



Staying Connected:

Elder Abuse Prevention and Awareness News

February 2021

Volume 1, No. 8

CONNECTED TO END ELDER ABUSE INITIATIVE 2020

Goal 3:

Connect agencies that serve adults through enhanced communication.

Over the next few months we will begin focusing on how different agencies handle prevention efforts for abuse/neglect and exploitation. Each month an agency will provide information about what they are tasked with, how they accomplish their prevention efforts and how they work with other agencies to achieve these efforts.

Next month in this series will be the Office of the Inspector General role in coordination efforts. If you have any questions that you would love answered, please email cliff.bryant@ky.gov by 2/28/21 for inclusion.

February brings a day on the calendar that reminds people of a 1993 movie starring Bill Murray, "Groundhog Day." It could be argued that the past eleven months have seemed similar to events in this movie. Eventually "Groundhog Day" ended in the movie, as will state of emergency surrounding covid-19.

The end of the state of emergency will be related to vaccine distribution. With the distribution we run in to a set of problems that becomes more pronounced with Kentuckians that are either disabled or over the age of 60.

For the most up to date information about the vaccine distribution in Kentucky please visit the official Team Kentucky website by clicking here:

<https://govstatus.egov.com/ky-covid-vaccine>

If you or someone you know does not have access to the internet, feel free to call the following number:

(855) 598-2246

For more information about the vaccines, click on the vaccine name:

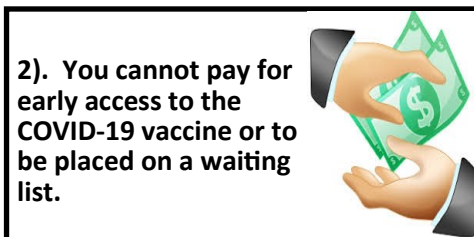
[Moderna](#)

[Pfizer](#)

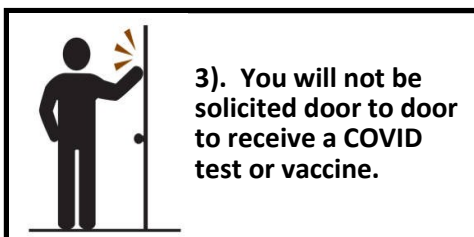
Here are some things to keep in mind when trying to navigate the vaccine distribution in your area. Consider sharing this information with your clients.



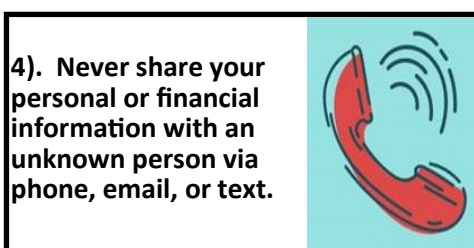
1). If you are having difficulty navigating vaccine distribution, Kentuckians that are disabled or over the age of 60 are probably having difficulty as well.



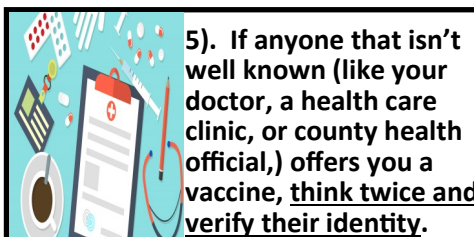
2). You cannot pay for early access to the COVID-19 vaccine or to be placed on a waiting list.



3). You will not be solicited door to door to receive a COVID test or vaccine.



4). Never share your personal or financial information with an unknown person via phone, email, or text.



5). If anyone that isn't well known (like your doctor, a health care clinic, or county health official,) offers you a vaccine, think twice and verify their identity.



Adult Protective Services Prevention Efforts

- APS workers and supervisors participate on multi-disciplinary case review teams (APS, Local Law Enforcement, County/Commonwealth Attorney's, LTCO).
- APS supervisors participate in multi-agency meetings quarterly (APS, OIG, OAG, DAIL-Guardianship, LTCO).
- APS workers and supervisors participate on Local Coordinating Councils on Elder Abuse.
- APS workers and supervisors provide training opportunities to any interested parties regarding Kentucky Revised Statutes (KRS) 209.

Office of the Inspector General (OIG)

- Central Intake forwards a copy of the suspected abuse/neglect, dependency or exploitation reporting form when the case relates to a facility that is regulated by OIG.
- An APS worker may coordinate with OIG during the investigation.
- An APS worker receives notifications of findings from OIG.

State Long Term Care Ombudsman (LTCO)

- Central Intake forwards a copy of the suspected abuse/neglect, dependency or exploitation reporting form when the case relates to a long term care facility.
- An APS worker may coordinate with LTCO during the investigation.
- An APS worker notifies LTCO of the findings of the investigation.

Local Law Enforcement/ Kentucky State Police

- Central Intake forwards a copy of the suspected abuse/neglect, dependency or exploitation reporting form
- An APS worker may coordinate with law enforcement during the investigation.
- An APS worker notifies local law enforcement/Kentucky State Police of the findings of the investigation (and may share the investigative assessment upon written request).

Office of the Attorney General (OAG)

- Central Intake forwards a copy of the suspected abuse/neglect, dependency or exploitation reporting form when the case relates to a Medicaid facility.
- An APS worker may coordinate with OAG during the investigation.
- An APS worker notifies OAG of the findings of the investigation (and may share the investigative assessment upon written request).

Adult Protective Services: Collaborations

Division of Development and Intellectual Disability (DDID)

- Central Intake forwards a copy of the suspected abuse/neglect, dependency or exploitation reporting form when the case relates to a Medicaid waiver program.
- An APS worker may coordinate with DDID during the investigation.
- An APS worker notifies DDID of the findings of the investigation (and may share the investigative assessment upon written request).

Department of Aging and Independently Living (DAIL)

- Central Intake forwards a copy of the suspected abuse/neglect, dependency or exploitation reporting form when the case relates to an assisted living.
- An APS worker may coordinate with DAIL during the investigation.
- An APS worker notifies DAIL of the findings of the investigation (and may share the investigative assessment upon written request).

KRS 209.030

- (6) (a) - The cabinet shall, to the extent practicable, coordinate its investigation with the appropriate law enforcement agency and, if indicated, any appropriate authorized agency or agencies.
- (b) - The cabinet, shall, to the extent practicable, support specialized multidisciplinary teams to investigate reports made under this chapter. This team may include law enforcement officers, social workers, Commonwealth's attorneys and county attorneys, representatives from other authorized agencies, medical professionals, and other related professionals with investigative responsibilities, as necessary.

HELLO!



MEET THE TEAM

Northern Bluegrass Service Region has two Adult Protective Services (APS) teams; APS rural & APS urban.

APS rural is managed by FSOS (Mandie Graham). This team is comprised of three staff (Kelley Henry, chief; Tabitha Schnell, SSCI and Sheena Clayborne, SSWII). The team collaboratively covers nine counties: Harrison, Nicholas, Bourbon, Scott, Grant, Pendleton, Owen, Gallatin, and Carroll Counties. All three staff also conduct court reports (IDT's) for this portion of the region. The entire team is normally housed in the Scott County DCBS office but travels throughout the region and the edges of other regions to locate vulnerable adults who have been moved/placed elsewhere. All three APS staff were hired onto this team as new employees

and each has approximately five years experience with the agency. The APS rural team can be reached at 502-863-0565. The company directory can link you to each of their direct extensions.

APS urban is managed by Catherine Tobin, FSOS. FSOS Tobin has 8 years of experience in APS. The team is comprised of 6 staff members. The chief is Rachael Elkins and she has 6 years at DCBS – 5 of which are with APS. Also on the team are Justyne Frederick – 5 years with APS; Diane Huddleston-Angel – 20+ years with DCBS; Phil Thompson – 10+ years with DCBS; and Heather Coyle who joined the team in January from CPS. APS urban serves Boone, Kenton and Campbell counties. IDT's for Boone County are completed by Justyne. IDT's for Campbell County are completed by Rachael. IDT's for Kenton County are completed by Phil. Due to a high volume of IDT's in Kenton County, Heather will be trained to help. Alternate care investigations (nursing homes, SCL, personal care homes) are primarily completed by Diane. If you need to contact FSOS Tobin you can do so by emailing, Catherine.tobin@ky.gov.

APS and Court Intervention: Options!

KRS affords APS workers the opportunity to pursue court intervention when it is believed that the adult lacks decisional capacity.

An ex parte order (KRS 209.130) is pursued when "it appears probable that an adult will suffer immediate and irreparable physical injury or death if protective services are not immediately provided." The court will order specific protective services that will remove the adult from conditions of immediate and irreparable physical injury or death.

An ex parte order allows for forcible entry and removal of an adult in order to render protective services. This shall be ordered by the court and accomplished by a peace officer and a representative of the cabinet.

Once an ex parte order is issued, the cabinet must file a petition and a hearing will be held within 72 hours (exclusive of Saturdays and Sundays).

An emergency protective services order (KRS 209.100) is pursued when an adult is in a state of abuse or neglect, an emergency exists, is in need of protective services, and no person is authorized by law or court order or refuses to give consent.

An emergency is defined by KRS 209.020 (11) as an adult living in conditions that present a substantial risk of death or immediate and serious physical harm to self or others.

The court will order interventions that it finds to be least restrictive of the individual's liberty and rights while consistent with welfare and safety.

These first two orders are not recognized by all Judges and County Attorney at this time. This will significantly limit its use in some parts of the state.

When a more long term solution is required, a guardianship petition may be filed. This petition can be filed by any person or entity that is interested in being appointed.

The petition will begin a process to determine that the individual is disabled per KRS 387. Under this section, "disabled means a legal disability, not a medical disability and is measured by functional incapacities." This disability can be either partial or full, leading to an appointment of a partial or full guardian/conservator. If a partial disability is awarded by the court, the guardian/conservator will be informed of the decisions they will be responsible for making.

If there are no other individuals willing or able to petition for guardianship, a referral to the Department for Aging and Independent Living can be made by any individual to have the State of Kentucky petition for guardianship. This referral process is the same for APS as well as any private citizen or entity.

.....NEXT MONTH we will look more in to the referral process for a state guardianship appointment.

RESOURCES

2020 Adult Guardianship
Legislation Summary
[Click Here](#)

Adult Guardianship
Legislation Summaries
2013—2018
[Click Here](#)

"Scams that Come to Life After
Death"
[Click Here](#)

What APS Reporters Need to
Know
[Click Here](#)

Where does a dad store all of his
jokes?
In his Dadabase!

TRAINING

2/25/21 1:00—3:00pm
Elder Justice Through a Racial Justice Lens
Register [Here](#)

2/25/21 3:00—4:40pm
Understanding Decisional Capacities of
Older Adults
Register [Here](#)

3/18/21 8:30am— 2:30pm (EST)
KY River Virtual Aging Issues
Awareness Training
Register via email to: stacie@kradd.org

