

**OHIO ATTORNEY GENERAL'S ELDER ABUSE COMMISSION  
AUGUST MEETING MINUTES  
VERN RIFFE CENTER FOR GOVERNMENT AND THE ARTS  
77 SOUTH HIGH STREET, 31<sup>ST</sup> FLOOR  
WEST B & C CONFERENCE ROOM  
MONDAY, October 26, 2015  
9:30 AM – 12:30 PM**

**MEMBERS PRESENT**

<b><u>NAME</u></b>	<b><u>REPRESENTING</u></b>
Laura Abu-Absi	Ohio Jobs and Family Services Directors Association
Leslie McGee	Ohio Department of Jobs and Family Services
Joel Potts	Ohio Job and Family Services Directors Association
Lea Blair	Ohio Department of Health
Beth Kowalczyk	Ohio Association of Area Agencies on Aging
Christine Haenszel	Ohio Attorney General's Office – Healthcare Fraud
Jonathan Blanton	Ohio Attorney General's Office – Consumer Protection
Stephanie Nelson	Supreme Court of Ohio
Adreana Tartt	Ohio Department of Mental Health and Addiction Services
Kenny Steinman	Ohio Family Violence Prevention Project (Guest)
Kelly Igoe	Ohio Department of Commerce/Securities
Thomas Swift	Ohio Association of Probate Judges
Patrick Bailey	Ohio County Commissioners Association
Lindsey Jones	Ohio Department of Insurance
Beverley Laubert	Ohio State Long Term Care Ombudsman
Melanie Cooley	Ohio Attorney General's Office
Lucy Chandler	Supreme Court of Ohio
Erica Wilson	Ohio Attorney General's Office
Judith Brachman	Interests of the Elderly

**WELCOME – Judith Brachman**

- Opened the meeting by welcoming members.
- Reviewed and approved minutes (with corrections).
- Agenda reviewed.

**NEW MEMBER INTRODUCTION – Commission**

***Kelly Igoe- Ohio Department of Commerce/Securities***

- In the past we have worked with many departments that are here today, so we are looking forward to being a part of this group. We do a lot of outreach and we would love if anyone would be interested in handing out information, such as how to check your stockbroker. Also, we do a lot with insurance. Sometimes the duties of an insurance salesman, licensed stockbroker or investor advisor melt together and for someone who is not as understanding of the industry this can be confusing. We



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understand that there are many individuals who should be calling and asking us questions and we want to make sure that they do and that's what most of the stuff we hand out targets (fans, water bottles, etc.).

## **CHAIR'S REPORT – Commission**

### ***Jonathan Blanton- Ohio Attorney General's Office – Consumer Protection***

- Sylvia M Pla-Raith will be joining the team on November 2, 2015 as the Director of the Elder Justice Initiative. Sylvia is coming from Cuyahoga County Adult Protective Services where she has been for roughly the last ten (10) years. Prior to that, she was able to work in a more direct line service. Cuyahoga County has been at the forefront of the I-Teams, which is really big for us as we move forward. With HB 64's mandate on I-Teams in the counties I think we are definitely going to need some reinforcement, training and a sounding board to figure out how these look across the state. The large counties obviously are probably ahead of a lot of the smaller counties, in terms of resources and available people.
- Also, we are trying to form a partnership with the law and Pro Seniors to offer some legal services and guidance in terms of a starting point for contacts with the Elder Justice Initiative for those individuals who don't have problems clearly addressed. If it's not criminal, if it's not APS, then right now we are sort of at a loss and we say: "Why don't you call somebody else?" This will require a little bit of funding for a larger network with more/better contacts, and put more people in the line of services. Also, this will help target a larger group and hopefully we will see individuals under the age of 60 who have issues being helped (right now individuals under the age of 60 are being shut out).
- We would like to see more training opportunities, which will help us work together and partner. It is good to have someone from the financial side here, so that we can learn and understand the confidentiality requirements for banks, financial institutions, security brokers, etc. and although we may not be able to answer questions, we will have a contact in the department to get a better understanding. This will help us understand how to direct individuals in the right way, so that they may get the tools and information needed to make a knowledgeable decision.

### ***Joel Potts - Ohio Job and Family Services Directors Association***

- When it comes to Adult Protective Services I think we have done more in the past twelve (12) months than we have talked about in the last twelve (12) years. There are many activities taking place as a result of legislation. We need to get counties to really start developing their I-teams, so they can start changing the way they do business. Trainings are being developed and right now we have a November 14<sup>th</sup>, 2015 hard deadline for counties to get everything in order and to get full access for funding. We have a few counties that are way behind, some are in the middle and a few have already accomplished the goals set forth.
- Sometimes it's hard for folks to grasp how complex the bureaucracy is at the local level. One of the requirements was that we get MOUs signed by virtually the world. Never ask a question unless you



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know the answer, so we said township trustees must sign. One of the requirements includes a corner [?], but some townships don't necessarily have a corner [?]. They have to make an appointment with someone in the town and if they don't show up etc., this takes time. We have some counties looking at 450 signatures for the MOUs and you don't just go and show up with the documents and say "hey we want you to sign". You must have conversations, which get much more detailed. This seems to be the place where a lot of counties are at because it is the last thing. So, we are guessing we will get a flood of these within the next week or two. And what we hope is that this isn't just another check off. We want to help with progress, we want there to be new programs and we don't want it to be well that's good enough. So, we are looking at new trainings (who needs to be trained and how). I have been around for 30 years and I haven't seen a time when everything is changing with mass restructuring.

## ***Leslie McGee - Ohio Department of Job and Family Services***

- There is a lot going on in the department in regard to Adult Protective Services. We have been working with the JFSDA as well as the Ohio Coalition for Adult Protective Services (OCAPS) to try and reach out to the counties to help them prioritize or whatever it is they may need to get the full amount of funding/dollars. There is a lot of money in the APS program. So, we really want the counties to access these funds. Also, HB 64 makes several changes to the APS statute and we are in the process of getting the rules to counties and there is a set of rules which will go out with all the statutory changes. Also, we are in the process of updating our system for APS. We will need this up and running by July 1, 2016. We are purchasing the system off the shelf because we need to have it ready by the deadline and we can customize the program for our specific needs. Finally, we are in the process of gathering numbers from the counties for the APS hotline because HB 64 mandated that county aides must be made available to accept referrals 24/7. There will be a hotline always open and we can direct individuals to the number. All rules have to be effective by July 1, 2016. The statute is effective now.

## ***Beverly Laubert - Ohio State Long-Term Care Ombudsman***

- We have been pretty busy. We have been commenting on a new massive federal regulation for nursing facilities and also a new federal regulation for the ombudsman program. We haven't previously had a regulation for the ombudsman program. So, many states are working hard to come into compliance by July 1, 2016. When the rule goes into effect Ohio will be in a much better position than many other states, but we will need to make some changes especially with regard to conflict of interest where the regional programs are housed and how we are going to manage that. When you are talking about the MOUs it occurred to me that the Lima-area ombudsman program is closing at the end of this week and the state office will be providing ombudsman services until we figure out how to provide services in that region. So, I can send you the counties in that region if that would be helpful. This is a big project for us.
- Also, we just received a grant from the Administration for Community Living to expand our music and memory initiative for people who live in a community. We have used some funds that are only



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allowed to be used at nursing homes to fund music and memory. It is a great model to help individuals with dementia. We brought Music & Memory to 250 nursing homes, initially and there are currently more than 300 participating. We just got approval to expand to 150 more nursing homes and the Administration for Community Living saw the success we were having and wanted us to expand to home and community based services as well.

- HB 50: The Ward Bill of Rights – This is a bill for individuals who have guardianships and it passed one chamber of the general assembly. It seems to be stuck at this point; there were some intervening issues that were raised with the legislation. We hope to get it moving again and focus on the bill of rights. Attorney General DeWine created the booklet, which has been very useful. We have been using this with consumers who have guardians. The legislation would be a great companion to the new regulation. The regulation really focuses on the guardians, what the courts need to do and the ward bill of rights really focuses on the individual

### ***Christine Haenszel – Ohio Attorney General’s Office – Healthcare Fraud***

- Piggybacking off of the guardianship issues, our office is working on several cases in relation to guardianships. We have been working with the crime victims section to find individuals that we can look at criminally and prosecute (criminally). We recently had a large case that was closer to home in Franklin County. In this case, we did prosecute criminally. We get a lot of cases that deal with nursing home facilities and guardians not paying the full amount of their patient liability. We do pick up some of these cases, but we cannot become a collector for a nursing home, but if someone is actually using that money for their own then we need to look into this and prosecute the case. This is a fairly new type of case that we are beginning to see.
- Also, we have begun our Patient Abuse Institutional Neglect Initiative (PAIN Initiative). We are now looking at facilities as a whole or corporations as a whole who are not providing the services that they are supposed to be providing to the residents of nursing homes. So, we are looking at more of an umbrella, where we would look at anything that would range from neglect in care to up coding patient medical needs. Also, we have been dealing with falsification and forgery cases. These types of cases are quite large. We have three (3) or four (4) cases in the office that we have been working on for about two (2) years now and they are just now starting to finalize (we have trial set in January 2016).

### ***Melanie Cooley - Ohio Attorney General’s Office – Consumer Protection***

- I do the daily intake and since we started the Elder Justice Initiative, last May 2014 we had slightly over 800 calls for different services. Some of these calls turn into actual cases which are prosecuted and others just need general help. We have done 12/14 presentations in the past three months. We have been getting a lot of requests from the APS counties who are trying to do outreach. Also, our agents are out doing training. Our northern agents have about 25 active elder justice cases right now and there is no number on the southern agents at the moment. We have just a few cases right now that are going through with the prosecution, which it usually takes a few years to get through this.



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The majority of cases that are called in are exploitation cases, in a majority of these cases the perpetrator is a family member. Every once and awhile we do get consumer related complaints where the elder consumer has a tree trimming guy coming every week to trim the trees for an astronomical amount, etc.

## ***Thomas Swift - Ohio Association of Probate Judges***

- We usually have educational programs for the judges on all issues, but in the last few years we have been emphasizing guardianship. We are going to try something new this year, we are going to do a program in December and we are going to have some national speakers come in. Also, our June conference will be in Akron. I am chairing a committee that is revising the revised version of the pamphlet you are talking about for the probate judges. I had a conversation with the Chief Justice and we are looking into the Superintendent Rule 66. We have already identified some changes to the legislation. Sometimes we emphasize the guardianship aspect of things without recognizing that mental health is related to that in some instances. Counties have local agencies that can help provide for these persons (mental health services). We are also looking at trainings provided by the Supreme Court.

## ***Adreana Tartt - Ohio Department of Mental Health and Addiction Services***

- I am the special population's program coordinator and the special populations I work with are elderly individuals and veterans. For the elder adults we are going to be doing mental/aging training, webinars. Also, we will probably be doing a lot more training for Adult Care Facilities where a lot of the folks have mental health challenges. I also serve with the Guardianship Sub-Committee and we are discussing guardianship training as well.

## ***Stephanie Nelson - Supreme Court of Ohio***

- We have talked about the Judicial College at the Supreme Court. It is very busy delivering all the education for superintendent rule 66. They are offering two (2) trainings for two (2) different types of groups, the professional group (attorneys, etc.) and layperson group. They are offering the training live, as well as in webinars. Also, they are putting all the information online (on demand), so you can go to your computer and get it or go to the local library. The goal is to have this all done by December. We do have a new staff person, LaTonya Harris, whose primary focus is developing this module.
- With the Guardianship Summit in March we are just beginning to look at what education exists and what education we can offer. A lot of folks with the workgroup on Adult Guardianship will be potential panelists at the Summit, so we will be reaching out to you all for opportunities in the near future.



## ***Patrick Bailey - Ohio County Commissioners Association***

- There is nothing on behalf of the County Commissioners Association at this time, but I can tell you a little bit about what Montgomery County Job and Family Services is doing for Elders and Adult Protective Services. First of all, we received two of the grants. We received an innovation grant and a capacity grant. With the innovation grant what we did was we had a southwest conference on Adult Protective Services. That was held on October 2, 2015. We had 23 counties that participated. It was a great event. The focus of the conference was on exploitation, starting and sustaining multi-disciplinary teams, and community collaboration. So, we were really trying to help a lot of our counties that are close to us with some of the multi-disciplinary teams and some of the other aspects. We had about 225 people who attending the event. We encouraged not only our neighboring Adult Protective Services staff to attend, but also for them to bring their community partners because multi-disciplinary teams are really about community collaboration. Through the conference we received a lot of really good feedback from the counties.
- Another thing we have been working on is our capacity grant. What the focus of our capacity grant was on was increasing our capacity in Montgomery County. So, we are purchasing laptops so that the APS staff can easily input information into the system. The system that we use is web-based, so instead of our staff having to come back to the office to enter information while out on duty, our staff will be able to enter the information directly into the system while away from the office. This will save time and eliminate double entry. Our children services department implemented this system about a year ago and they have been having great success. We are very excited to try this new way of entering our information because Montgomery County is growing. About five (5) years ago our reports were in the 700s and now they are over 1000. We have the second largest number of reports in the state of Ohio. When you educate the public about a place to call and all the aspects of elder abuse they respond and use the resources.
- A third thing we have been working really hard on is the five (5) components that are due to the state by November 4, 2015. We have submitted two (2) of the five (5), the last three (3) we are working really hard to try to get done and these require a bunch of signatures. So, we are working hard to get these signatures. Another thing that I was able to do was help Clermont County start their first multi-disciplinary team. It was exciting to see them have their first meeting and to give them some guidance about best practices. Montgomery County has had their multi-disciplinary teams together for about six (6) years and we have accomplished a lot that we could never have dreamed of.

## ***Lea Blair – Ohio Department of Health***

- I don't know if everyone realizes the depth in which we work with the Ombudsman program, as well as the Attorney General's Office, so we have eyes on abuse and neglect cases from a variety of places. All nursing homes and long term care facilities are required to submit self-reported incidents (SRI's). Those are looked at by the field managers within the bureau of long term care. Also, they are reviewed within the abuse and neglect part of the Ohio Department of Health and our regulatory compliance end of things. So, we believe we are picking up and catching up. Abuse and neglect



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cases also come to us through the complaint unit, so we get calls from residents , consumers themselves, family members, or other staff from facilities and those are investigated within two (2) days, so we have 48 hours to begin an investigation.

- Another thing that is important to note is that we get resident to resident abuse and that generally comes from not having enough person centered activities. This happens when an individual becomes over exposed and over stimulated because of too many people or they are unable to interact and communicate. So, I believe what the Department of Aging and Ombudsman Program is doing with Music and Memory is great and if they could have more things within long-term care facilities which would help incorporate person centered activities that would be awesome. Through this I believe lives would be in a much healthier place. I just recommend this as something we continue to try to do.

### ***Erica Wilson – Ohio Attorney General’s Office – Policy and Legislation***

- Jonathan Blanton asked me to attend because there were questions on HB 50: The Guardianship Bill. Right now the bill is still in the house, still waiting a house floor vote. My understanding when I spoke with the sponsors last week is that they are expecting some movement on it before the end of the year. So, that was good news, but they still have a couple of issues that they need to work out and they are working on right now. Mainly the portion with the ward’s bill of rights and the guardianship guide.

### ***Kelly Igoe - Ohio Department of Commerce/Securities***

- Thank you for allowing Commerce to be a part of this group. I obviously want to help in any way that I can with any of the initiatives. We just had our 2015 Ohio Securities Conference which I am in charge of every year. We started out this year’s conference with the Elder Initiative Panel. We have an interesting niche. Unfortunately, not only do we have diminished capacity issues with clients who own stocks and mutual funds that are working with investment advisors, we also, have investment advisors that have diminished capacity. So, we have to really understand what the industry is doing. We invited a gentleman from Merrill Lynch Bank - Bank of America to come and speak about what they are doing about their stock brokers that are maybe starting to show some diminished capacity. We also asked what they are doing about their stock brokers noticing the clients have a diminished capacity with the nephew coming in and saying I have Power of Attorney and we would like to move all this money to my “casino” account for the casino down at the Scioto Downs. We have lots of really broad issues that we are seeing happen a lot. Also, a lot of individuals are losing their life savings and people are living longer and retiring younger and they do not want their family to know that they made a mistake. We want to be the place where individuals can come and ask questions, so we have lots of outreach. I am willing to go anywhere. I have been in every county. I used to work a lot with Consumer Protection. I do a lot of outreach with them, but I have not done that as much. We are happy to help dispel any myths or help you work out any discrepancies.



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- Also, the Financial Industry Regulatory Authority (FINRA) whom we work with has a Senior Initiative. It is a big program going on right now. If you are interested in looking at what they are doing you can visit FINRA.org. We are working with them to make sure we get the word out.

## ***Lindsey Jones - Ohio Department of Insurance***

- We do have a lot of overlap with Commerce. As far as the enforcement division at the Ohio Department of Insurance with elders, we usually see a lot of issues with annuities. There is a suitability law that is supposed to help the company not approve certain policies, but a lot of time many of the agents will buy[?] on the applications. Also, we have seen a lot of movement between annuities. They will tell the elders there is this \$8,000.00 bonus if they transfer their annuity. They tell them not to worry about the surrender charges, but what they aren't telling them is that they have to leave the product there the whole time until it is complete to get the bonus. Then they move them many more times. We have seen hundreds of thousands of dollars lost to surrender charges. A lot of times these individuals are embarrassed to talk to their families about it because they have made bad decisions and lost lots of money. Also, we have seen some instances where the agent has befriended the client, sometimes they have been with their agent for ten (10) or more years and we have actually seen where the agent has named their spouse as the beneficiary (or even themselves) on a policy for an elderly client. This is definitely against the law. There is a lot of stuff going on with annuities. It is a high commission product and we have seen some people get taken advantage of.

## ***Kenny Steinman - Ohio Family Violence Prevention Project (Guest)***

- For those of you that don't know, one of the things I do is direct the project that takes data relating to different acts of violence, including elder abuse, and tries to make it available at the county level in a format that is useful for grant writing, planning, etc. We finished that about a year ago and for the past few months I have been going around and addressing groups. I realize the data is only valuable, as the people use it. I am really eager to go out and talk to individuals about how to use the data. One of the things I mentioned in the past was that the Health Pact Foundation of Ohio has been supporting this work for almost 6/7 years and they have given suggestions, but we asked to specifically add elder abuse because of some of the changes going on in the system. The current system only goes to 2012. If you are interested in a specific data project we can cater to your needs. I have a few students available if you would like to have a discussion with me.

## ***Beth Kowalczyk - Ohio Association of Area Agencies on Aging***

- First thing that I would like to do is tell everyone about our annual conference coming up next month. The conference will be November 18<sup>th</sup>-19<sup>th</sup> at the Easton Hilton in Columbus, OH. One thing I am really excited about is a workshop on Elder Abuse. We are going to have a discussion about what is going on in APS and feature some counties doing innovative work. Also, the conference will include the Area Agency on Aging based out of Lima who has received both a VOCA grant and funding through the counties in their area to do an Elder Abuse Services. Also, we will have Summit County talk about their APS work. Sylvia is going to come to talk about APS



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changes and someone from the AG office will talk about VOCA grants. We will have folks talking about supported decision making and alternatives to guardianship. We will have someone talk about participant direction. Also, we will have a workshop on legal services.

- Another thing that we are working on is seeking more funding for Adult Protective Services. It has been a top priority for us and the last budget will be different from the next. As things change we want to gather more evidence/data on what is going on and what are the needs. We are working on putting more materials together for advocacy and we are still following HB 24.
- Also, I was asked to do a brief update on the Ohio Coalition for Adult Protective Services. Just to state generally, OCAPS received a VOCA grant which has been used to support the Ohio Hopes helpline. This is another resource for people to call when they don't know where to go for Adult Protective Services/Elder Abuse. Also, there is a new program with a direct outreach component to communities. OCAPS is going to do a lot of presentations to communities and this will be a more intense direct outreach. OCAPS is planning their conference in March of next year (2016). Finally, as part of the policy committee at OCAPS we have been talking about submitting comments on the Administration of Community Living's model guidelines on APS. They have been asking for comments from the public, so we have a few general comments. There is an emphasis of serving individuals under the age of 60 and we need to discuss how that can happen when you don't have the resources.
- I think some important data to look at would be the causes of Elder Abuse related to perpetrators (opiates, gambling, etc.). Another thing would be trying to figure out what the counties will do with money/grants they receive in the future. How much money will they need to keep things going and what impact will this have. If you have any comments about what we can say to convince the state legislators that we need more funding related to resources, let me know.

## **DISCUSSION OF MOVING ELDERLY CASES FASTER THROUGH COURT SYSTEM**

Discussion about how the court system moves slowly. Is it possible to speed up the process? It came down to court cases will always take a long/extended amount of time because of things such as finding expert witnesses and getting all the evidence together. It is not a fast process and this is something that would be nearly impossible to make move faster. It would be nice if things were to move at a faster pace, but not realistic.

## **DISCUSSION OF HB 24**

*Laura Abu-Absi – Ohio Jobs and Family Services Directors Association*

- HB 24 adds a definition to the law governing Adult Protective Services and financial exploitation. The current definition of financial exploitation is: counties are liable to receive reports and investigate reports of financial exploitation, if the perpetrator is a caregiver. What we have in HB 24 is the proposed expansion of that definition to financial exploitation perpetrated by a person. So this gets county JFS departments out of the realm of what we view as social work and into a more



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criminal realm because we are no longer dealing with a family dispute. We are now dealing with the person Facebooking from Florida or the Prince from a faraway exotic land.

- We are concerned that without additional resources (because the system is already underfunded) this will cause issues. Sure, we are changing the definition and statute, but even given the challenges that the Judge mentioned in terms of prosecuting these cases, we just aren't sure if we are in the right place to effect a change.
- We brought this up to the bill sponsors, in terms of having conversations. If we are going to tackle this how do we do it the right way? So we are interested in discussing with everyone here, as experts in this field, what you think the best approach is?

## ***Joel Potts - Ohio Job and Family Services Directors Association***

- Several people made a case that you were concerned about 800 calls, 25 messages and there is no real expectation. We are talking about potential criminal acts and what we don't want to do is set an expectation that we cannot fulfill.
- I am sure everyone in this room can tell a story about an individual who has been financially exploited, so we know it is a real problem and we want to build a program to help, but this is going to be very different from what we do generally and we need to make sure we do it correctly.
- My personal opinion is we should act as a mandated reporter. We go in and we investigate and if it looks suspicious we should have somebody to refer the case to, someone who seems more law enforcement than a social worker.
- My concern is getting the right people involved to tackle the issues correctly.

## ***Judith Brachman – Interests of the Elderly***

- The real question is: How can we make it work?
- The bill sponsor really wants to move it forward and we don't want to put any holds in the path. Admittedly there is a lot going on, but this is a time when there is a real opportunity to do something and to do it right.
- So, what can we do and what are the resources available (out there)? How can we frame this for the sponsor to take a look at it?

## ***Kelly Igoe – Ohio Department of Commerce/Securities***

- I always thought Consumer Protection at the Attorney General's office dealt with referrals and directed people where they should go for the right help. They were always very well versed on how to direct the person calling on where to go. At least that was my experience. Like I said earlier, we



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used to do a lot of work with Consumer Protection. So, I would go out with them on outreach events and we would talk about what we do and what insurance does. We would make individuals aware that they could call any of us and we will help you get to the right person. That was a message we tried, but it would be good if there was just one number for individuals to call.

## ***Jonathan Blanton – Ohio Attorney General’s Office – Consumer Protection***

- My concern right now is there is no one that has to do the initial check. Could legislation require a task force, etc. where all referrals would go? There is no one required to ask what’s going on when someone calls. Law enforcement will not help many times because no one is being harmed; there is no crime. I don’t think that the idea behind HB 24 is that county departments are the chief investigators. It seems like what the sponsor is looking for is, is there anyone who has to respond...do we have to do this right now? I don’t know if the ODJFS is responsible for screening these calls, etc.
- If they are caretakers that is one thing, but what is a caretaker? That is the problem I have. What is the definition and if we have a scenario and we say ok this is not a caretaker...then let’s just abandon them? If the grandson comes over, or the insurance guy or it’s the contractor that comes back four or five times...what is really going on in this situation? What the bill is looking at is expanding this out, let’s look at scenario...is this person getting exploited and if so what else is going on and see what we can provide as a society. Is it really well written right now?
- What we need to do as a group is come up with ideas to make this less burdensome or make it as good as we can.

## ***Laura Abu-Absi – Ohio Jobs and Family Services Directors Association***

- We need to try to improve what is going on with these cases. ODJFS is required to receive reports and do investigations (how HB 24 is now) and we just don’t have the resources.

## ***Unknown***

- What if ODJFS does an initial screening and they see that a family member or someone else is ripping them off financially and they got a report. They give it the prosecutor and the prosecutor says this is a civil matter, where does it go next? I think the sponsor cares as much about that as they probably care about the investigation. Where I am hitting a speed bump is...hypothetically they find abuse is going on, but if it is a civil matter how does it get handled next. What do we do with seniors that we have identified and we investigated some and we decided it’s a civil matter?

## ***Jonathan Blanton – Ohio Attorney General’s Office – Consumer Protection***

- Unless they fall into a very specific class of folks the county has no authority over them. With children who are abused, neglected, etc., there are many options available, because essentially children need services. What we do for children is different than APS statutorily.



## *Thomas Swift - Ohio Association of Probate Judges*

- There are some procedures in place, but who is going to come in and do the back-end? How do we get all this information together in one place (the reporting, investigation, etc.)? The expectation has no backup/direction.

## *Continued Comments*

- Where I have a disconnect, given what I understand and what the sponsors intent is, is we have ODJFS do a report and they do note that they believe there is exploitation and they give it to the prosecutor's office. I am not convinced that there is enough that happens next that actually fixes the problem.
- Probably not because if the prosecutor doesn't take the case then it will come back to ODJFS and they will look at it again and try to find a way to help this individual within the law. So then it comes down to what is allowable by law and what is available. There is a gap in what we do, as well as disconnect.
- That's where I think the expectation is not managed and I hope this group can work to "set them up for success."
- Make a tree graph in the legislative committee which shows: what can be reported, what information is needed, gaps in the system, and get very specific.

## **ADJOURN**