County of Orange Social Services Agency
Family Self-Sufficiency & Adult Services Division

Program/Area: Adult Services/Adult Protective Services
Title: APS Program Overview
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PURPOSE

To provide an overview of the history and operational authority of the County of Orange Adult Protective Services (APS).

DEFINITIONS

Elder: Any person residing in this state 60 years of age or older.

Dependent Adult: Any person residing in this state between 18 and 59 years of age, inclusive, who resides in the state, and who has a combination of a disability and the inability to protect their own interest, or who has an inability to carry out normal activities to protect their rights, including, but not limited to, persons who have physical or developmental disabilities, or whose physical or mental abilities have diminished because of age.

BACKGROUND

APS is dedicated to preventing or remediating neglect, abuse, or exploitation of elders and dependent adults who are unable to protect their own interests because of age or functional limitations. APS accepts reports and provides investigation, crisis intervention, and case management services which include providing resources and referrals. APS staff work in conjunction with multiple agencies including law enforcement, other divisions within the Social Services Agency, and community partners and service providers. Services are provided to all elders and dependent adults in need without regard to income.

Eligibility

APS responds to reports of abuse or neglect of elders and dependent adults that meet the following APS eligibility criteria:

- The client meets the definition of an elder or dependent adult, per the California Welfare and Institutions Code.
- The alleged abuse or neglect occurred, or the client is currently residing, in Orange County.
- The incident meets the definition of elder or dependent adult abuse and the reported elder or dependent adult is in need of APS.
- The alleged abuse occurred in a setting where APS has jurisdiction.

Types of Abuse

Abuse of an elder or dependent adult may include neglect by self or others, physical abuse, sexual abuse, financial abuse, abandonment, isolation, abduction, or other maltreatment with resulting physical harm, pain or mental suffering. Abuse may also include the deprivation by a care custodian of goods or services that are necessary to avoid physical harm or mental suffering. Please see

Welfare & Institutions Codes (WIC) Sections 15610-15610.7 for detailed definitions of the types of abuse and neglect.

APS Registry

The APS Registry accepts and documents elder and dependent adult abuse and neglect reports twenty-four hours per day, seven days per week. Any person who has a reasonable suspicion that abuse or neglect of an elder or dependent adult has occurred can contact the APS Registry at 1-800-451-5155 to file a report. The APS Registry will take a report of alleged abuse or neglect if the elder or dependent adult meets APS eligibility criteria. Reports that do not meet APS eligibility criteria may be evaluated out.

Mandated Reporters

Mandated reporters of abuse or neglect include, but are not limited to, financial institutions, health care practitioners, medical personnel, caregivers, social workers, law enforcement officers, clergy members, senior center staff, and staff of government funded programs that provide services for elders or dependent adults.

The expectation of mandated reporters is to call the APS Registry as soon as possible to report abuse or neglect and to follow-up with a written report (SOC 341/342) to the APS Registry within two working days. The identity of all APS reporting parties is confidential.

AUTHORITY

Senate Bill 1210-1983

Subsequent to the passage of Senate Bill 1210 in 1983, the Orange County Board of Supervisors designated the Social Services Agency as Orange County's APS agency and established the Elder Abuse Registry to receive reports. The passage of Assembly Bill 238 in 1985 required the report of known or suspected abuse of both elders and dependent adults.

Senate Bill 129-1986

A dedicated APS field response unit was created on October 1, 1986 as one of five voluntary pilot projects selected by the California Department of Social Services (CDSS) subsequent to the passage of Senate Bill 129. APS has operated continuously in Orange County since that date. It is presently one of three programs in the Adult Services Department of the Family Self-Sufficiency & Adult Services Division.

Senate Bill 2199-1998

The passage of Senate Bill 2199 in September 1998 resulted in the funding of a statewide mandated APS program. Specifically, the bill expanded abuse reporting requirements and criminal penalties for failure to report abuse. It also mandated certain tangible services for victims. Services are provided only with consent of the victim, unless the victim lacks capacity to give consent.

Senate Bill 1018-2005

The passage of Senate Bill 1018 in 2005 requires bank, savings and loan, and credit union employees to report financial abuse if the abuse becomes evident in their contacts with, or review of, an elder and/or dependent adult's financial matters.

The Elder Justice Act 2010/2015

The Elder Justice Act (EJA) was signed into law by President Obama on March 23, 2010, as part of the Patient Protection and Affordable Care Act. It provides federal resources to "prevent, detect, treat, understand, intervene in and, where appropriate, prosecute elder abuse, neglect and exploitation."

In 2015, $10 million was appropriated by the Federal Government to fund part of the EJA. These provisions are an integral step and will help to fund an APS National Database system, develop APS program standards, and support evidence-based research regarding elder abuse.

REFERENCES

California Welfare and Institutions Code (WIC) Sections 15600-15750

CDSS Manual of Policies and Procedures (MPP), Division 33 Adult Protective Services Program (APS)

APS Policy 903: Registry
