



# Wes Retherford State Representative

**Sponsor Testimony of Representative Wes Retherford  
Regarding the Ohio Elder Justice Act (House Bill 78)  
Before the House Aging and Long Term Care Committee  
Thursday, March 9, 2017**

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 offer sponsor testimony on behalf of House Bill 78, the Ohio Elder Justice Act. As some of you may recall, Rep. Dovilla and I brought this measure before The House during the last General Assembly as HB24. It received unanimous consent in both the Committee vote and the House vote. The introduced version of this bill reflects the changes made in the Senate Committee last GA as we continued to work with all interested parties.

- Elder abuse can happen to anyone- a family member or friend; Elder abuse can happen anywhere- next door, or at your local nursing home. Across the state of Ohio, older Ohioans are being victimized through violence, manipulation and fraud. That is why I have joined Ohio Attorney General Mike DeWine in supporting HB 78.
- Elder Abuse is an “invisible” problem across the US. Like other forms of interpersonal violence, elder abuse usually happens behind closed doors- sometimes in their own home, nursing homes or hospitals.
- Many victims of elder abuse are reluctant to report abuse because of fear of abuser or denial; and tragically, some victims are unable to speak out due to dementia or other physical impairments.
- Elder abuse isn’t limited to physical abuse or violence. Elder abuse is neglect, physical abuse, sexual abuse, emotional or psychological abuse, financial abuse or exploitation, neglect, abandonment or self neglect. Older Americans are often financially or materially exploited through fraud, scams, investment schemes or internet/telemarketing fraud.
- While there is no way of knowing for certain, exactly how many of our nation’s elderly are being abused, recent studies show that approximately 11% of US elders surveyed had experienced some type of abuse or potential neglect. The National Council of Aging estimates that 5 million older adults suffer abuse annually.
- Research suggests that elder abuse is significantly under identified and under-reported, and that as few as 1 in 14 cases of elder abuse come to the attention of authorities (*The 2004 Survey of State Adult Protective Services: Abuse of Adults 60 Years of Age and Older*. 2006. National Center on Elder Abuse.)

- Additionally, elders who experience abuse, neglect, or self-neglect face considerably higher risk of premature death than elders who have not been mistreated. (Dong, X. et al. (2009) “Elder self-neglect and abuse and mortality risk in a community-dwelling population,” *JAMA*, Vol. 302, 517-526; Lachs, M.S. et al. 1998. “The mortality of elder mistreatment,” *JAMA*, Vol. 280, 428-432.)
- As we continue to care for the “greatest generation” and as “baby boomer” generation reaches 65, it is imperative that we promote awareness of elder abuse and establish safeguards that protect our loved ones.

First, we acknowledged that the state’s current definitions pertaining to elder abuse are significantly outdated. When originally crafted, elder abuse statutes focused on physical abuse. However, in our society we increasingly see elderly individuals who are exploited financially. Among other changes to definitions contained in the Ohio Revised Code, our legislation will add and define financial harm to ensure our seniors life savings and homes are protected.

Second, we acknowledged the state lacks the proper reporting requirements to accurately track elder abuse and identify patterns of abuse, as well as provide support to the individuals on the front lines who are charged with protecting our seniors. Our legislation will create a registry to help identify reported patterns of elder abuse. For the first time, Ohio will be able to accurately monitor and track the abuse of our senior citizens.

In addition, our legislation will provide a program of ongoing, comprehensive training for protective service caseworkers. With this program, educational materials will be developed and made available to mandatory reporters.

Third, we acknowledged the constraints of the Attorney General’s Elder Abuse Commission which was established in 2009. Our legislation will codify this entity, making permanent in statute a statewide Elder Abuse Commission. The new commission will increase awareness and research of elder abuse, work to improve public policy, funding and programming, and improve the judicial response to elder abuse victims.

Thank you, again, for this opportunity to offer sponsor testimony on House Bill 78.



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