

TESTIMONY BEFORE
THE OHIO HOUSE OF REPRESENTATIVES
JUDICIARY COMMITTEE
HEALTH AND HUMAN SERVICES SUBCOMMITTEE

Wednesday March 13th, 2013

OHIO ASSOCIATION OF AREA AGENCIES ON AGING

Presented by
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Chairman Butler and members of the committee, thank you for giving me the opportunity to testify today. My name is Cindy Farson and I am a member of the Board of Directors of the Ohio Association of Area Agencies on Aging (*o4a*) and Director of the Central Ohio Area Agency on Aging.

I am here today to testify on behalf of the Area Agencies on Aging to support House Bill 49. Our Association represents twelve regionally-based Area Agencies on Aging in Ohio that fund, plan, and coordinate services for, as well as advocate for, older adults and their families throughout Ohio. The Area Agencies on Aging were established under the federal Older Americans Act in 1973 to serve as organizations charged with assisting older persons to live with independence and dignity in their homes and communities. The Area Agencies on Aging administer and provide case management for the PASSPORT, Assisted Living, and Choices waiver programs and a variety of county levy programs.

Area Agencies act as partners with Adult Protective Services in all counties of the state because we are often protecting the same people and it is our desire to see a strong Adult Protective Services system in Ohio. We often have need of their assistance. House Bill 49 will improve the law that protects vulnerable older adults in important ways.

We support the expanded list of people required to report elder abuse. Financial abuse is a fast growing problem, especially in a bad economy. If it can be caught early, people can be protected from emptied bank accounts, improper transfers of property and unwise investments. Many banks and financial planners have been essential to the discovery of financial abuse and have been able to halt serious damage to an older adult's wellbeing. Some have hesitated for a variety

of reasons and that can result in financial damage that cannot be remedied. This bill will remove doubt from observant financial employees on what their role should be. Other mandatory reporters have also been added to existing law through this bill. These individuals are frequently in a position to see what may be going on in an older adult's home and again, the bill removes any question of what role they should play.

We also support the establishment of a registry that will be available to APS workers in the future to recognize repeat abuse allegations. Another important addition to the bill is allowing for emergency protective orders that waive the 24 hour notice, if immediate and irreparable harm will be caused by a delay.

Ohio has suffered from a lack of consistency in the ability to protect elders from county to county. This bill attempts some standardization by making ODJFS the responsible entity for implementing the statutory provision and the counties the administrators of it. It asks for standard core services for interventions offered to vulnerable adults, standard data collection, required ongoing formal training on statute implementation, and educational materials made available to mandatory reporters. We support these changes.

There are significant language changes in the bill. We support the addition of abandonment as another form of neglect by a caretaker. Also there is need to expand the definition of who may be exploiting an elder beyond "a caretaker". We support changing the definition of exploitation to include anyone with an ongoing relationship, who uses an elder's resources for monetary or personal benefit in an unlawful or improper way.

Area Agencies on Aging have also seen the positive impact of interdisciplinary teams and the valuable work that can be done for an individual through ongoing relationships with law enforcement, the probate court and prosecuting attorneys, among others. We support the continued development of these teams.

Finally, we believe the establishment of an Elder Abuse Commission is important in keeping attention on the growing problem of Elder Abuse. The demographics of Ohio point to a tremendous growth in our older population, with increasing percentages of people living alone, or vulnerable in health or mental status.

It is our hope that House Bill 49 is followed with the financial resources to fully implement it. That statement was included in our testimony as part of the Aging Panel in the House Finance Committee. We recognize that 39 Ohio counties don't even have a full time Adult Protective Services Worker and ODJFS has limited staff assigned to Adult Protective Services at the state level. This should change. In many counties, this abuse goes unreported and investigations don't take place because of the scarce resources made available to counties for this state mandated function.

It is so important to those older adults, who are helpless for a variety of reasons, that a minimum standard of assistance is available in every county in Ohio. Thank you so much for considering this important bill that is critical to keeping people safe at home.