

DEFINING ABUSE

Physical abuse- inflicting physical pain or injury upon an adult.

Sexual abuse- touching, fondling or any other sexual activity with an adult, when the person is unable to understand, unwilling to consent, threatened or physically forced.

Emotional abuse- verbal assaults, threats of maltreatment, harassment or intimidation. Emotional abuse is often coupled with other forms of abuse.

Confinement- restraining or isolating an adult, other than for medical reasons.

Passive neglect- the caregiver's failure to provide an adult with life's necessities, including, but not limited to, food, clothing, shelter or medical care. No new affirmative duty of care is created.

Willful deprivation- deliberately denying an adult medication, medical care, shelter, food, a therapeutic device or other physical assistance, and thereby exposing that person to the risk of physical, mental or emotional harm — except when the dependent person has expressed an intent to forego such care.

Financial exploitation- the misuse or withholding of an adult's resources by another, to the disadvantage of the adult and/or for the profit or advantage of someone else.

Self Neglect- A condition that is the result of an eligible adult's inability, due to physical or mental impairments, or both, or a diminished capacity, to perform essential self-care tasks that substantially threaten his or her own health, including: providing essential food, clothing shelter, and health care; and obtaining goods and services necessary to maintain physical health, mental health, emotional well-being, and general safety. This can include compulsive hoarding which significantly impairs the performance of essential self-care tasks or otherwise substantially threatens life or safety.

Abandonment- the desertion or willful forsaking of an eligible adult by an individual responsible for the care and custody of that eligible adult when a reasonable person would continue to provide care and custody

The Illinois Department on Aging does not discriminate in admission to programs or treatment of employment in programs or activities in compliance with appropriate State and Federal statutes. If you feel you have been discriminated against, call the Senior HelpLine at 1-800-252-8966; 711 (TRS).

This material was developed by the Illinois Department on Aging and is partially based on *Elder Abuse and Neglect: Causes, Diagnosis and Intervention*, by Mary Joy Quinn, R.N., and Susan I. Tomita, M.S.W., and *Inadequate Care of the Elderly* by Terry T. Fulmer, Ph.D., R.N., and Terrance A. O'Malley, M.D.



FINANCIAL PROFESSIONAL



REPORTING ABUSE

Many adults who live at home are at risk of abuse, neglect and financial exploitation by family members and others close to them. Victims of abuse are often isolated and may be afraid or unable to seek help for themselves. In some cases, the only person outside the family who may be aware of financial exploitation is a financial professional; therefore, it is critical that financial professionals know the signs of exploitation and make reports as needed.

Under the authority of the Illinois Adult Protective Services Act (Public Act 98- 0049), the Illinois Department on Aging administers a statewide intervention program to respond to reports of alleged abuse, neglect, and financial exploitation. Program components include investigation, case planning, advocacy, and referral.

The program places an emphasis on an individual's right to self-determination; no decisions are made about an adult with capacity without that adult's involvement and consent. Every effort is made to respect an individual's choices including where to live. On some occasions, when an individual is unable to participate in decision making, APS will work in the best interest of the individual to reduce their risk of abuse, neglect, and/or exploitation.

To make a report, call 1-866- 800-1409 or the local Adult Protective Services provider agency. Reporting is voluntary for most financial professionals.

In 2024, the Adult Protective Services Act was amended to include mandatory reporting for investment advisors. Mandatory reporters are encouraged to report abuse, neglect and/or exploitation for any suspected case. If any individual's death is suspected to be related to abuse, neglect, and/or exploitation, a mandated reporter must report the death as they would a suspected case of abuse. All financial professionals are encouraged to report despite their mandated status.

INDICATORS OF FINANCIAL EXPLOITATION

Financial professionals may be aware of the possibility of exploitation by family members, caregivers and others. While the following indicators do not necessarily signify exploitation, they are reasons for concern:

- ▶ Unusual activity in bank accounts such as large withdrawals or from a joint account shortly after it has been opened.
- ▶ Inappropriate activity in an adult's bank account, such as withdrawals from automated teller machines when the person cannot walk or get to the bank.
- ▶ Checks or other documents are signed when the adult cannot write.
- ▶ Reports of missing personal belongings such as art, silverware, or jewelry.
- ▶ Power of Attorney is given when the adult is clearly unable to comprehend the financial situation.
- ▶ Caregiver of the adult relative receives checks on behalf of the adult but does not appear to take appropriate care of the adult's needs.
- ▶ Refusal to spend money on the care of the adult which results in unpaid bills or overdue rent.
- ▶ Recent acquaintances express undying affection for an adult.
- ▶ Sudden changes of title to the adult's home or a recent will in favor of a "friend" or relative, when the adult is not capable of understanding the nature of the transaction.
- ▶ Promises of lifelong care in exchange for willing or deeding of all property/bank accounts to caregiver or relative.
- ▶ Adult appears fearful or anxious.
- ▶ Adult loans large sums of money with no arrangement for repayment.
- ▶ Adult is grossly overcharged for residence or services.
- ▶ Caregiver is unusually interested in or expresses concern

Family/Caregiver Indicators

- ▶ Individual does not allow adult to speak for himself or herself, or to see others without the caregiver or relative present.
- ▶ Family or caregiver fail to provide assistance, or they demonstrate attitudes of indifference or anger toward the adult.
- ▶ Conflicting information received from family, caregivers, and victim.
- ▶ about the amount of money spent on care for the adult.
- ▶ Caregiver or relative tries to isolate the adult from family and friends.
- ▶ Any indication that the adult is physically or emotionally abused or neglected by a family member or caregiver.

PROGRAM PROFILE

When a report is received, a trained Adult Protective Services caseworker responds within a specified time period depending on the severity of the case: within 24 hours for life threatening situations, within 72 hours for most neglect and non-threatening physical abuse situations and up to seven days for most emotional abuse or financial exploitation reports.

Depending on the adult's resources, needs and wishes, interventions may include:

- ▶ Health care services
- ▶ Home care services
- ▶ Nutrition services
- ▶ Adult day services
- ▶ Respite care and support groups for the caregiver
- ▶ Housing assistance
- ▶ Counseling referral for the victim and/or the abuser
- ▶ Review for surrogate decision maker
- ▶ Review of placement needs
- ▶ Emergency responses for housing, food, physical and/or mental health services
- ▶ Financial or legal assistance and protections, such as representative payee, direct deposit, trusts, order of protection, civil suit and/or criminal charges.

For more information, please contact Aging.APS.Training@illinois.gov.

You may also visit:

<https://ilaging.illinois.gov/engage.html>

to learn more about Adult Protective Services and the Illinois Department on Aging.

**Adult Protective Services Hotline:
1-866-800-1409, 24-hour, toll-free**

