

FIGHTING THE HIDDEN MENACE OF ELDER ABUSE

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By Lisa Nerenberg and Ian Clark Devine

In America's epic wave of aging, a troubling undercurrent lurks beneath the surface: elder abuse. Cases in the news, like heiresses Huguette Clark and Brooke Astor and movie star Mickey Rooney, highlight the complex and insidious nature of elder abuse. But you don't have to be a multi-millionaire to be a target. Victims come from all social and economic backgrounds.

The US Administration on Aging estimates as many as five million seniors are abused or neglected each year. The abuse is often financial: taking money or property, getting an older person to sign a will or power of attorney through deception or coercion, or promising care in exchange for money or property. Elders who are abused are twice as likely to be hospitalized, four times as likely to go into nursing homes and three times as likely to die early.

Family members face tough decisions when they suspect a relative may be the victim of abuse, and they should work together to discover what is occurring and when to step in. The family is often in the best position to demand satisfactory answers from those responsible for the care of elders, while holding professionals and institutions accountable for their actions.

There is no easy path, but politicians and regulatory agencies can take four steps to address the problem:

1. Stronger licensing and training. Professionals who serve older adults –healthcare providers, lawyers, financial advisors, bank employees, and others – should be required to receive training in elder abuse detection as part of gaining or renewing their licenses. Adult Protective Service (APS) workers in particular need training to determine mental capacity, susceptibility to undue influence, and financial abuse in older Americans.
2. Tougher regulations. The Attorneys General and Health Departments of all 50 states should support tougher regulations and penalties for professional malfeasance and unethical behavior. It's hard to believe, but some states still lack restrictions against healthcare providers, agency employees, lawyers and fiduciaries receiving gifts from clients and patients in their care.
3. Meaningful collaboration of experts. "Elder courts" and Financial Abuse Specialist Teams (FASTs), which bring together professionals from the health, mental health, public safety, justice/legal, victim assistance and social service systems, should be part of the solution. By coordinating their efforts, these experts can more effectively deal with abusers.
4. Services for victims. Communities need to invest in services to help victims of elder abuse. Victims often need assistance to recover assets or receive restitution, advocate with creditors and address their mental health needs.

Let's begin the discussion about the legal and ethical conduct of financial advisers, caregivers and healthcare institutions toward vulnerable adults. Let's shine a light on the shadows – and put an end to elder abuse.

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