

Protecting and promoting the health and safety of the people of Wisconsin

Abuse of Individuals at Risk: An Overview

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Overview

- Abuse defined
 - Forms abuse takes (physical, emotional, sexual, etc.)
 - Signs
- Neglect, self-neglect defined
- Financial exploitation defined

[1]

Overview

- Characteristics of abuse
- People who are abused
- People who abuse
- Where abuse occurs

[2]

Overview

- Types of reporters
- County reporting system
- Whom to call, when
- Closing comments

{ 3 }

Defining Abuse

- An intentional or neglectful act or omission that results or may result in harm to an individual.
- Types of abuse:
 - Physical
 - Emotional
 - Sexual
 - Treatment without consent
 - Unreasonable confinement or restraint

{ 4 }

Characteristics of Abuse

- Intentional harm involving the exercise of power and control.
- Often reflects a pattern of behavior by the abuser or involves the manipulation of others in a relationship with the individual.

{ 5 }

Defining Physical Abuse

- Intentional or reckless infliction of bodily harm.
- Bodily harm means physical pain or injury, or any impairment of physical condition.

{ 6 }

Signs of Physical Abuse

- Substantial bodily harm (bruises, broken bones, burns, internal injuries, concussions)
- Broken eyeglasses, hearing aids, other devices
- Injuries not properly cared for; repeated, unexplained

{ 7 }

Signs of Physical Abuse

- Frequent use of emergency room, hospital care
- Actions to prevent discovery of abuse
 - Access denied to communication, mobility aids
 - Doctor "hopping"
 - Clothing that conceals injuries, dark glasses

{ 8 }

Defining Emotional Abuse

- Language or behavior that serves no legitimate purpose and is intended to be intimidating, humiliating, threatening, frightening, or otherwise harassing
- Nonverbal forms

{ 9 }

Signs of Emotional Abuse

Individual affect

- Helpless, withdrawn, nonresponsive
- Agitated, fearful
- Self-blaming

{ 10 }

Examples of Emotional Abuse

- Abuser yells at, threatens, or belittles individual.
- Abuser speaks for or controls individual.
- Abuser threatens to institutionalize individual.
- Abuser threatens to harm or kill individual's animals.

{ 11 }

Defining Sexual Abuse

- Nonconsensual sexual contact of any kind.
- Sexual contact with an individual incapable of giving consent.
- Categories: May include hands on contact, hands off interaction, or harmful genital practices.

{ 12 }

Signs of Sexual Abuse

- Bruises
- STDs, infections
- Bleeding, pain, itching
- Torn, bloody, stained underclothing
- Difficulty walking or sitting
- Verbal account of incident

{ 13 }

Defining Treatment Without Consent

- Administration of medication or performance of psychosurgery, electroconvulsive therapy, or experimental research on an individual who has not provided informed consent.
- Knowledge that no lawful authority exists for the administration or performance.

{ 14 }

Defining Unreasonable Confinement and Restraint

Includes:

- Intentional and unreasonable confinement of an individual in a locked room.
- Involuntary separation of an individual from his or her living area.
- Use of physical restraining devices on an individual.
- Provision of unnecessary or excessive medication to an individual.

{ 15 }

Defining Unreasonable Confinement and Restraint

Does not include use of these methods or devices in DHS regulated facilities if the method or devices are employed in conformance with state and federal standards.

{ 16 }

Defining Neglect

- The failure of a caregiver, as evidenced by an act, omission, or course of conduct, to secure or maintain adequate care, services, or supervision for an individual.
- Caregiver failure creates significant risk or danger to the individual's physical or mental health.

{ 17 }

Defining Neglect

- Includes failure to provide food, clothing, shelter, and physical or mental health care.
- A caregiver is a person who has assumed responsibility for all or a portion of an individual's care voluntarily, by contract, or by agreement.

{ 18 }

Defining Neglect

- Caregiver includes a person acting or claiming to act as a legal guardian.
- Neglect does not include decisions to refuse or not seek medical care that are consistent with a previously executed declaration or power of attorney.

{ 19 }

Signs of Neglect

- Unkempt appearance
- Bedsores
- Soiled clothing or bedding
- Inadequate or spoiled food
- Unsafe or unclean living conditions
- Lack of appropriate medical equipment

{ 20 }

Defining Self-Neglect

- A significant danger to an individual's physical or mental health because the individual is responsible for his or her own care, but fails to obtain adequate care.
- Includes failure to obtain food, shelter, clothing, or medical or dental care.

{ 21 }

Defining Self-Neglect

- Harm is not attributable to an abuser.
- People with decision-making capacity who make voluntary, informed choices that put their health or safety at risk are not considered self-neglecting.

{ 22 }

Defining Financial Exploitation

Obtaining an individual's money or property by:

- Deceiving or enticing the individual.
- Forcing, compelling, or coercing the individual to give, sell at less than fair market value, or in other ways convey money or property against his or her will without his or her informed consent.

{ 23 }

Defining Financial Exploitation

- Theft, unauthorized use of personal identifying information or documents, forgery, financial transaction card crimes
- Substantial failure or neglect of a fiscal agent to fulfill his or her responsibilities (guardian of the estate, financial power of attorney, conservator, representative payee)

{ 24 }

Signs of Financial Exploitation

- Changes in bank account
- Disappearance of funds, possessions
- Transfer of assets
- Forged signature on checks, other financial and legal documents

{ 25 }

Signs of Financial Exploitation

- Changes to will, powers of attorney
- Remarks indicating cost of care is more important than quality of care
- Failure to pay facility charges

{ 26 }

People Who Are Abused

- Men, women
- People of all ages, races, cultures, religions, socioeconomic groups
- People with reduced capacity to care for self/dependency on others

{ 27 }

Reasons for Not Reporting or Not Wanting Report Made

- Fear of retaliation
- Embarrassment at being abused
- Shame (think they did something to cause abuse)
- Does not want abuser to get in trouble

{ 28 }

Abusers

- Most likely to be spouses, adult children, or other family members
- Justify abuse or try to hide evidence
- Characterized by risk factors indicating a likelihood to abuse
 - Financial dependence on individual at risk perhaps most indicative
 - Alcohol and/or drug dependence
 - Mental health issues

{ 29 }

Where Abuse Occurs

- Home
- Regulated facilities
- Community settings

{ 30 }

Types of Reporters

- Voluntary reporters
- Limited required reporters
- Caregiver misconduct reporting system

{ 31 }

Reporting System

- County agencies
 - Elder-adult-at-risk
 - Adult-at-risk
 - Adult protective services (APS)
- Agency responsibilities
 - Respond to, investigate reports
 - Offer services
 - Make referrals to law enforcement, other agencies
 - Initiate appropriate legal action

{ 32 }

Whom to Call When

- If an emergency, call law enforcement or 911.
- If abuser is a paid professional caregiver or another resident, contact DHS Division of Quality Assurance Office of Caregiver Quality.

{ 33 }

Whom to Call When

- If abuser is a nonprofessional caregiver (family member, guardian, etc.), follow facility protocol; then contact county APS.
- If a victim needs an advocate (age 60+ and a consumer of a long-term care program), contact the Ombudsman Program.
Program does not accept abuse reports.

{ 34 }

Closing Comments

- Vulnerable populations may not be able to advocate for themselves.
- Trust your instincts.
- When in doubt, report.

{ 35 }
