



TEXAS
Department of Family
and Protective Services
Adult Protective Services

Adult Protective Services

Amanda Schuler
Director of Policy & Performance
Amanda.Schuler@dfps.texas.gov

About GCPD

The Governor's Committee on People with Disabilities (GCPD) has a mission to further opportunities for persons with disabilities to enjoy full and equal access to lives of independence, productivity, and self-determination.

GCPD recommends changes in disability policies and programs in the areas of accessibility, communication, criminal justice, education, emergency preparedness, employment, health, housing, transportation, and veterans. The committee also supports a network of committees on people with disabilities, issues awards to promote greater awareness, and promotes compliance with disability related laws.

General Information

- Chat is disabled in Zoom Webinar Mode. Please use the Q&A tool if you have questions for our presenters. Most questions will be answered near the end of the webinar.
- After the webinar, you will get an automated email from Zoom with a link to our GCPD page to access the webinar recording and other materials. The email will also include a survey where you can give your feedback.



TEXAS
Department of Family
and Protective Services
Adult Protective Services

Mission Statement

To protect older adults and people with disabilities from abuse,
neglect and financial exploitation by investigating and
providing or arranging for services to stop or prevent further
harm



Authority to Investigate

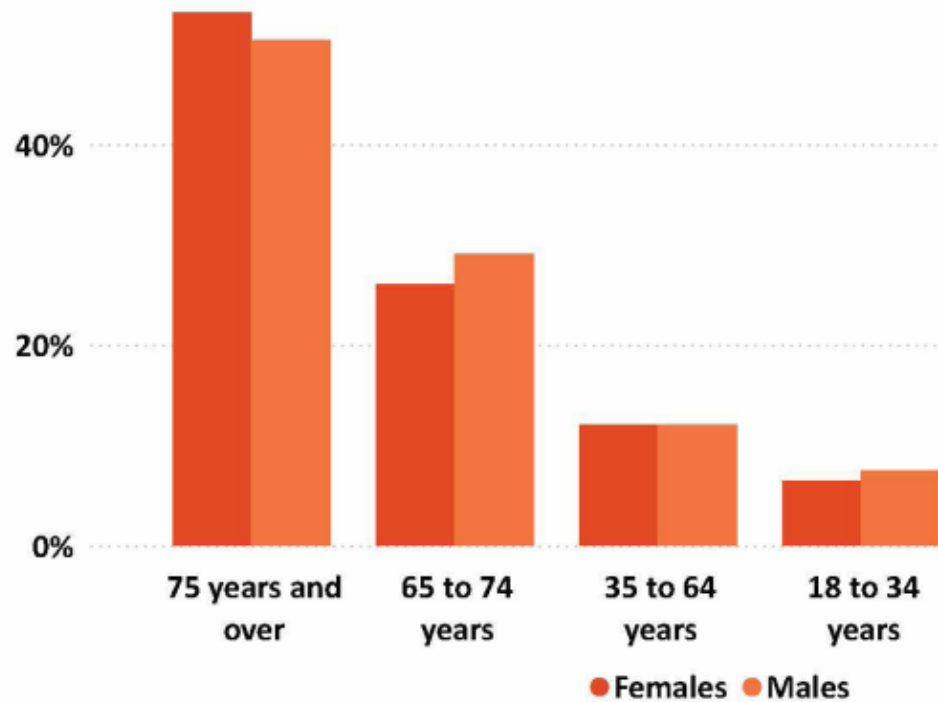


- Title 20 Social Securities Act.
- Human Resources Code, Chapter 40 & 48
- Texas Administrative Code, Chapter 705



Facts & Figures: Texas

Age and Gender



- 12.1% of Texans
- Education
- Workforce
- Earnings

Jurisdiction

APS investigates allegations of abuse, neglect, and financial exploitation of individuals who reside in the community. Such as, private homes, adult foster homes, and board and care homes.



TEXAS

Department of Family
and Protective Services

Adult Protective Services

Facilities and Jurisdictions

APS Policy

- Client
- Alleged Perpetrator
- Allegation



TEXAS
Department of Family
and Protective Services
Adult Protective Services



APS Client Eligibility

- Age 65 or older
- Age 18-64 with a substantial impairment
- Emancipated minors

*APS clients do **NOT** have to meet financial eligibility requirements.



APS Investigates Individuals



TEXAS
Department of Family
and Protective Services
Adult Protective Services

- Caretaker
- Family Member
- Person with an ongoing relationship to the client

*Minor must be at least 10 years old to investigate.





TEXAS

Department of Family
and Protective Services
Adult Protective Services

Allegations that APS Investigates

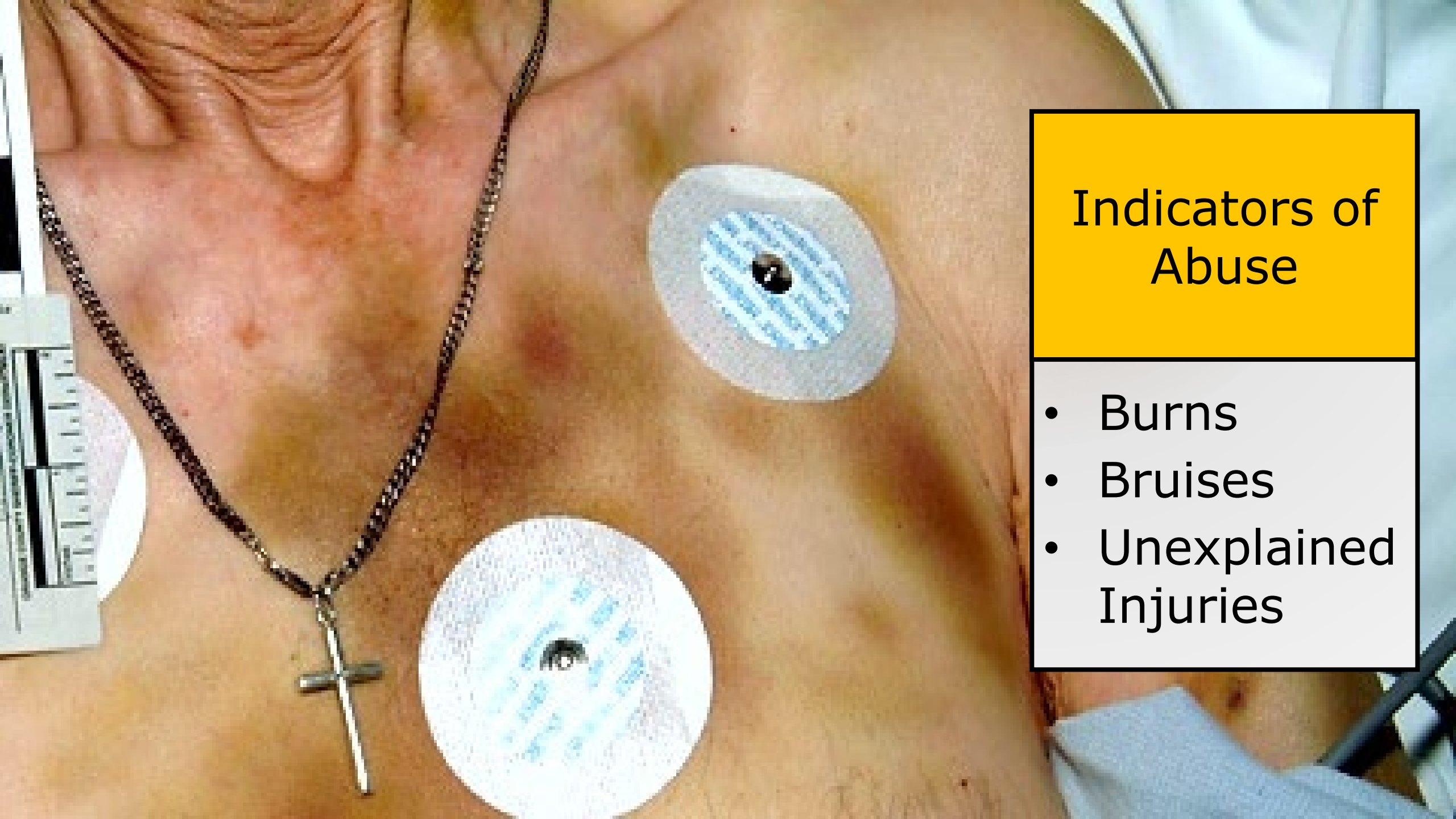
An allegation is an assertion that a person (client) is in a state of harm, or at risk of harm, because of **abuse, neglect, or financial exploitation.**



Abuse

- The negligent or willful infliction of injury, unreasonable confinement, intimidation, or cruel punishment with *resulting* physical or emotional harm or pain to the client.
- Sexual abuse, includes any involuntary or nonconsensual sexual conduct that would constitute an offense under Texas Penal Code, Section 21.08 (Indecent Exposure) or Texas Penal Code, Chapter 22 (Assaultive Offenses).





Indicators of Abuse

- Burns
- Bruises
- Unexplained Injuries



Indicators of Abuse

- Threats of Harm
- Fear of Perpetrator
- Use of Unnecessary Force

Indicators of Abuse

- Isolation
- Low Self-Esteem





TEXAS

Department of Family
and Protective Services
Adult Protective Services

Neglect

- The failure to provide the goods or services that are necessary to *avoid* physical or emotional harm or pain.
- Self vs. Caretaker





Indicators of Neglect

- Inability to Shop or Attend Medical Appointments
- Unsafe Living Conditions

Indicators of Neglect

- Lack of Needed Equipment
- Lack of Basic Necessities





Indicators of Neglect

- Over or Under Medicating
- Evidence of Inadequate Care
- Malnutrition



TEXAS

Department of Family
and Protective Services

Adult Protective Services

Financial Exploitation

The illegal or improper act or process of the alleged perpetrator using, or attempting to use, the resources of the client, for monetary or personal benefit, profit, or gain without the informed consent of the client.

FIRST BANK OF WIKI
1425 JAMES ST. PO BOX 4000
VICTORIA BC V8X 3A4 1-800-555-0555

CHEQUING ACC

JOHN JONES
1840 DUNDAS ST W APT 23
TORONTO ON M6K 1Y2

Statement period
2009-10-08 to 2009-11-08

Date	Description	Ref.	Withdrawal	Depos
2009-10-08	Previous balance			
2009-10-14	Payroll Deposit - HOTEL			48
2009-10-14	Web-Bill Payment - MASTERCARD	9905	200.00	
2009-10-16	ATM Withdrawal - INTERAC	9900	25.25	
2009-10-16	Fees - Interest		1.50	
2009-10-20	Internet Purchase - ELECTRONICS	1015	2.99	
2009-10-21	Web-Bill Payment - AMEX	3314	300.00	
2009-10-22	ATM Withdrawal - FIRST BANK	0004	100.00	
2009-10-23	Internet Purchase - SUPERMARKET	1558	28.00	
2009-10-24	Internet Refund - ELECTRONICS	1015		
2009-10-27	Telephone Bill Payment - VISA	2475	8.77	
2009-10-28	Payroll Deposit - HOTEL			48
2009-10-30	Web-Funds Transfer - From: (Source)	3020		
2009-11-03	Pre-Auth. Payment - INSURANCE		50.55	
2009-11-03	Cheque No. - 400		100.00	
2009-11-06	Mortgage Payment		710.49	
2009-11-07	Fees - Overdraft		5.00	
2009-11-08	Fees - Monthly		5.00	
*** Totals ***			1,515.83	1.44

Indicators of Exploitation

- Unpaid Bills Despite Having the Income to Cover Them
- Unexplained Missing Funds or Valuables



A close-up photograph showing a person wearing an orange jumpsuit, likely a detainee, handing a US \$50 bill to another person. The bill is being placed into a black, textured pouch or wallet held by the second person. The background is blurred, showing more of the orange jumpsuit and a white wall.

Indicators of Exploitation

- Unapproved Withdrawals
- Providing Unnecessary Services

Indicators of Exploitation

- Conflicting Accounts of Incidents
- Sudden changes in Bank Accounts
- Writing Checks Without Permission
- Sudden Changes in Wills or Other Financial Documents



Guiding Principles



TEXAS
Department of Family
and Protective Services
Adult Protective Services

- Right to Refuse – Investigation and Services
- Self Determination
- Least Restrictive Alternatives





Legal Alternatives

- Access to Records
- Court Authorized Entry
- Interference Orders
- Emergency Order for Protective Services
- Guardianship Referral

Knowing When to Contact APS



TEXAS
Department of Family
and Protective Services
Adult Protective Services



How to Contact APS

Texas is a MANDATORY Reporting State

Hotline:
1-800-252-5400

Relay Texas at 7-1-1

Email:
www.txabusehotline.org

If an emergency—CALL 9-1-1



TEXAS
Department of Family
and Protective Services
Adult Protective Services



Helpful Information for Reporting

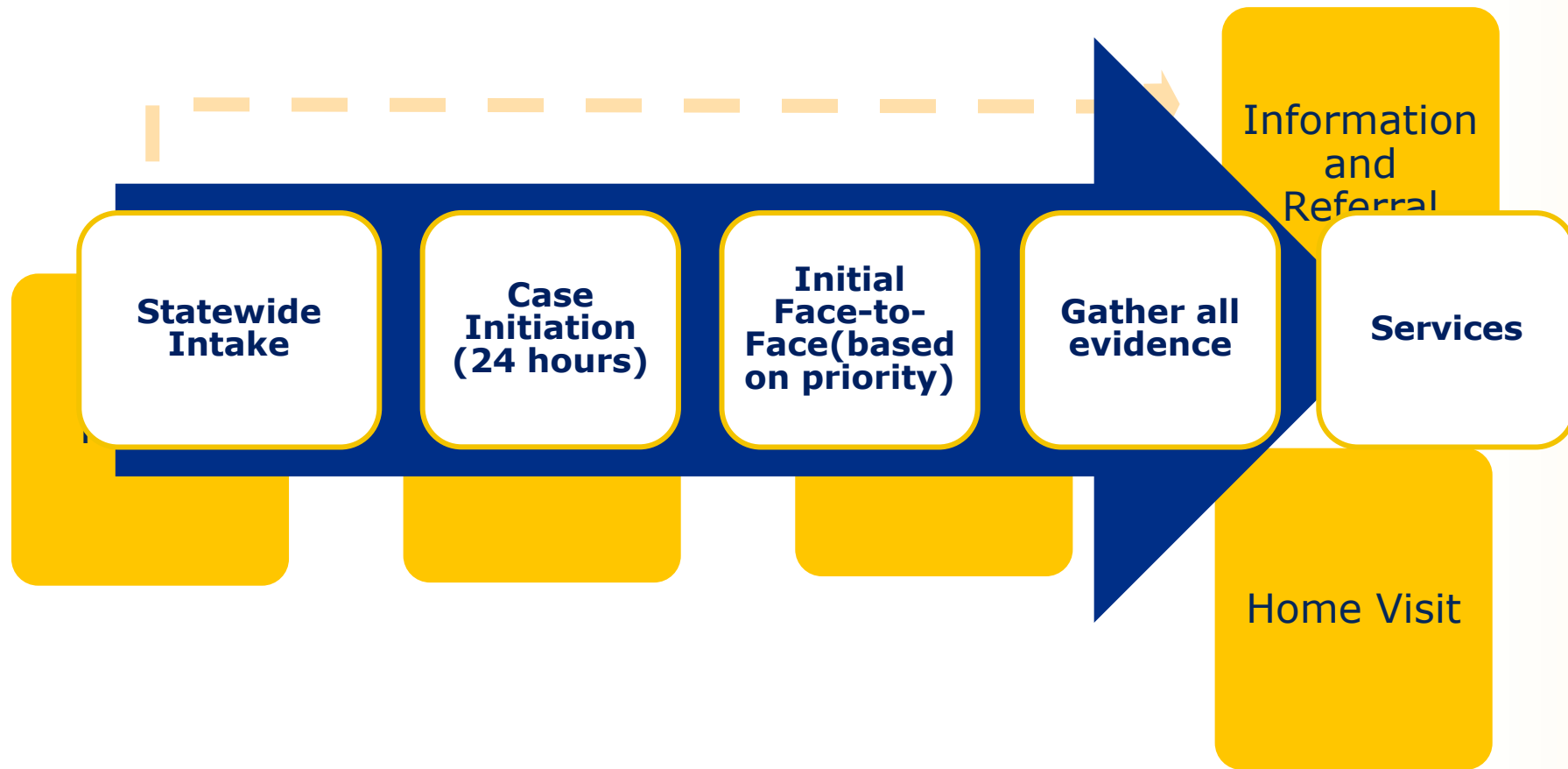
- Name, DOB, and current address of the alleged victim
- A brief description of the situation
- Details about the alleged perpetrator
- Current injuries and medical conditions
- Names and phone numbers of relatives, neighbors, and friends that may have knowledge of the situation
- Reporter should provide all appropriate contact information



TEXAS
Department of Family
and Protective Services
Adult Protective Services



After APS report is made...





TEXAS
Department of Family
and Protective Services
Adult Protective Services

Q & A

APSPolicy@dfps.texas.gov