



Ohio Job and Family Services Directors' Association

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Ohio House Aging and Long Term Care Commitment

Proponent Testimony on Senate Bill 158

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Chairman Arndt, Vice-Chair Pelanda, Ranking Member Howse, and members of the House Aging and Long Term Care Committee, thank you for the opportunity to provide proponent testimony on SB 158. My name is Joel Potts and I am the Executive Director of the Ohio Job and Family Services Directors' Association.

Between the significant increase in the aging population, technological innovation that makes it easier to conduct our daily business (and unfortunately, also makes it easier for individuals to be defrauded by phone or internet), and the opioid epidemic making it all too common for family members to exploit the generosity and at times the limited capacity of the older adults in their lives, it is no surprise that county departments of job and family services are reporting a significant increase in the number of reports they receive of elder abuse, neglect, and exploitation.

SB 158 would make several additional law changes centered on addressing financial exploitation by both providing a mechanism to increase potential funding for adult protective services as well as increasing awareness of the problem.

The bill provides a mechanism to increase potential funding for adult protective services programs by increasing the penalty for several financially exploitive crimes committed against older adults. Under the bill, an offender must pay full restitution to the victim and pay an additional fine of up to \$50,000. Any fines collected under this provision are to be forwarded by the clerk of courts to the county department of job and family services to be used for the reporting and investigation of elder abuse, neglect, and exploitation or for the provision or arrangement of protective services.

In addition, the bill proposes ways to increase awareness of elder fraud and financial exploitation by: calling on the Ohio Attorney General to publish public awareness information on the issue; calling on a group of state and local government and stakeholder entities with involvement in adult protective services to develop best practices and standards to prevent financial exploitation of the elderly and provide education on the subject, and share any best practices in a report to legislative leadership; and calling on ODJFS, in consultation with counties, to ensure available services and resources are accessible to elderly victims of financial exploitation.

County departments of job and family services are on the front lines in our state receiving reports and responding to allegations of elder abuse, neglect, and exploitation. We appreciate Senator Wilson's recognition of and initiative to take quick, yet deliberate action on an issue we have known in the counties is far too common. Furthermore, the recognition in SB 158 that counties are woefully underfunded in adult protective services and the creation of a mechanism to provide additional funds to this program is appreciated by the counties, many of whom lack

even one full-time caseworker to staff the department's adult protective services program. Today, counties receive just over \$30,000 per year in state funds to run their APS programs.

Recent information shared by ODJFS indicates that so far in 2018, counties have received as many referrals of elder abuse, neglect and exploitation as counties received in 2017 in its entirety. (In 2017, Ohio reported receiving 14,409 referrals. So far in 2018, counties have reported receiving more than 14,086 referrals.) It is important to note that this increase has occurred before law changes scheduled to take effect in September of this year, including the expansion of the list of mandated reporters of suspected elder abuse and the expansion of the type of exploitation cases county JFS departments are to handle. Once these changes take effect and training for both new and current mandated reporters occur, we anticipate a significant influx referrals. Awareness of the issue and reporting of suspected elder abuse, neglect and exploitation is a good thing – but counties must have the resources to handle these referrals promptly and appropriately to maintain community buy-in to the APS system.

Last year, OJFSDA conducted a brief survey of our membership to gain a better sense of the need for adult protective services in the counties. Over 2/3 of the county directors responded, and the results were telling:

- 84% of responding counties noted an increase in reports from the prior two years, and 55% of responding counties noted an increase in just the prior six-month period.
 - In particular, many of these exploitation cases can be difficult to investigate (i.e. researching financial records) and manage. The amount of assistance county JFS departments are given on such cases from local partners, including law enforcement and prosecutors, vary.
- 44% of responding counties indicated such an increase was likely directly attributable to the opiate epidemic. Another 39% indicated that such causation likely existed.
- 70% of responding counties indicated it is a significant challenge to meet APS program requirements with available resources.
 - 44% of respondents indicated they are unable to keep up with the core functions of intake, investigations, and evaluating the need for protective services.
 - 51% noted it is challenging to find the community services to meet the needs of victims.

With more community education and awareness, we can work together with families and both private and public institutions to help prevent and combat elder exploitation. We anticipate those efforts will result in an increase of reports to county departments. Despite the limited capacity in many counties, we support this legislation as the right thing to do, and look forward to working with Senator Wilson and the rest of the committee on this and other initiatives to continue to strengthen the safety net supporting older adults who are victims of exploitation and other types of abuse and neglect.

Thank you for the opportunity to provide testimony today. I am happy to answer any questions.