



Senate Bill 158
Ohio Senate Judiciary Committee
Tuesday, September 12, 2017

Chairman Bacon, Ranking member Thomas, and members of the Senate Judiciary Committee, thank you for the opportunity to be here today to share testimony on Senate Bill 158, that seeks to combat elder fraud through a multi-pronged approach including education, restitution and program development. My name is Nisha Hammel, and I am the Director of Advocacy for LeadingAge Ohio, an association representing mission-driven, values-based providers of long-term services and supports to older Ohioans. Our 400-plus members are life plan communities (CCRCs), affordable housing organizations, skilled nursing facilities, adult day programs, assisted living facilities, county homes, home health agencies and hospices, among others. Our members are often the frontline protectors of vulnerable seniors, whether those seniors are residing in a facility setting or in a home environment. LeadingAge Ohio members serve an estimated 400,000 Ohioans annually.

Elder abuse, exploitation and neglect affects one in nine seniors¹ and financial abuse and exploitation affects nearly half of those, or 1 in 20 older adults. It is vastly underreported by seniors and caregivers, for several reasons:

- Over 90 percent of elder fraud is perpetrated by family members, who older adults may want to protect despite their crimes;
- Many seniors may feel shame and embarrassment for having been taken advantage of;
- Some seniors may be targets because of memory impairment or cognitive decline, and may not report because they are concerned their condition will be discovered;
- Seniors with cognitive impairment may be slow to realize that they are being financially exploited, and
- Older adults are more likely to need assistance with daily tasks, whether that help comes from a lawn care service, home repairman or home care providers, exposing them to more potential abusers.

Financial exploitation is particularly harmful to seniors, because it depletes them of limited resources at a time in their lives when they are most reliant on fixed income sources and are least able to replenish savings through employment wages. This has a direct impact on state Medicaid rolls, speeding the exhaustion of personal assets and expediting Medicaid enrollment. In addition to the financial impact, defrauded seniors suffer lasting psychosocial effects, including reticence to trust future caregivers, depression, and anxiety.

¹ <http://www.napsa-now.org/policy-advocacy/exploitation/>



LeadingAge Ohio's members make it their mission to serve those vulnerable seniors who are most at-risk for elder abuse. As Ohio's population ages, our state Medicaid program will need to prioritize the most-efficient care settings in which to provide services and supports to seniors. For many, this will be in their home environment, but the home environment is one in which seniors are most vulnerable to elder abuse. Additionally, the growth of the internet and social media has left seniors vulnerable to new and evolving scams and threats. As such, this bill is both a prudent and timely step to address problems that are likely to worsen with our shifting demographic.

We are supportive of Senator Wilson's multi-pronged approach to crafting this important legislation, to address the many facets of this issue. SB 158 will:

- Increase public awareness of elder exploitation, in effort to reduce stigma and increase reporting rates;
- Impose higher penalties, including requiring perpetrators to pay full restitution and fines as high as \$50,000;
- Increase professional education on the topic of elder fraud, expanding the pool of targeted professions to include banking, accounting, real estate professionals; and
- Using fines collected to fund initiatives to combat elder fraud at the county level.

We are particularly supportive of this bill's reach beyond the traditional helping professions—health care providers such as nurses and social workers— to incorporate the strengths of financial planners, banking professionals and others. This is consistent with the National Center on Elder Abuse's FAST model for Financial Abuse Specialist Teams, which routinely bring together public entities such as Adult Protective Services or Ombudsman programs with private interests such as financial sector professionals to work on this community problem.

Additionally, we are supportive of its budget-neutral approach to financing more activity in this area, by using fines to create county-level innovation to address the problem on the local level.

In order to meet the needs of our aging population, Ohio will need to become more age-friendly, and a big part of that is being able to anticipate and identify those problems that uniquely impact older adults in our communities. We believe SB 158 is a meaningful step towards that goal and will help to make Ohio a safer place for our citizens to age.

Thank you for the opportunity to testify. I am happy to answer any questions you might have.

Nisha Hammel
Director of Advocacy