



**MIKE DEWINE**

★ OHIO ATTORNEY GENERAL ★

**OHIO ATTORNEY GENERAL'S ELDER ABUSE COMMISSION  
MARCH 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, MARCH 28, 2011  
9:30 AM – 3:30 PM**

**MEMBERS PRESENT**

**NAME**

Judith Brachman  
Carol Dayton  
Gene Fischer  
Christine Haenszel  
Patrick Harris  
Roland Hornbostel  
Vicki Jenkins  
Cindy Kuhr  
Beverly Laubert  
Stephanie Nelson  
Jo Simonsen  
Wayne Summerville  
Thomas Swift  
Karla Warren

**REPRESENTING**

Interests of Elderly  
Ohio Coalition for Adult Protective Services  
Buckeye State Sheriffs' Association  
Ohio Attorney General's Office – Healthcare Fraud  
Ohio Attorney General's Office – Consumer Protection  
Ohio Department of Aging  
Ohio Department of Developmental Disabilities  
Ohio Victim Witness Association  
Ohio State Long Term Care Ombudsman  
Supreme Court of Ohio  
Ohio Domestic Violence Network  
Ohio Department of Job and Family Services  
Ohio Association of Probate Judges  
Ohio Department of Aging

Ursel McElroy

Ohio Attorney General's Office

**WELCOME – Ursel McElroy**

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

**REVIEW FEBRUARY MEETING MINUTES – Commission**

- February 28, 2011 meeting minutes amended and approved.

**ANNOUNCEMENTS – Commission**

*J. Simonsen*

- Distributed informational brochures for the Ohio Coalition for Adult Protective Services (OCAPS). Additional publications and information can be found at [www.ocapsohio.org](http://www.ocapsohio.org).

*C. Dayton*

- The annual OCAPS conference was hosted March 25, 2011 at Columbus State University. The conference was a success with greater than 170 participants from different areas of the state.
- OCAPS is hosting an advocacy day March 30, 2011 in Columbus, Ohio. 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. The focus will not be the proposed 10% funding reduction for Adult Protective Services (APS), but the assessment of a \$50 fee on funerals as a source of revenue for APS. It is projected that the fee will generate \$5.4 million annually. In 2005, the Ohio Elder Abuse Task Force recommended \$6.2 million as the baseline amount to operate APS in Ohio. Pursuing estate recovery as a source of revenue has been postponed at this time.

*P. Harris*

- Distributed elder fraud brochures produced by the Ohio Attorney General's Office. Additional publications and information can be found at [www.ohioattorneygeneral.gov](http://www.ohioattorneygeneral.gov).

*U. McElroy*

- The National District Attorneys Association and the U.S. Department of Justice, Office on Violence Against Women (OVW) 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 shared the information with its membership and seven prosecutors from Ohio have been accepted. They include: Butler, Guernsey, Knox, Lucas (2), Summit, and Union.
- OVW approved the request of the Ohio Attorney General's Office to host the National Judicial Institute on Elder Abuse in Ohio. Dates for the event will soon be announced.
- The Ohio Attorney General's Office released a request for proposals for an Elder Victims Pilot Program using Victims of Crime Act (VOCA) funds. 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 were able to apply for up to \$40,000. Five applications were submitted, and two selected. Of those selected, one was unable to secure the match.
- The Ohio Attorney General's Office will host its 20<sup>th</sup> annual Two Days in May: Conference on Victim Assistance May 16 – 17, 2011 at the Hyatt Regency Columbus. More details are available at [www.ohioattorneygeneral.gov](http://www.ohioattorneygeneral.gov).
- The Ohio Attorney General's Office has partnered with the Ohio Department of Job and Family Services to offer elder abuse cross training to APS and other victim service providers. The training follows a national curriculum developed by OVW, the National Clearinghouse on Abuse in Later Life, and the National Adult Protective Services Association. Pilots are scheduled in four regional training centers (Greene, Franklin, Summit, and Lucas) throughout the summer. Details are available at [www.ohioattorneygeneral.gov](http://www.ohioattorneygeneral.gov).

**UNFINISHED BUSINESS – Commission**

**Action Plan**

- There are outstanding items to be addressed from the 2011 action plan. Broadly, the plan identifies five areas:
  - Establishing the commission as the lead organization for information and exchange in Ohio regarding the Elder Justice Act.
  - Examining feasibility of creating an Ohio's perpetrator registry.
  - Expanding the forensic capacity to investigate and prosecute elder abuse cases, with an emphasis on financial exploitation.

- Advocating for stable funding in Ohio to address elder abuse.
- Hosting a symposium in 2011 to generate interest in elder abuse research.

### **NEW BUSINESS – Commission**

- There was discussion about adding the Ohio Grantmakers Foundation as a member. It was concluded that it is more fitting to utilize the organization as a resource for the commission, and not as a member.
- In response to concerns that local APS programs may lose opportunities for grant funding due to their inability to meet match requirements (see “Announcements”) technical assistance in this area may be beneficial. C. Dayton will share with OCAPS membership for consideration.
- Began discussion on the creation of an elder death review team in Ohio. Further research needed on the matter. Some initial considerations include:
  - Clear purpose of team (active or past cases)
  - Clear scope of team (local, regional, or statewide)
  - Inclusive nature (community and facility cases)
  - Training component
- Based on previous comments from constituents, there was consensus that a review process for APS should be considered as an addition to the current legislation the Commission is working on. The matter has been referred to the Justice Subcommittee for review.

### **PUBLIC COMMENT – Commission**

- No public comment was provided, but the Commission utilized the time to discuss ways to improve the public comment experience for the constituent and the Commission. There was consensus to form an ad hoc subcommittee to focus on the public comment. Some considerations:
  - Developing a packet for constituents that explains the purpose of the comment period and includes resources for further assistance. Packet will include needed disclaimers.
  - Develop a tracking system to identify patterns of concerns reported from constituents.
  - Develop a systematic way of responding to constituents.
  - Develop ways to encourage diverse input from professionals and constituents.
  - C. Kuhr, J. Simonsen, and K. Warrant to work on subcommittee.

### **SUBCOMMITTEE REPORTS - Commission**

#### **Awareness Subcommittee**

- No Meeting

#### **Justice & Policy Subcommittee**

- Work on perpetrators registry has begun. B. Laubert to provide resource information from the American Bar Association.
- The right to a review in APS language will be drafted by B. Laubert.
- There is a lack of uniformity regarding the way APS cases are investigated and status determined. Standard operating procedures should be developed and all reports captured in Statewide Automated Child Welfare Information System (SACWIS).

#### **Research Subcommittee**

- The Ohio Elder Research Symposium will take place May 17, 2011 during the Ohio Attorney General's Two Days in May Victim Assistance Conference in Columbus Ohio.
- Pam Teaster has been secured as the keynote speaker.
- Budget for event has been reduced from \$10,000 to \$5,000.

### **ADJOURN**