Paula Hicks-Hudson
State Senator
11th Senate District

Committees:
Agriculture and Natural Resources - *Ranking*
Government Oversight - *Ranking*
Judiciary - *Ranking*
Finance
Energy and Public Utilities

Chair Huffman, Vicechair Johnson, and members of the Health committee, thank you for the opportunity to provide sponsor testimony on Senate Bill 319, regarding Adult Protective Services provided by county JFS, with my co-sponsor Senator Wilson.

This bill is intended to address a gap in current Adult Protective Services law concerning the financial exploitation of elderly individuals, who have been admitted to and are residents of a state-licensed care facility, ands being exploited by their attorney-in-fact.

Financial exploitation accounts for over half of elder abuse situations reported nationally and is a multi-billion-dollar problem. From the National Adult Protective Services Resource Center, studies estimate the annual financial loss nationwide to be around $2.9 billion[i]. One in nine seniors report being abused/neglected/exploited within the past year, and only one in 44 cases are ever reported[ii]. The effects of such abuse are substantial. Abused seniors are three times more likely to die prematurely and victims are four times more likely to go into a nursing home, making this a serious issue[iii]. Many cases involve family members or other trusted individuals manipulating the financial situation of a vulnerable elder – but not always. Currently, neither the Long-Term Care Ombudsman nor local Adult Protective Services (APS) have the authority to investigate these situations. According to the National Ombudsman Reporting System (NORS) data, within the year 2014, 14,258 (7.6%) of approximately 188,599 complaints reported to Ombudsman programs involved abuse, gross neglect, or exploitation[iv].

The significance of this issue has been recognized by officials for some time. In 2009, the Attorney General's office realized this issue was pressing after receiving many requests from victims and their families[v].They put together an elder abuse commission to study the concerning issue of elder abuse – they meet several times a year, and include members such as the Adult Advocacy Center, Central Ohio Area Agency on Aging, the Board of Nursing, Coalition for Adult Protective services, among many others that deal in this area. From the commission's 2024-2025 Biennial Report, the chair remarked that in the last years, Ohio saw a 400% increase in the cases of elder abuse[vi].

Under existing statute, APS is only authorized to investigate cases of abuse, neglect, or exploitation involving individuals aged 60 or older who reside in an "independent living arrangement." This definition excludes elderly individuals who reside in licensed care facilities, even when they are being exploited by someone on the outside. Law enforcement, meanwhile, often cannot act without clear evidence of a crime.

This bill seeks to close this gap by amending the Revised Code to authorize APS to investigate allegations of exploitation involving institutionalized adults when the suspected perpetrator is outside the facility. This could be accomplished by amending R.C. 5101.60(C) to clarify that the "independent living arrangement" requirement does not apply in cases of

PRINTED IN-HOUSE

suspected exploitation by an external actor, amending R.C. 5101.60(J) to explicitly include APS jurisdiction over such cases in the definition of "exploitation"; or amending R.C. 5101.65 to grant APS the authority to investigate these specific situations.

This legislation ensures that all elderly Ohioans are protected from exploitation and that APS can fulfill its mission of safeguarding vulnerable adults.

Thank you for your consideration of this testimony. I stand ready to answer any questions.

---

[i] Layout
[ii] Additional Resources (Financial Exploitation) - NAPSA
[iii] https://hhs.cuyahogacounty.gov/cuyahoga-county-news-now/news-detail/hhs-blog/2020/08/14/financial-exploitation-and-adult-protective-
[iv] HMKP-116-JU00-20200915-SD006.pdf

[v] Elder Abuse Commission - Ohio Attorney General Dave Yost
[vi] 2024-25ElderAbuseBiennialReport_WEB.aspx