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# ASPEN

## *Adult Services Practice Notes*

Dedicated to providing information on excellent family-centered practice with adults and their families.

### **Combating Financial Exploitation of Older Adults and Those with Disabilities**

You've probably heard the horror stories—grandchildren living on granny's Social Security check while neglecting her to death or the man who spent all his savings to fly to Florida to pick up the winnings he felt sure he had gained from a sweepstakes or the husband and wife who paid thousands of dollars for home repairs that were never made. You personally have probably deleted any number of e-mail messages purportedly from financial institutions wanting you to update account information but sent to get your personal information for fraudulent purposes. The last *ASPEN* briefly covered abuse and neglect of adults with disabilities. This time, we're going to consider financial exploitation—definitions, warning signs, and what is being done to prevent and remedy this threat to their well-being.

Even though abuse and neglect are underreported, the signs are often visible to human services workers who know what to look for. Exploitation is often more subtle and much harder to detect, but its consequences can be equally devastating for victims, because they may become impoverished, with limited ability to improve their financial situation, and because exploitation often carries with it coercion and psychological forms of abuse.

The three examples show two general types of financial exploitation, which may require different responses on the part of human services workers. First is exploitation by family members or other people who are in close contact and hold a position of trust with the victim. Second are scams by people not closely connected to the intended victims aimed at conning them out of their money or assets. Identifying either type is complicated by issues of culture and by adults' right to self-determination, as well as by victims' reluctance to reveal that they have been exploited. Whatever the source of the exploitation, though, the first response can be the same—to contact the Adult Protective Services Unit of your county Department of Social Services.

### **Your Role in Preventing Exploitation**

Human services workers who make in-home assessments have the best opportunity to identify clients who are being exploited, but others who have more casual contact may also spot some of these signs.

#### **Victimization by People in a Position of Trust**

- ♦ Is the client heavily dependent on the caregiver because of limitations in ADLs, IADLs, or cognitive deficits? Very many people with severe disabilities receive excellent care from family members and friends, but extreme dependency is a risk factor for exploitation, as are being over age 85, female, white, and/or a victim of previous exploitation.

- ♦ Is the client isolated? Does someone close to the client seem to be deepening the isolation by preventing contact with him or her? People who use coercion or undue influence to take advantage of others often do so by cutting the person off from other family members or outsiders who might intervene.
- ♦ Does someone have and use the client's power of attorney? If someone else helps with check writing and bill paying, is the client able to explain where his or her money goes? Are the client's bills paid on time?
- ♦ Does the client's appearance, living situation, and access to care or services appear consistent with his or her level of resources?
- ♦ What are the family's cultural expectations about sharing financial resources? Is there agreement or discord? What does the client say? While American culture tends to see things in terms of "your money for you, my money for me," other cultures may have more communal approaches to family assets.
- ♦ Does the client complain that someone is stealing his or her things? Although such accusations may be an indicator of the early stages of dementia, check to see whether the allegations are true.

### Is It Ageism to Focus on Protecting Older Adults?

Not according to Denise C. Park's testimony to the Senate Special Committee on Aging on July 27, 2005 ([http://aging.senate.gov/public/\\_files/hr147dp.pdf](http://aging.senate.gov/public/_files/hr147dp.pdf)). She suggests that normal aging carries with it some cognitive changes that leave older people more vulnerable. She says that our "ability to take in a large quantity of information and reason about it decreases" as we age, particularly if it doesn't connect to things we already know. Also, when older adults are presented with both positive and negative information about a subject, they will tend to remember more of the positive and less of the negative than would a group of younger people. "We tend to remember less explicit detail about events and more of the gist of what we hear," and we become "particularly bad at remembering the details or context in which [we] learn things." Finally, "information that feels familiar to an individual seems like it must be true," whether or not it was presented as true to begin with. She provides some striking examples of government publications that will likely cause the older audience they are intended to reach to remember the *opposite* of what they say, as well as examples likely be remembered correctly.

### Victimization by Outsiders

- ♦ Look for stacks of junk mail advertising sweepstakes, foreign lotteries, get-rich-quick schemes, or investment offers. Look for "prizes" that come from sweepstakes: lots of magazines, costume jewelry or watches, inexpensive household items. The organizations that run these types of scams make money selling lists of potential victims to other organizations, so a client who has responded to one offer is likely to get many more.
- ♦ Ask if your client has received any official-looking mail that worries or confuses him or her. A lot of mail scams come in envelopes that look like bills or notices from the federal government or from organizations that look like, but aren't, legitimate charities.
- ♦ Ask whether the client is interrupted by phone calls from people wanting to sell things or solicit donations. Ask how he or she handles these calls. The current cohort of older adults were taught to be courteous and to trust strangers, and they may have a very hard time ending such calls. Help them sign onto the "Do Not Call" list and help them practice saying no and hanging up. (See Guion, Turner, and Wise [2004], for a description of an awareness-building program that also contains "13 ways to say no" to telephone scammers.)
- ♦ As seniors become more computer literate, they also need to be aware of the various "phishing" ploys—bogus e-mail designed to gather personal information for fraudulent purposes.
- ♦ If you make an economic assessment and have access to the client's financial records, ask about unusual or large expenditures.
- ♦ Pay attention to secretive behavior. Many swindlers emphasize that victims should not mention their impending "good fortune" to anyone else.
- ♦ Ask whether clients have had home repairs done recently. Ask about the interaction: Did they initiate the repairs or did someone approach them with an offer? Were they given time to get competing estimates? If you have the expertise, check the quality of the repairs as you make an assessment of the client's environment.
- ♦ Is your client socially isolated? Has he or she recently retired, lost a spouse, or had a change in ability to carry out regular activities? Participation in sweepstakes and other contests provides an "occupation" (all those pieces of paper to fill out and stamps to stick) and the semblance of interaction with people through the mail, as well as "presents" for those who make purchases. Phone calls provide an opportunity to talk with someone, even at the price of being bullied or scammed.

## What Are We Doing about It?

### NC Senior Consumer Fraud Task Force

The North Carolina Department of Health and Human Services, Division of Aging and Adult Services (DAAS), and the North Carolina Department of Justice have worked together for many years to fight consumer fraud targeting seniors in North Carolina. In 1998, they joined forces with AARP and the North Carolina Attorney General's Office to establish the NC Senior Consumer Fraud Task Force, whose members include federal, state, and local law enforcement; aging advocates; AARP; the aging network; state and local Better Business Bureaus; US postal inspectors; and crime prevention agencies.

Prevention is the first goal, and the Task Force's mission is to educate seniors about fraud and scams to help them avoid becoming victims, as well as to provide information about whom to contact if they do become victims. The Task Force meets quarterly to discuss consumer fraud that targets seniors and how to address this fast-growing problem. Also, task force members participate in Scam Jams—locally organized presentations conducted throughout the state to increase awareness of fraud and scams and ways of protecting oneself against them. The Task Force also issues alerts through the DAAS web page (<http://www.dhhs.state.nc.us/aging/fraud/cfalert.htm> and <http://www.dhhs.state.nc.us/aging/fraud/trdalert.htm> for scams and fraudulent trade practices, respectively)

and listservs for various provider groups. For more information on the task force and consultation on arranging a Scam Jam in your area, contact Debbie Brantley, M.Ed., Elder Rights and Special Initiatives Section Chief, NC DAAS, 919-733-8395, or [Debbie.Brantley@ncmail.net](mailto:Debbie.Brantley@ncmail.net).

Because people who have been victimized before are at greater risk than those who have not, DAAS and the Office of the Attorney General have recently developed a **Victims Assistance Program**. The program will use trained volunteers to assist the special detectives in the State Attorney General's Office to provide follow-up with seniors who have been victims of crime. Among their tasks will be assessment of victims' level of functioning, development of a safety plan, identification

of community and social supports, and referral to professionals when appropriate. Volunteers will receive intense training to help them become effective mentors and "buddies" to victims of fraud, and volunteers' active presence in the community will help with the early detection of signs and symptoms of fraud among vulnerable seniors.

To learn more about this program, refer potential volunteers, or become one yourself, contact Donna White, RN, Aging and Health Specialist, at NC DAAS, 919-733-0440, or [Donna.White@ncmail.net](mailto:Donna.White@ncmail.net).

### Care Management

Adult services workers in DSSs often serve as case managers by helping clients develop service plans and manage money. Because they become familiar with clients' financial situation, they are well positioned to spot exploitation. For adults who do not have contact with the public human services system, and for their caregivers, there are two developing groups of professionals, daily money managers (American Association of Daily Money Managers, <http://www.aadmm.com/>) and geriatric care managers (National Association of Professional Geriatric Care Managers, <http://www.caremanager.org/index.cfm>), who assist adults in managing finances, and in the case of care managers, locating services. These professionals usually charge hourly fees for their services, and for long-distance caregivers, they may provide early warning of financial exploitation.

### Responses by Counties Large and Small

In our spring 2005 issue on developing communities for all ages (<http://ssw.unc.edu/cares/7-2communityengagement.pdf>), we highlighted the **Franklinton Senior Center's** project to make local seniors and law enforcement more aware of door-to-door and telemarketing scams—a source of major concern in the community. Since then, the community has held a Scam Jam, developed a brochure on scams, placed shredders in the senior center, and developed a partnership with the local public access cable channel to air fraud alerts. A telephone alert system is still in the planning stages. Samples of the materials developed for this project are available on the web at <http://ssw.unc.edu/cares/sfc/index.htm>.

The **Mecklenburg County Elder Abuse Task Force** formed in the Spring of 2002. Participants on the task force have included law enforcement, the district attorney, Adult Protective Services staff, Medicaid staff, representatives from the Better Business Bureau, Ombudsmen through Area Agency on Aging, bank personnel, and elder law attorneys. The group's focus has been on advocacy and training about financial exploitation of seniors. This group has served as a multidisciplinary committee to staff cases, though the cases have been brought anonymously, because the group has not adopted formal guidelines about confidentiality. The group invites guest speakers to its monthly meetings to educate themselves about the issue, and it monitors and supports pending legislation. Representatives participate on the Attorney General's Elder Consumer Fraud Task Force. A particular focus recently has been on exploitation by misuse of a power of attorney.

## Who Are You Going to Call?

If you suspect **exploitation**, contact:

- ♦ Adult Protective Services at your county Department of Social Services
- ♦ Local law enforcement or district attorney

To learn more about current and past **scams**:

- ♦ Visit the NC Division of Aging and Adult Services website: <http://www.dhhs.state.nc.us/aging/fraud/cfalert.htm> for scams and <http://www.dhhs.state.nc.us/aging/fraud/trdalert.htm> for scams and fraudulent trade practices.

To discourage **telemarketers**:

- ♦ Sign on to the “do not call” registry at <https://www.donotcall.gov/default.aspx> The registry listing must be renewed after 5 years. Also, if your client has purchased something from telemarketers, he or she may be considered a “client,” and registry on this list will not prevent them calling again. In this case, it may be necessary to contact the company directly to be taken off the list.

To learn about **e-mail scams** and “phishing”:

- ♦ Go to Microsoft’s website, <http://www.microsoft.com/athome/security/email/phishingrespond.mspx> to learn how to spot them and what to do if you responded to one.

To check **businesses** or **charities** nationwide

- ♦ Go to the Better Business Bureau’s website, <http://www.bbb.org/>

## Resources

- BITS Fraud Protection Guide*. 2005. <http://www.bitsinfo.org/downloads/Publications%20Page/bitselderly.pdf> and *BITS Toolkit*, <http://www.bitsinfo.org/downloads/Publications%20Page/bitstoolfeb06.pdf>
- Federal Bureau of Investigation. Fraud Schemes. <http://www.fbi.gov/majcases/fraud/fraudschemes.htm>
- Guion, L. A., J. Turner, D. K. Wise. June 2004. Design, Implementation, and Evaluation of an Elder Financial Abuse Program. *Journal of Extension* [Indiana], 42(3). <http://www.joe.org/joe/2004june/a6.shtml>. “13 Ways to Say No” appear below figure 3.
- Johnson, K. D. 2003. *Financial crimes against the elderly* (Problem-oriented Guides for Police - Problem-Specific Guides Series No. 20, for the US Department of Justice.) <http://www.cops.usdoj.gov/mime/open.pdf?Item=963>
- National Fraud Information Center. Toolbox. <http://www.fraud.org/toolbox/members.htm> An online collection of customizable resources for awareness building in your community.
- Nerenberg, L. 2003. Daily money management programs: A protection against elder abuse. National Center on Elder Abuse. <http://www.elderabusecenter.org/pdf/publication/DailyMoneyManagement.pdf>
- See also her report on multidisciplinary teams (2003), particularly pp. 15–16 on Financial Abuse Specialist Teams (FASTs), [http://www.elderabusecenter.org/pdf/publication/EldAbs\\_complete.pdf](http://www.elderabusecenter.org/pdf/publication/EldAbs_complete.pdf)
- Sanchez, Y. M. 1996. Distinguishing cultural expectations in assessment of financial exploitation. *Journal of Elder Abuse and Neglect* 8(2): 49–59.
- US Postal Service, *Protect your loved ones*. <http://www.usps.com/postalinspectors/fraud/ProtLove.htm>

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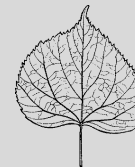
Visit the CARES web site at <http://ssw.unc.edu/cares/cares.htm>  
for on-line copies of this newsletter, updated calendar of workshops,  
links to background materials for events, and much more.

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*The aspen is perhaps the world's largest organism. Although some aspen forests cover acres and seem to be composed of individuals in all stages of life, they share a common root system.*

### CARES

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