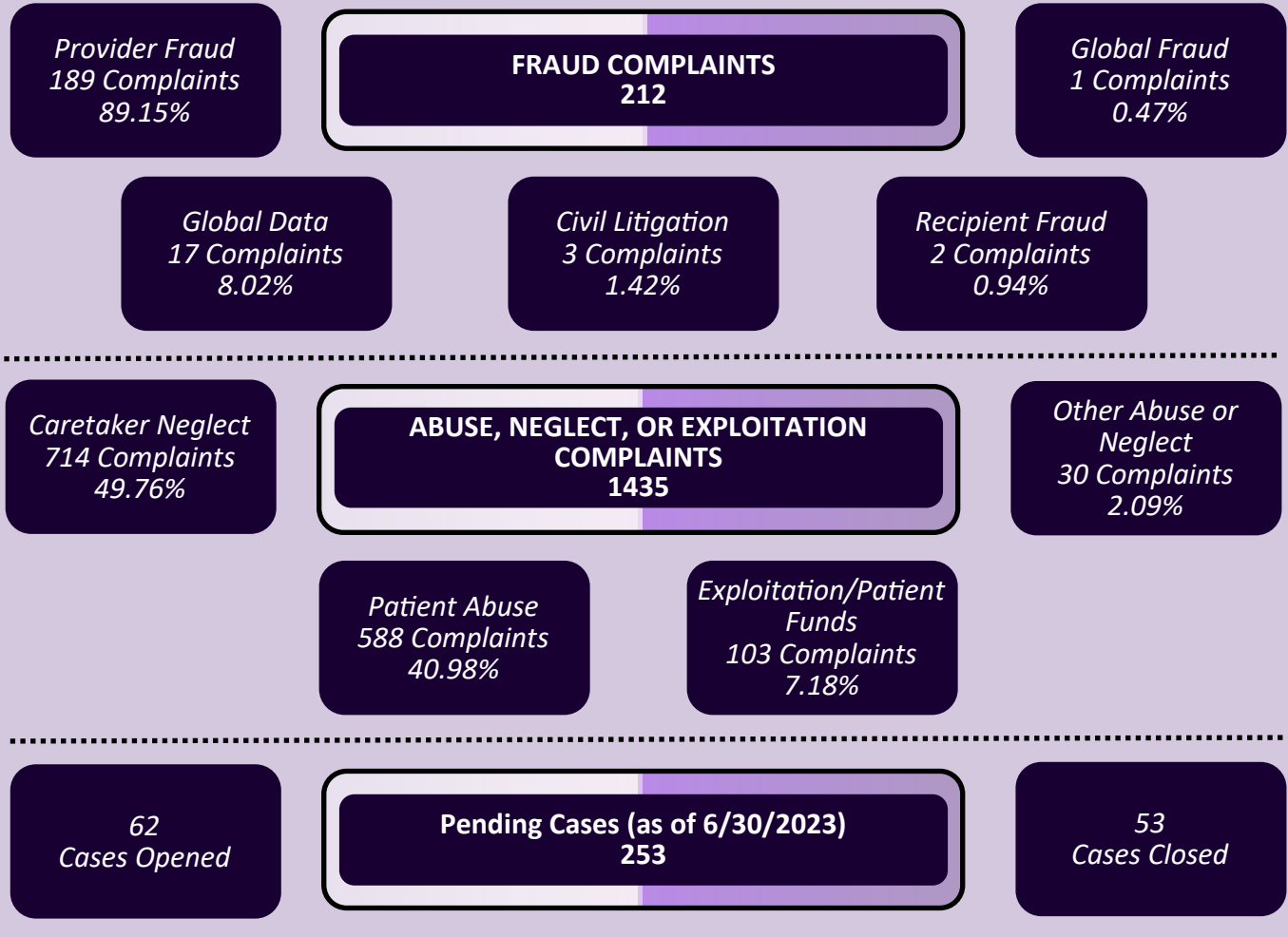
SNF DP—Skilled Nursing Facility, Distinct Part (“Distinct Part” refers to a portion of the facility that is federally certified to provide SNF services. The distinct part must be physically distinguishable and fiscally separate for cost reporting).

SNF—Skilled Nursing Facility

SNF/NF—Skilled Nursing Facility/Nursing Facility (This means the LTC is dually certified; NF beds are occupied by Medicaid beneficiaries and SNF beds are rehabilitative in nature/occupied by Medicare beneficiaries or dually eligible beneficiaries).

2023 OFFICE OF THE ATTORNEY GENERAL (OAG) DATA

OFFICE OF MEDICAID FRAUD AND ABUSE CONTROL



In addition to its responsibility to investigate and prosecute fraud in the Kentucky Medicaid Program, the Medicaid Fraud Control Unity (MFCU) is the primary investigative division of OAG charged with conducting investigations of adult abuse, neglect, and financial exploitation at Medicaid funded facilities and at board and care facilities. The unit has jurisdiction to investigate allegations of abuse, neglect, and financial exploitation of persons receiving care at these types of facilities regardless of whether the victim is a Medicaid patient. The MFCU also has jurisdiction to investigate financial exploitation of residents of these facilities that is conducted outside of the facility, such as individuals serving as a Power of Attorney. The MFCU employs investigators, attorneys, nurses, auditors, and support staff use a team approach when conducting investigations. In accordance with KRS Chapter 209, prosecutors with the MFCU may bring such criminal cases against individuals or corporations upon a request from the applicable county or commonwealth attorney. Otherwise, a county attorney (for misdemeanors) or a commonwealth attorney (for felonies) has the jurisdiction to prosecute criminal cases against the subjects of MFCU abuse, neglect, or financial exploitation cases. MFCU attorneys may also bring criminal or civil actions regarding Medicaid provider fraud concerning fraud that occurs at Medicaid funded facilities. In addition, the MFCU may also bring cases to federal prosecutors for criminal and civil actions by the United States.

The MFCU receives allegations of abuse, neglect, and financial exploitation from various sources. Direct referrals come from patients and family members. Some of these referrals come through the OAG abuse tip line, 1-877-ABUSE-TIP (1-877-228-7384), which is answered 24-hours a day, seven days a week. The MFCU also receives information directly from law enforcement agencies, service providers, and facilities. Most allegations are received through the Cabinet for Health and Family Services (CHFS). MFCU investigators conduct investigations of allegations and, where applicable, work with other law enforcement agencies in these investigations. In addition to the investigations and prosecutions conducted by members of the MFCU, the MFCU focuses on outreach efforts and training to the community and law enforcement. The MFCU edits the prosecution manual of crimes against the elderly for county and commonwealth's attorneys.

2023 ADMINISTRATIVE OFFICE OF THE COURTS DATA

170
Charges
92
Cases

CIRCUIT COURT

The court of general jurisdiction that hears civil matters involving more than \$5,000, capital offenses and felonies, land dispute cases, and contested probate cases. It has the power to issue injunctions, writs of prohibition, writs of mandamus, and to hear appeals from district court and administrative agencies.

32
Convictions
19%
Conviction
Rate

Abuse/Neglect of Adult by Person
Knowingly
Attempt, Knowingly
Complicity, Knowingly
Felony C—KRS 209.990(2)

66 Charges
3 Convictions

Exploited Adult by Person Over \$300
Wanton/Reckless
Felony D—KRS 209.990(6)

9 Charges
6 Convictions

Abuse/Neglect of Adult by Person
Wanton
Attempt, Wanton
Complicity, Wanton
Felony D—KRS 209.990(3)

15 Charges
7 Convictions

Exploited Adult by Person Over \$300
Knowingly/Wanton/Reckless
Misdemeanor A—KRS 209.990(7)

7 Charges
2 Convictions

Abuse/Neglect of Adult by Person
Reckless
Misdemeanor A—KRS 209.990(4)

3 Charges
3 Convictions

Exploit Adult by Person Over \$300
Knowingly

Attempt, Knowingly
Complicity, Knowingly
**OBS* Knowingly by Caretaker*
**OBS* Knowingly*

Felony C—KRS 209.990(5)

154 Charges
13 Convictions

84
Charges
67
Cases

DISTRICT COURT

The court of limited jurisdiction and handles juvenile matters, city and county ordinances, misdemeanors, violations, traffic offenses, probate of wills, arraignments, felony probable cause hearings, small claims involving \$2,500 or less, civil cases involving \$5,000 or less, voluntary and involuntary mental commitments, and cases relating to domestic violence and abuse.

2
Convictions
2%
Conviction
Rate

COLLABORATIVE PARTNERSHIPS

Guardianship Clients

41%
intellectual
and/or
developmental
disability

13%
dementia
related
diseases

49%
age
60+

17%
criminal
history

99%
Medicaid
eligible

36%
victims of
crime

4%
former
foster
children

54%
serious
mental
illness

Services Provided

8,488
medical
decisions
made

2,256
real and
personal
properties
managed

20,734
face to face/
virtual/visits
made

971
inventories
completed

2,993
court hearings
attended

5,562
court
reports
completed

5,212
care plan
meetings
attended

1,149
facility
agreements
signed

DIVISION OF GUARDIANSHIP

5,280
person served

\$39,356,967+
assets managed

35% of complaints
related to care categories
(response to requests for
assistance, personal
hygiene and incontinence
care, symptoms
unattended, medications,
care planning, and
accidents and falls)

KENTUCKY LONG-TERM CARE OMBUDSMAN PROGRAM (KLTCOP)

2,485
complaints identified,
investigated, and worked toward
resolution

59
complaints of
abuse/neglect
investigated

549
APS
inquiries

CHFS OFFICE OF THE OMBUDSMAN AND ADMINISTRATIVE REVIEW

128
misconduct registry
cases processed

WEBSITE REFERENCES

Adult Protective Services—KY Empowering Solutions To End Adult Maltreatment

<https://kvesteam.ky.gov>

Office of the Attorney General—Office of Medicaid Fraud and Abuse Control

<https://www.ag.ky.gov/about/Office-Divisions/OMFA/Pages/default.aspx>

Office of the Inspector General—Division of Health Care

<https://www.chfs.ky.gov/agencies/os/oig/Pages/default.aspx>

Kentucky State Long-Term Care Ombudsman

<https://ombuddy.org/state-long-term-care-ombudsman-program/>

Administrative Office of the Courts

<https://kycourts.gov/AOC/Pages/default.aspx>

Department for Aging and Independent Living—Division of Guardianship Services

<https://www.chfs.ky.gov/agencies/dail/dg/pages/default.aspx>

Report to APS (web portal)

<https://prd.webapps.chfs.ky.gov/reportabuse/home.aspx>