

Testimony

before the

House Aging and Older Adult Service Committee

**Administration of Protective Service
to Address Elder Abuse
in Pennsylvania**

Submitted by:

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and
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Area Agencies on Aging's
Protective Service/Guardianship Committee**

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Administering Protective Service

Good morning. My name is Alan Smith and I am the Executive Director of the Huntingdon-Bedford-Fulton Area Agency on Aging, a public agency under the governance of the Commissioners of Huntingdon, Bedford and Fulton Counties, a position that I have held for over 33 years. In 2005, I was a Congressional Delegate to the White House Conference on Aging as appointed by Congressman Bill Shuster. Currently, I serve as Chair of the Pennsylvania Association of Area Agencies on Aging's active Protective Service/Guardianship Committee and, based on this, I have been privileged to provide comment to this Committee in the past.

I am here today representing both the Huntingdon-Bedford-Fulton Area Agency on Aging which has a well documented, strong commitment to insuring that elder citizens are not abused, neglected, exploited or abandoned and, as Chair of the Protective Service/Guardianship Committee, a committee that has grown substantially over the last several years and with almost 60 people at our August meeting with representation from 30 of Pennsylvania's 52 Area Agencies on Aging, including the two largest, Allegheny County and the Philadelphia Corporation on Aging. Chairman Hennessey, I am pleased to report that the Committee has benefitted from the faithful representation and commitment of Wanda Stonebraker and Cindy Willison of the Chester County AAA.

Actually, the Committee has evolved as a joint collaboration among the Department of Aging, the Institute on Protective Service at Temple University as led by the dedicated service of Dr. Ron Costen, and staff from the General Assembly. On Thursday the Committee will be meeting across the street at Temple University's Strawberry Square Campus from 10:00 am until 3:00 pm and you are all sincerely invited to join us, even for just a brief moment, to hear firsthand from an outstanding group of practitioners who everyday protect the Commonwealth's elder citizens. Interestingly, many who attend the Committee's quarterly meetings describe them as mini-seminars on the functional, technical and practical aspect of providing protective services to older adults.

In this setting and as always, I recognize and pay tribute to the deeply devoted work of Sharon Schwartz who brings to the Committee her good guidance, remarkable insight and long standing expertise on the issues and needs of elder citizens and

particularly protecting our elder citizens. Also special thanks to Secretary Duke for his support of recognizing the significance of protective service and, also, for his support of the Committee through participation of staff of the Protective Service Division as led by the good work and well recognized commitment of the division chief, Denise Getgen.

In relation to the administration of protective service and as I have remarked on other occasions before this Committee, a key contributing and essential factor is the support that comes from the governing body of the Agency which, in our case, is the Commissioners of Huntingdon, Bedford and Fulton Counties, with this support coming as the Commissioners recognize that this serves the most frail, vulnerable and at-risk older persons, and this is true.

It is important to emphasize that a critical component of the work of Pennsylvania's Area Agencies on Aging is carrying out the statutory and regulatory provisions of Pennsylvania's Older Adult Protective Service Act, as passed by the General Assembly in 1987. It is my feeling that every year we have elevated the level of work through the leadership and advocacy of many and especially those I have mentioned. Currently there is a proposal to amend the Act to strengthen it and make it even more responsive to its purpose.

In referencing the administrative support from the Commissioners, it is possible that the ruralness of our three counties provides an advantage to protective service since there have been times that the Commissioners are aware of the horrendous circumstances that lead to receiving a Report of Need, especially the cases that get referred to law enforcement for prosecution. Your esteemed and respected colleague, the late Representative Dick Hess, would also periodically call me and say "Alan what can we do about this situation?". Sometimes the call would come after he would get a call from a person who was not pleased that the Agency was conducting an investigation and he would respond to the person that if the Agency was involved there must be a compelling need or reason and that this seemed to turn the conversation around.

Also, from the administrative perspective, we have benefitted from high profile cases that would involve people of prominence in the community and, due to the thoroughness of the investigation and the attention to detail by protective service workers, there is a collective consensus that the intervention made a tremendous, positive

difference, saved a life, or preserved or recovered assets so the older person could continue living in the community.

One of our cases was featured in a video presentation at this year's Protective Service Conference, a case that resulted in a criminal conviction and restitution in the amount of \$113,003.90, with the restitution check being attached. This was a case of an 83 year old man confined in an upstairs room in his daughter's home, a man who was physically abused and financially exploited. The case involved cooperation of the Pennsylvania State Police, with two troopers accompanying two of our protective service workers to remove the man from the daughter's home, since there had been threats of violence against anyone who tried to intercede. The case was referred to Huntingdon County District Attorney George Zanic who, in his zeal for justice, successfully prosecuted the daughter and, as part of the conviction, got restitution for the gentleman. The rewarding aspect of this successful case is a brief video of the man a few days after getting the check dancing at a senior center. As in most protective service cases, reaching resolution requires skill, collaboration, courage and conviction from the protective service workers.

Another example was a call we received from a 94 year old woman inquiring about her eligibility for home delivered meals. When the worker from the Agency arrived at the home to do the assessment for the meals, the woman said she really didn't need home delivered meals, but could we help her 65 year old son and led the worker to a bedroom where an emaciated man was lying on a mattress. Fortunately, the worker who had gone to do the meal assessment was one of our protective service staff and I ask that you note the attachments of pictures of the man's feet after the worker called for an ambulance and had him transported to the hospital. What the pictures depict is that the man's socks literally had rotted off his feet. This is another success story and he is now living in a Domiciliary Care home and is doing exceedingly well.

There are other pictures of other cases that graphically show bed sores into the bone and I note one more picture of a case of maggots living in a leg. On a positive note, I understand that probably next week the man with both legs, due to the intervention and excellent medical care, will be returning to the community from a nursing home. This is why it is important to keep the work of protecting older persons at the forefront and the

General Assembly providing the resources to the Department of Aging that includes the funding for the Institute on Protective Service, and collaboration with District Attorneys and law enforcement.

In regard to the collaborative work, DA Zanic and the Agency annually sponsor an Elder Justice Seminar that includes discussion on protective service. Each year the seminar attracts about 150 people and it has been moderated by Dr. Costen. The excellent tv and front page news coverage of the seminar are key ingredients of getting the message out that there is a protective service program for older adults.

Again, a key element of successful protective service is well trained, dedicated staff and I emphasize that this is not an 8:30-4:30, Monday thru Friday, proposition. Other administrative ingredients are having solicitors who have a working knowledge of the statutory and regulatory provisions of protective service, the guardianship statute and a working relationship with the Court. A perfect example of this is last Monday in the early morning hours of Veteran's Day in which we followed up on a report from an ambulance crew about a confused 78 year old man refusing much needed medical care. As part of the investigation, there was confirmation from family that he would have wanted treatment. The man had become unresponsive and with police support, the protective service worker made arrangements for transport to the hospital. At 4:00 am I was on the telephone with the emergency room physician regarding medical treatment and this all coincided with our solicitor, Attorney Carol Rose, arriving at UPMC Bedford Memorial Hospital at 4:00 am with an Emergency Guardianship Order for treatment. The prognosis was guarded. The man has been discharged to a nursing home and is slowly regaining his strength.

Effective protective service is about having pre-established mechanisms and work groups like the Protective Service/Guardianship Committee, with the consensus being that it has made major contributions to protecting older Pennsylvanians as has the leadership of Dr. Costen and the Institute on Protective Service and the committed involvement and oversight of the Department of Aging. Protective Service is making a difference. This requires all of us to embrace a mutual mission of working respectfully for the best interest of older persons.

The cases that I have referenced from Huntingdon, Bedford and Fulton Counties are in no way unique and my colleagues could share similar and probably even worse stories, but they are emblematic of the approximate 18,000 Reports of Need received by Area Agencies on Aging in the past year. Though we may not be able to totally eliminate neglect, abuse, financial exploitation or abandonment, we can resolve to respond, to embrace justice, to do what is right and pledge that older Pennsylvanians will not be mistreated, disrespected or forgotten.











