



MIKE DEWINE

★ OHIO ATTORNEY GENERAL ★

**OHIO ATTORNEY GENERAL'S ELDER ABUSE COMMISSION
FEBRUARY MEETING MINUTES
VERN RIFFE CENTER FOR GOVERNMENT AND THE ARTS
77 SOUTH HIGH STREET, 31ST FLOOR
WEST B & C CONFERENCE ROOM
MONDAY, FEBRUARY 28, 2011
9:30 AM – 3:30 PM**

MEMBERS PRESENT

NAME

Judy Brachman
Andrew Capehart
Carol Dayton
Debra Downing
Dusting Ellinger
Cindy Farson
Gene Fischer
Christine Haenszel
Steve Hanson
Roland Hornbostel
Vicki Jenkins
Cindy Kuhr
Leslie McGee
Wayne Summerville
Adreana Tartt
John Thatcher
Karla Warren

REPRESENTING

Interests of the Elderly
Ohio Coalition for Adult Protective Services
Ohio Coalition for Adult Protective Services
County Commissioners Association of Ohio
Ohio Department of Health
Central Ohio Area Agency on Aging
Buckeye State Sheriffs' Association
Ohio Attorney General's Office
Supreme Court of Ohio
Ohio Department of Aging
Ohio Department of Developmental Disabilities
Ohio Victim Witness Association
Ohio Department of Job and Family Services
Ohio Department of Job and Family Services
Ohio Department of Alcohol and Drug Addiction Services
Ohio Prosecuting Attorneys Association
Ohio Department of Aging

Alice Robinson-Bond
Ursel McElroy

Ohio Attorney General's Office
Ohio Attorney General's Office

WELCOME – Ursel McElroy

- Opened the meeting by welcoming members.
- Agenda and housekeeping items reviewed.

REVIEW OCTOBER MEETING MINUTES – Commission

- October 25, 2010 meeting minutes amended and approved.

ANNOUNCEMENTS – Commission

U. McElroy

- Due to the poor weather and flood conditions in some parts of the state, some commission members are unable to attend today's meeting.
- The Ohio Attorney General's Office has announced the 2011 dates for the "Ohio Elder Abuse Training for Law Enforcement". They include basic and advanced trainings: May 12-13, June 9-10,

July 14-15, August 4-5, and September 8-9. Online registration is available at www.ohioattorneygeneral.gov/elderabusetraining.

- The National District Attorneys Association and the U.S. Department of Justice, Office on Violence Against Women have announced the 2011 date for the “Prosecuting Elder Abuse Cases” course. The course will be held May 3-5 in Columbia, SC. There are limited spots, but first preference is given to prosecutors’ offices which are partnered with organizations participating in the OVW Enhanced Training and Services to End Violence Against and Abuse of women in Later Life Program. The Ohio Attorney General's Office is a participant of the program, and has funds available to pay travel expenses for any Ohio prosecutors interested in attending. The Ohio Prosecuting Attorneys Association has shared the information with its membership.
- The Ohio Attorney General's Office released a request for proposals for an Elder Victims Pilot Program. As the Victims of Crime Act (VOCA) Administrator for Ohio, the office recognizes the need to provide appropriate emergency services for older victims of crime. The funds must be used for direct victim services only. Selected programs must be able to provide a 25% match, of cash or “in-kind” such as volunteer hours worked. Applicants are able to apply for up to \$40,000. “Applications must be submitted by 5:00 PM on February 28, 2011.

C. Dayton

- The Ohio Coalition for Adult Protective is hosting an advocacy day March 30, 2011 in Columbus, OH. The day will begin with training, tips, and helpful suggestions on how to advocate to your legislators by William Sundermeyer of the Ohio chapter of the American Association of Retired Persons. Lunch will be provided and then participants will have an opportunity to meet with their legislators. Additional information can be found at www.ocapsohio.org.

COMMISSION UPDATE – U. McElroy

- Ohio Attorney General Mike DeWine has indicated that the commission will continue during his administration and, at this time, the established priorities of the commission will remain.
- During the transition, the commission will make recommendations to the Attorney General on existing and new appointments. There was consensus to follow up with organizations that have not had consistent representation, and to extend an invitation to new participants that will have expertise and knowledge to help further the commission’s work. They include the following:
 - National Committee for the Prevention of Elder Abuse
 - International Association Forensic Nurses
 - Ohio State Bar Association
 - Ohio Hospital Association
 - Ohio Board of Nursing
 - Ohio House of Representatives
 - Ohio Senate

UNFINISHED BUSINESS – Commission

Legislative Draft

- The most recent draft of amendments to the Adult Protective Services Law (ORC. 5101.60), proposed by the commission, was provided to members in November 2011 for review. Written comments should be forwarded to U. McElroy prior to the March 28, 2011 meeting.

ELDER JUSTICE ACT PRESENTATION – Bob Blancato, Elder Justice Coalition

Bob Blancato, National Coordinator of the Elder Justice Coalition and former President of the National Committee for the Prevention of Elder Abuse, presented an update on the Elder Justice Act (EJA) before the commission. He is the Chairman of the Commonwealth Council on Aging in Virginia and chairs their state commission on elder abuse. He would like to see commissions similar to ones in Virginia and Ohio throughout the country. He shared the following:

- March 23, 2011 is the one-year anniversary of the signing of the Elder Justice Act. It took seven years for the bill to pass. EJA has been attached to one of the most controversial pieces of legislation. He believes it passed due many reasons, including: 1) the sustained advocacy of over 700 individuals and groups 2) bipartisan support 3) media outlets and attention and 4) newsfeed that went out daily from the National Association of Adult Protective Services.
- EJA authorizes \$777 million over a four-year period, yet it will receive no funding this 2011 fiscal year. The President's Budget includes nearly \$22 million for EJA - \$16.5 million for Adult Protective Services and \$5 million for long-term care ombudsmen programs. If funded, the money will be used for APS demonstration projects and not direct services. The amount is too little to develop a formula for direct services. Blancato views the amount as the floor and not the ceiling.
- Currently, the federal government is operating with a continuing resolution and no new programs will be funded in 2011. With EJA included in the President's budget, discussions continue about funding.
- Many legislators from Ohio are supportive of legislation. The following are current cosponsors: LaTourette, Kaptur, Austria, and Brown. Brown, in particular is critical for appropriations as a member of the Senate Finance Committee.
- Important to educate legislators on the issue, considering more than 20% of the current Congress is new. According to the Congressional Management Foundation, more than 97% of members of congress were influenced by a constituent contact.
- Senate Special Committee on Aging has a scheduled hearing on Wednesday, March 2, 2011 on the Elder Abuse Victims Act. The Act dedicates money into the U.S. Department of Justice (DOJ), allowing money to flow into prosecutors' offices, train law enforcement, and create jobs. It also creates an Office of Elder Justice in DOJ. The hearing can be viewed via webcast at 2:00 PM EST. During the hearing, the Government Accounting Office will release its report on Adult Protective Services. The report, in particular the recommendations will be important.
- Additional, but related upcoming hearings include the Senior Financial Empowerment Act, the Violence Against Women Act, and Title VII of the Older Americans Act.
- The recent releases of a 2009 study and a 2009 report have serious implications. One study estimated that 14.1 percent of non-institutionalized older adults nationwide had experienced some form of elder abuse in the past year. A 2009 report by the MetLife Mature Market Institute and the National Committee for the Prevention of Elder Abuse estimates that seniors lose a minimum of \$2.5 billion each year in financial exploitation.
- Additional information on the Elder Justice Act and related efforts can be followed at www.elderjusticecoalition.com
- The federal office of Adult Protective Services will be left at the discretion of U.S. Department of Health and Human Services.
- The Profile of Older Americans report has been released by the Administration on Aging.

PUBLIC COMMENT – Commission

Rosanna Miller of Belfontaine, Ohio

- Provided oral and written comments on February 28, 2011.
- Requested the following:
 - Commission assist with the alleged murder of her mother in Logan County.
 - Commission assist with the alleged abuse of her father in Logan County.

- Commission address the ineffective response she alleges she received from local authorities and appeal proceedings.

Matter has already been reviewed by local authorities and appeal proceedings.

SUBCOMMITTEE REPORTS - Commission

Awareness – No report.

Justice – Preliminary discussion on the feasibility of a perpetrators registry in Ohio began.

Policy – No report.

Research - The venue and line up of research symposium scheduled May 17, 2011 were discussed.

ADJOURN