

# APS QUARTERLY REPORT TO THE LEGISLATURE

4<sup>th</sup> Quarter, SFY2014

To: Health Care Oversight Committee

From: Susan Wehry  
Commissioner, Department of Disabilities, Aging and Independent Living

Prepared by: Clayton Clark   
Director, Division of Licensing and Protection

Date: July 14, 2014

The Adult Protective Services (APS) program provides quarterly reports to the Legislature in accordance with Act 46 (2013). This is the quarterly report for the fourth quarter of State Fiscal Year 2014. The attached data table and charts derived from it provide information on the APS program for SFY2014. Appendix A provides definitions for the common data elements used in this report. Appendix B provides a description of the settlement benchmarks.

## Notes on Report Data

A review of the data shows that APS workload and outcomes for this fiscal year has been steady across most measurements. There are no significant positive or negative trends in the data that require action at this time. The program is presently stable and meeting our statutory obligations.

This quarterly report also shows how APS is meeting the benchmarks established by the August 13, 2013, Settlement Agreement between DAIL and litigants. APS has shown steady progress and presently meets seven of the eight benchmarks. We will present our plan of correction for the benchmark missed to the APS Subcommittee of the DAIL Advisory Board on August 6, 2014. Our plan of correction will help us achieve our goal of meeting all eight benchmarks by the next quarterly report.

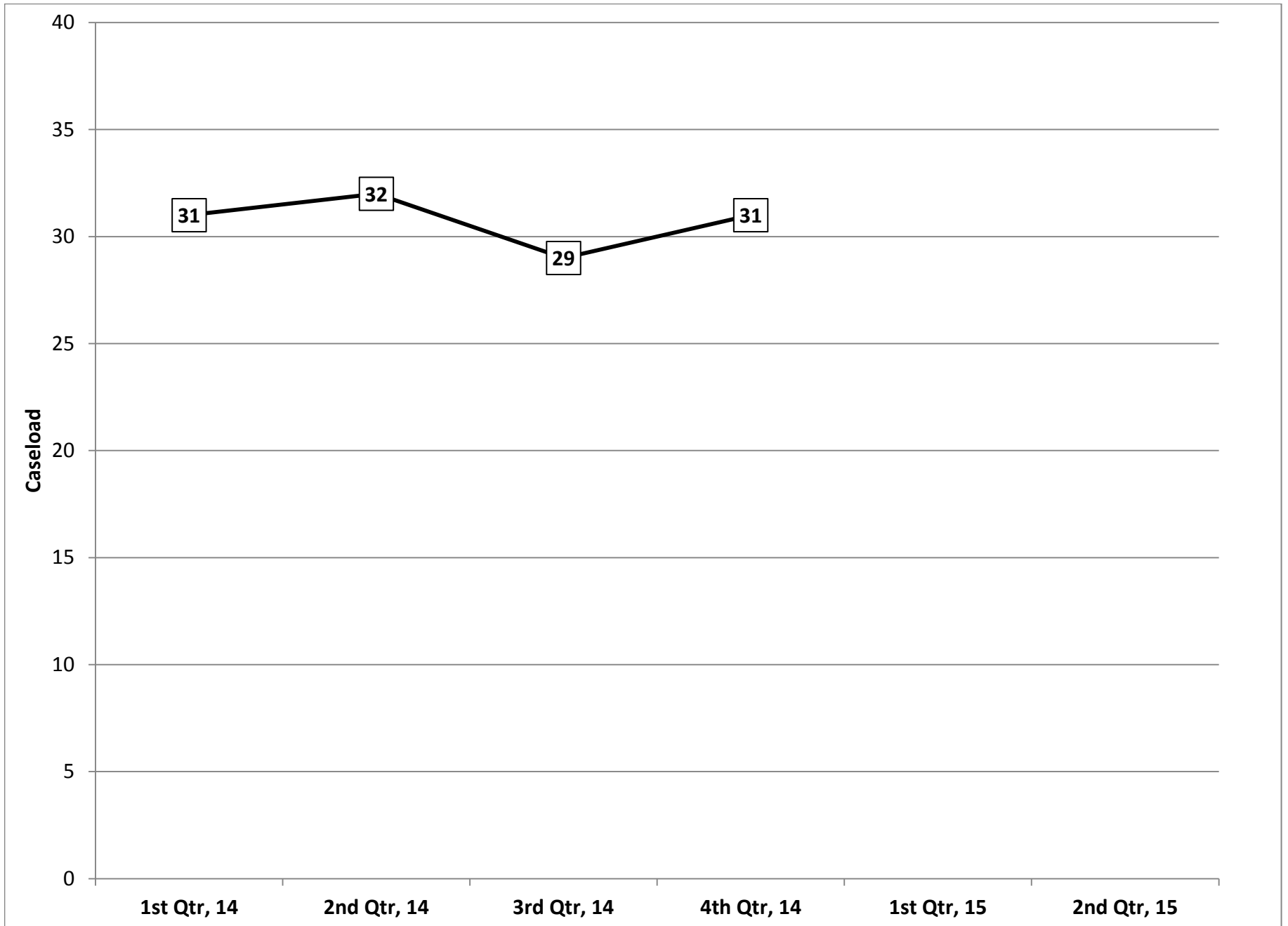
## Data Table for APS Quarterly Report

Quarter	1st Qtr, 14	2nd Qtr, 14	3rd Qtr, 14	4th Qtr, 14
<b>Intakes and Closures</b>				
Intakes to DLP	1,030	978	934	1,095
Closed without Investigation	302	277	277	346
Referred to APS for Investigation	352	379	369	400
% Intakes Referred to APS Investigation	34%	39%	40%	37%
Referred to S&C for Investigation	375	322	283	348
Total Closures	1,014	937	896	1,048
<b>APS Investigations Outcomes</b>				
Investigations Closed Substantiated	37	42	40	46
Investigations Closed Unsubstantiated	300	296	296	307
% APS Investigations Substantiated	11%	12%	12%	13%
Adult Abuse Registry Additions	21	17	23	33
<b>Caseloads</b>				
Total Open Cases Daily Average	344	356	324	342
Investigator Caseload Daily Average	31	32	29	31
<b>Closure Percentages</b>				
% Total Closures Substantiated by APS	4%	4%	4%	4%
% Total Closures Not Substantiated by APS	30%	32%	33%	29%
% Total Closures Referred to S&C for Investigation	37%	34%	32%	33%
% Total Closures Not Investigated	30%	30%	31%	33%
<b>Cases Not Investigated:</b>				
Allegations Not A/N/E				393
Resident on Resident Abuse				135
Other				87
Report Self Neglect over 60				50
AV Not Vulnerable Adult				24
AV Deceased with No Apparent A/N/E				4
<b>Referral Types for Intakes Not Investigated:</b>				
Survey & Certification (DLP/DAIL)				348
Area Agency on Aging				74
Law Enforcement				29
DS or ASD (DAIL)				4
Medicaid Fraud Unit				3
Legal Aid				2

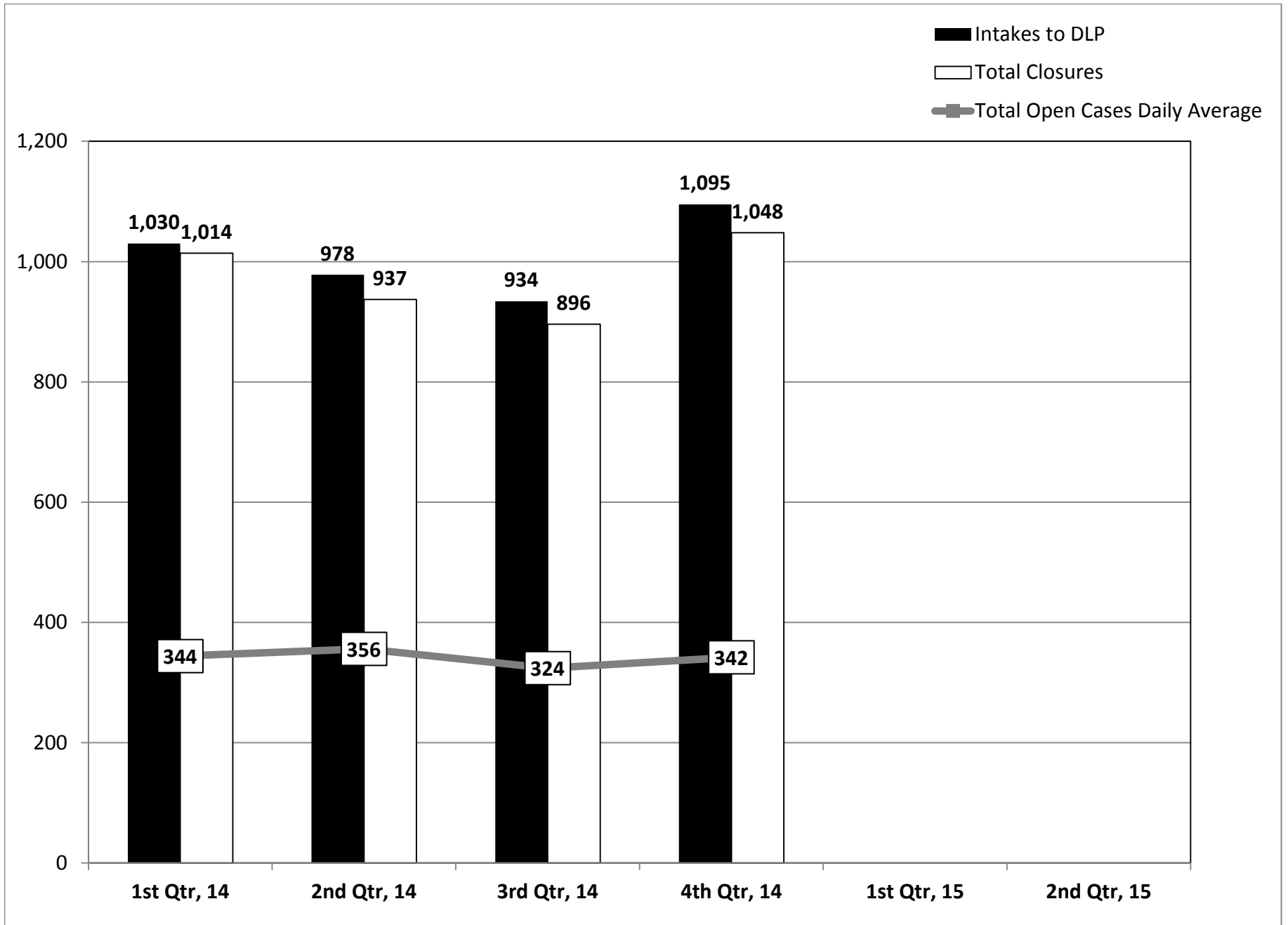
## Data Table for APS Quarterly Report

Quarter	1st Qtr, 14	2nd Qtr, 14	3rd Qtr, 14	4th Qtr, 14
Disability Rights Vermont				1
<b>Reason for Unsubstantiated Investigations:</b>				
Insufficient Evidence to Prove A/N/E Occurred				126
Available Evidence Indicated A/N/E Did Not Occur				81
AV Refused Investigation				50
Allegations Not A/N/E				50
<b>Investigation Not Conducted Because Not a Vulnerable Adult, Relationship of Reporter</b>				
Health/Medical Professional				8
Other				6
Social Worker				5
Relative				2
AAA				1
<b>Investigation Not Conducted Because Not a Vulnerable Adult, Relationship of AP</b>				
Relative				4
Other				3
Spouse				3
Friend				2
Neighbor				2
Non-Family Caregiver				1
<b>APS File Review Panel Benchmarks</b>				
Benchmark 1	NA	NA		98%
Benchmark 2	NA	NA		98%
Benchmark 3	85%	84%		89%
Benchmark 4	74%	88%		100%
Benchmark 5	NA	NA		100%
Benchmark 6	59%	71%		85%
Benchmark 7	78%	75%		90%
Benchmark 8	60%	39%		56%

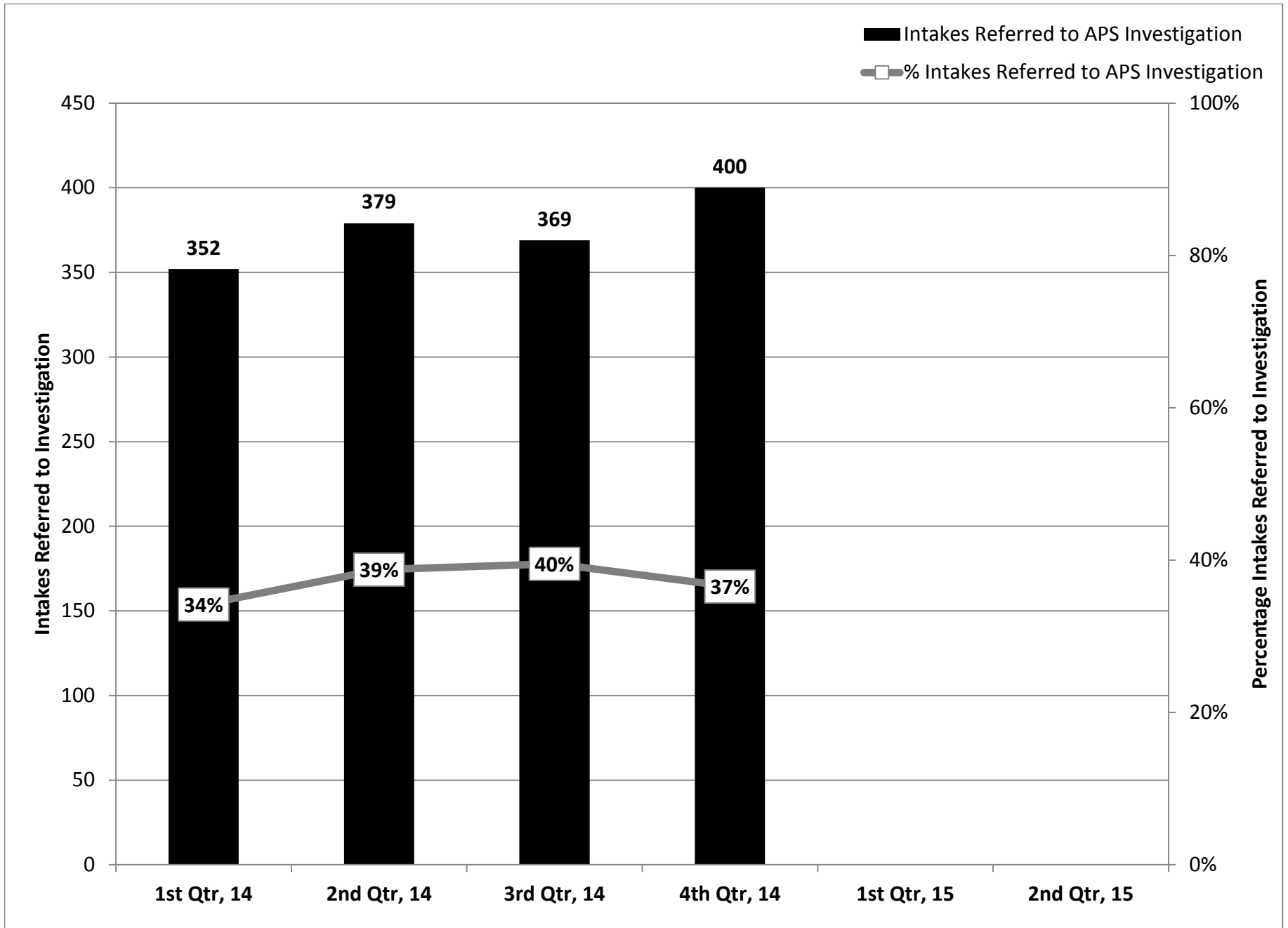
**Chart 1: Average Investigator Caseload**



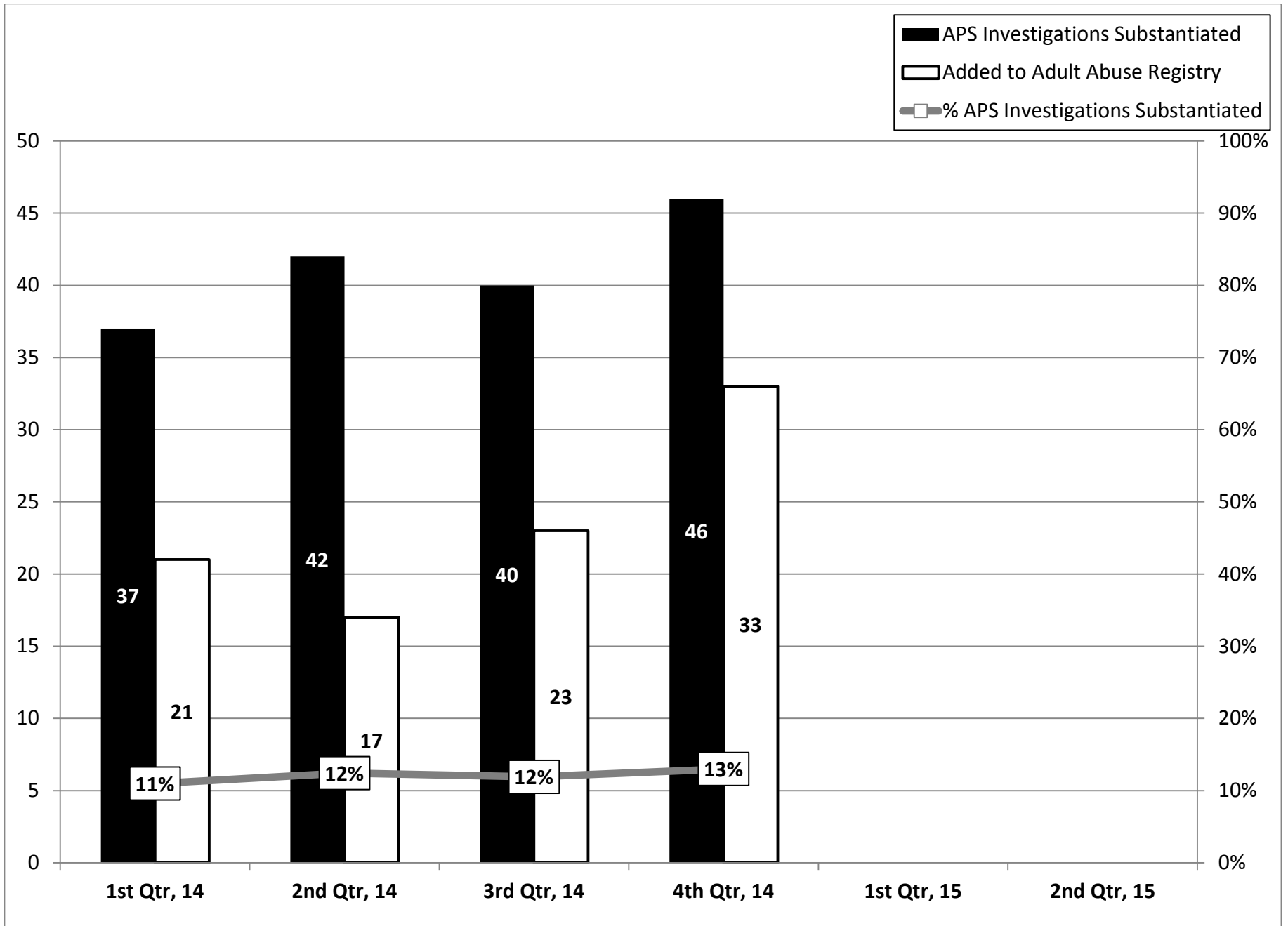
**Chart 2: Intakes, Closures and Average Open Cases**



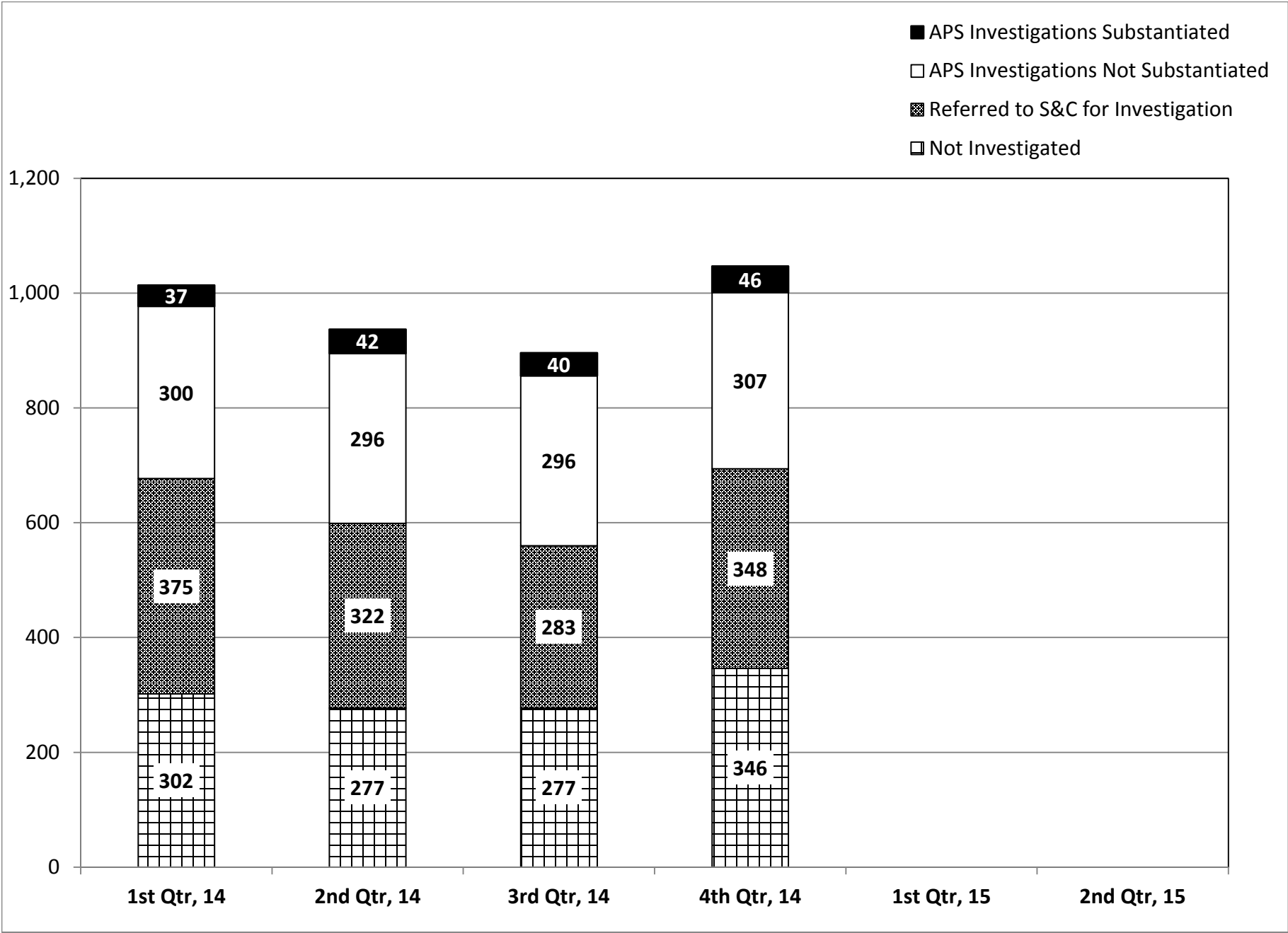
**Chart 3: Intakes Referred to APS Investigation**



**Chart 4: Substantiations, Percent Investigations Substantiated and Adult Abuse Registry**

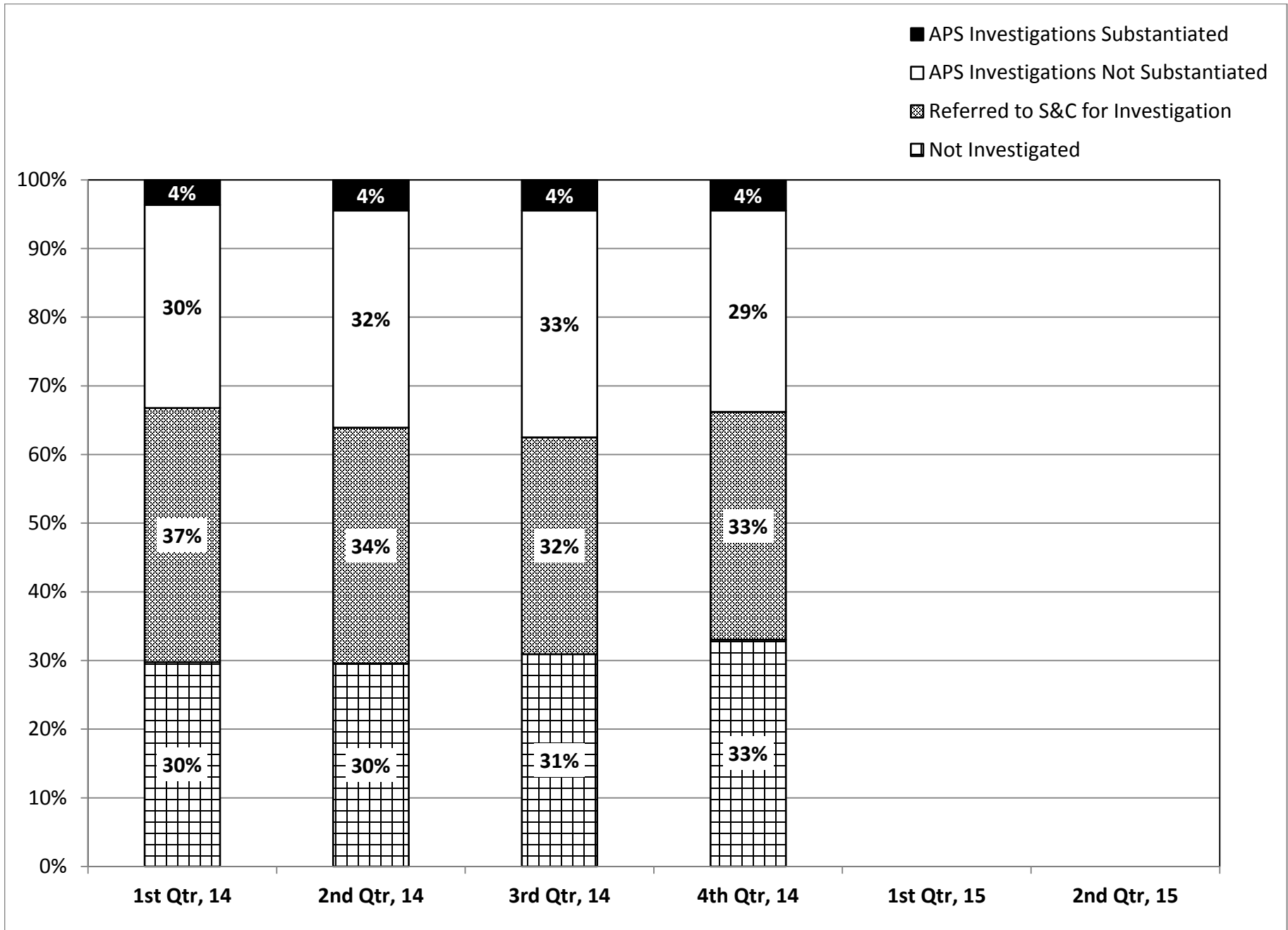


**Chart 5: Count of Closure Types**

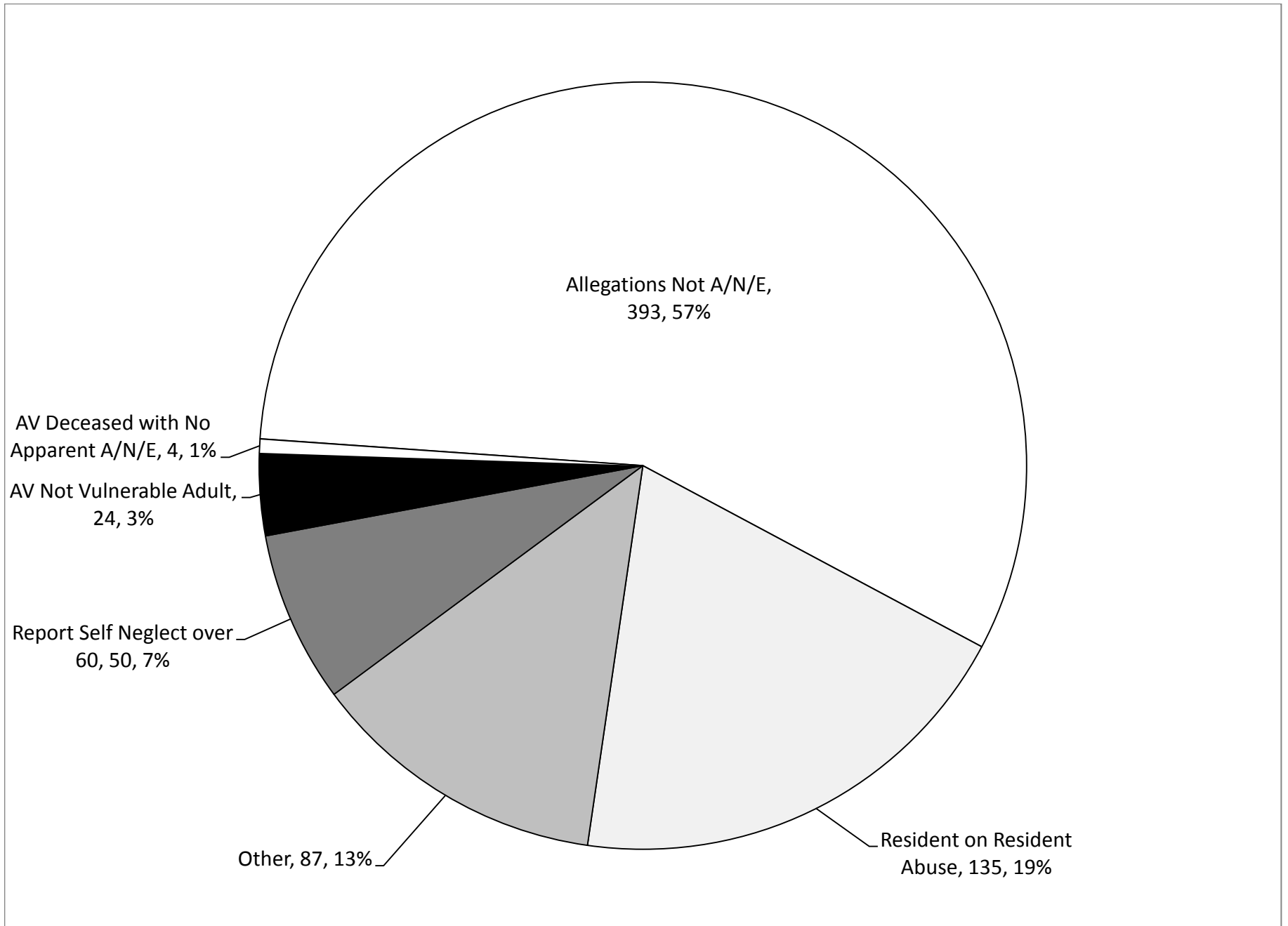




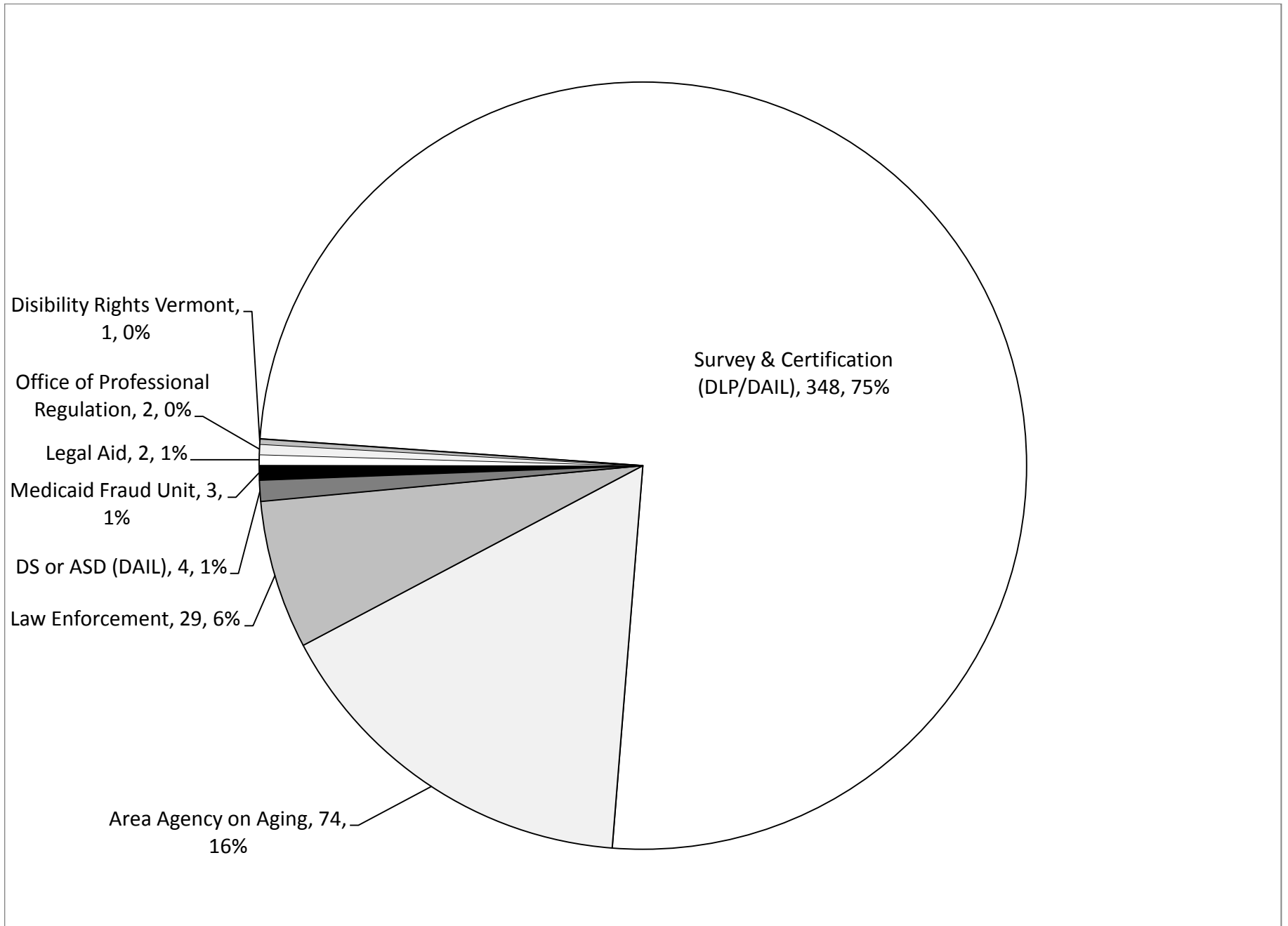
**Chart 6: Percent of Closure Types**



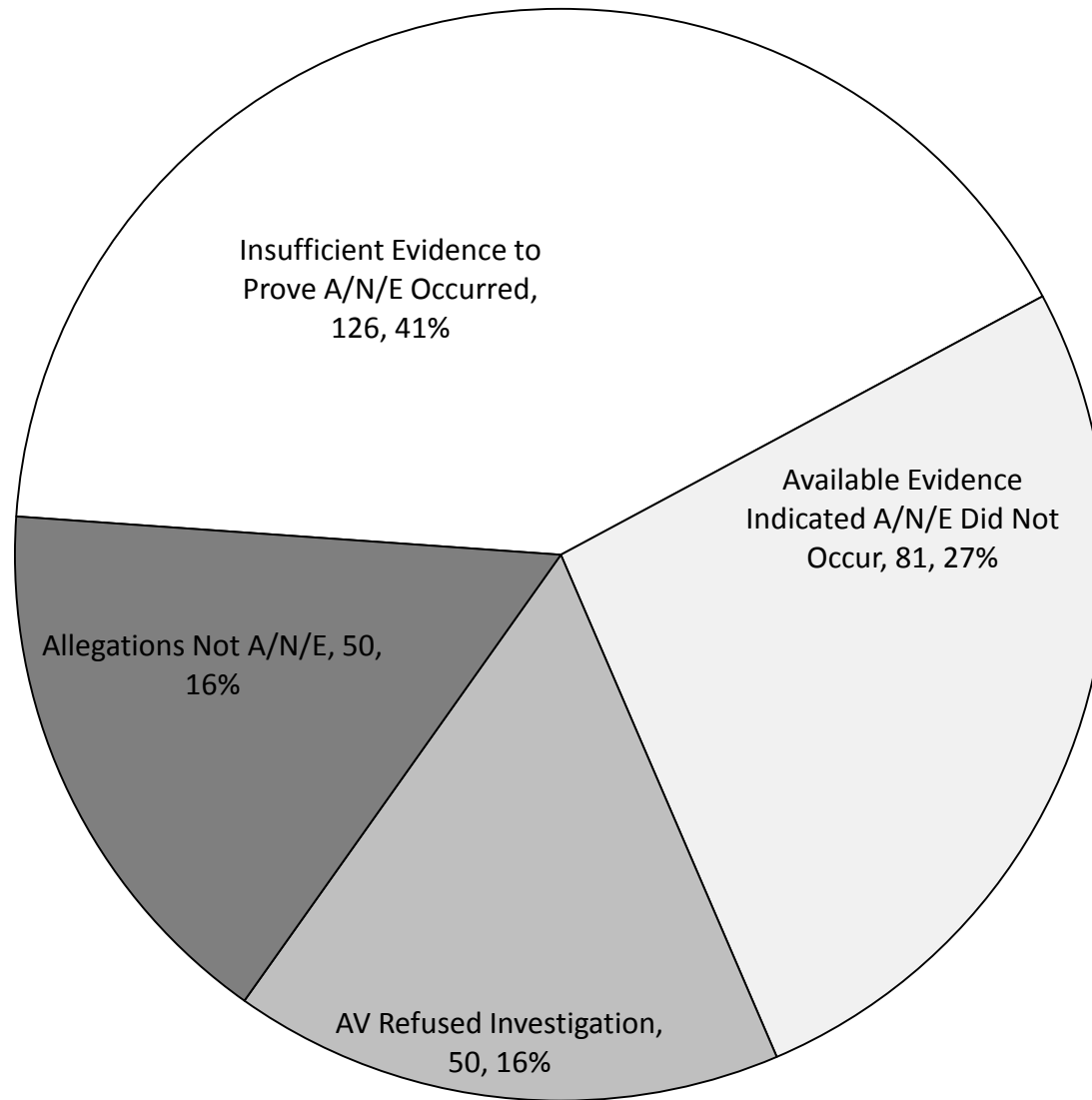
**Chart 7: Reasons Intakes Not Referred to Investigation**



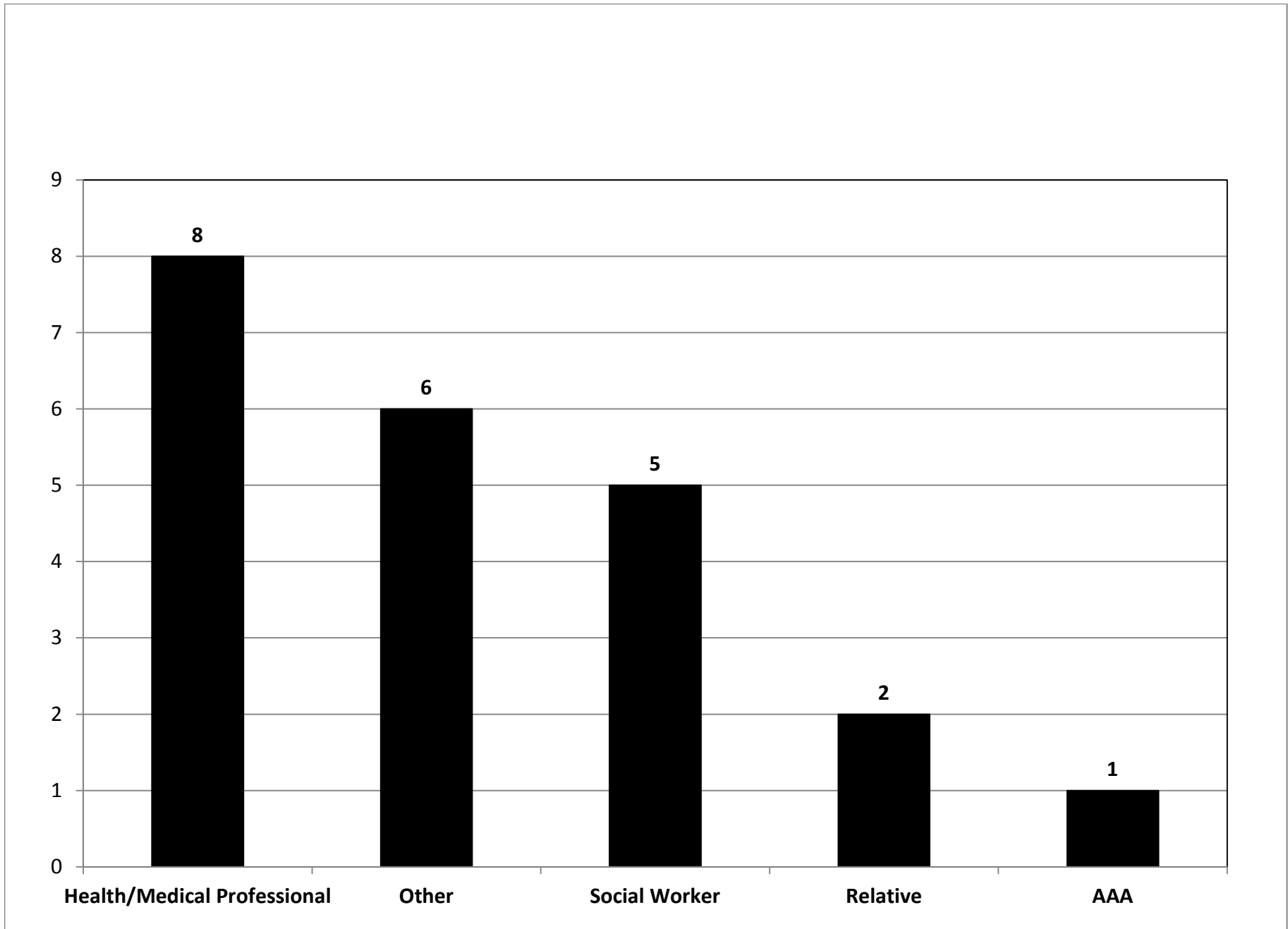
**Chart 8: Referral Source for Intakes Not Referred for Investigation**



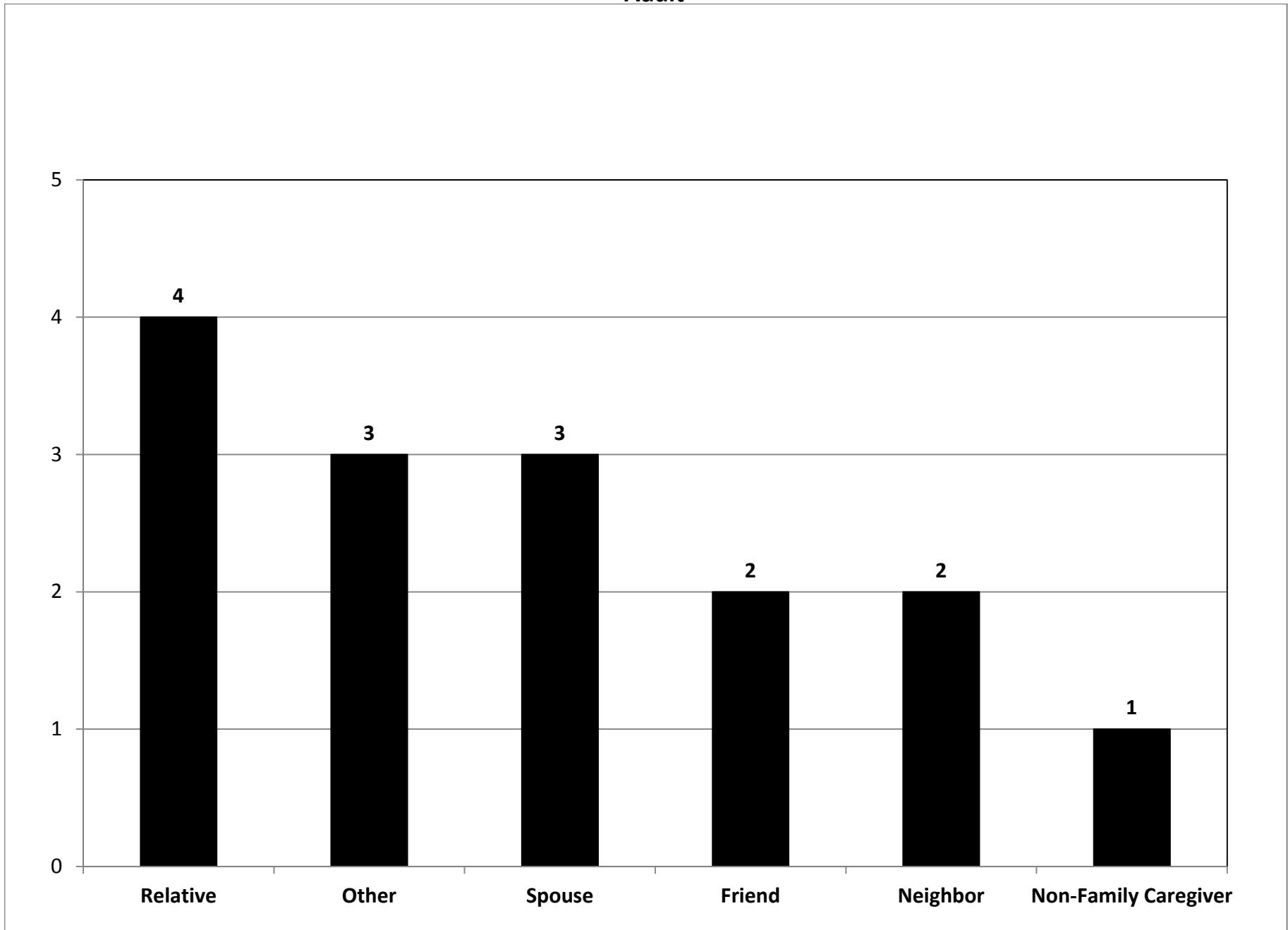
**Chart 9: Reason for Unsubstantiation for Unsubstantiated Investigations**



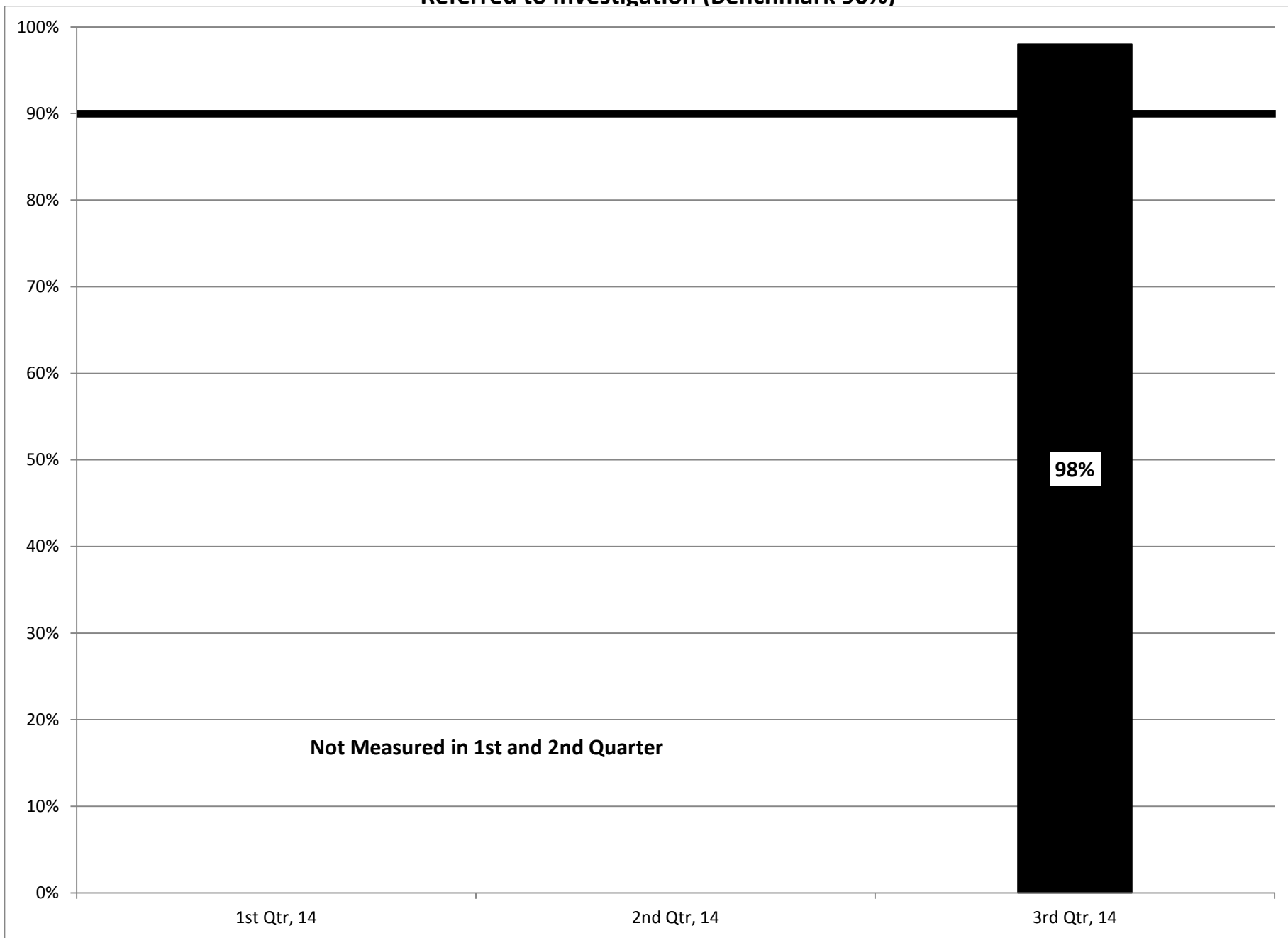
**Chart 10: Count of Reporter Types for Cases Not Investigated Because Alleged Victim is Not a Vulnerable Adult**



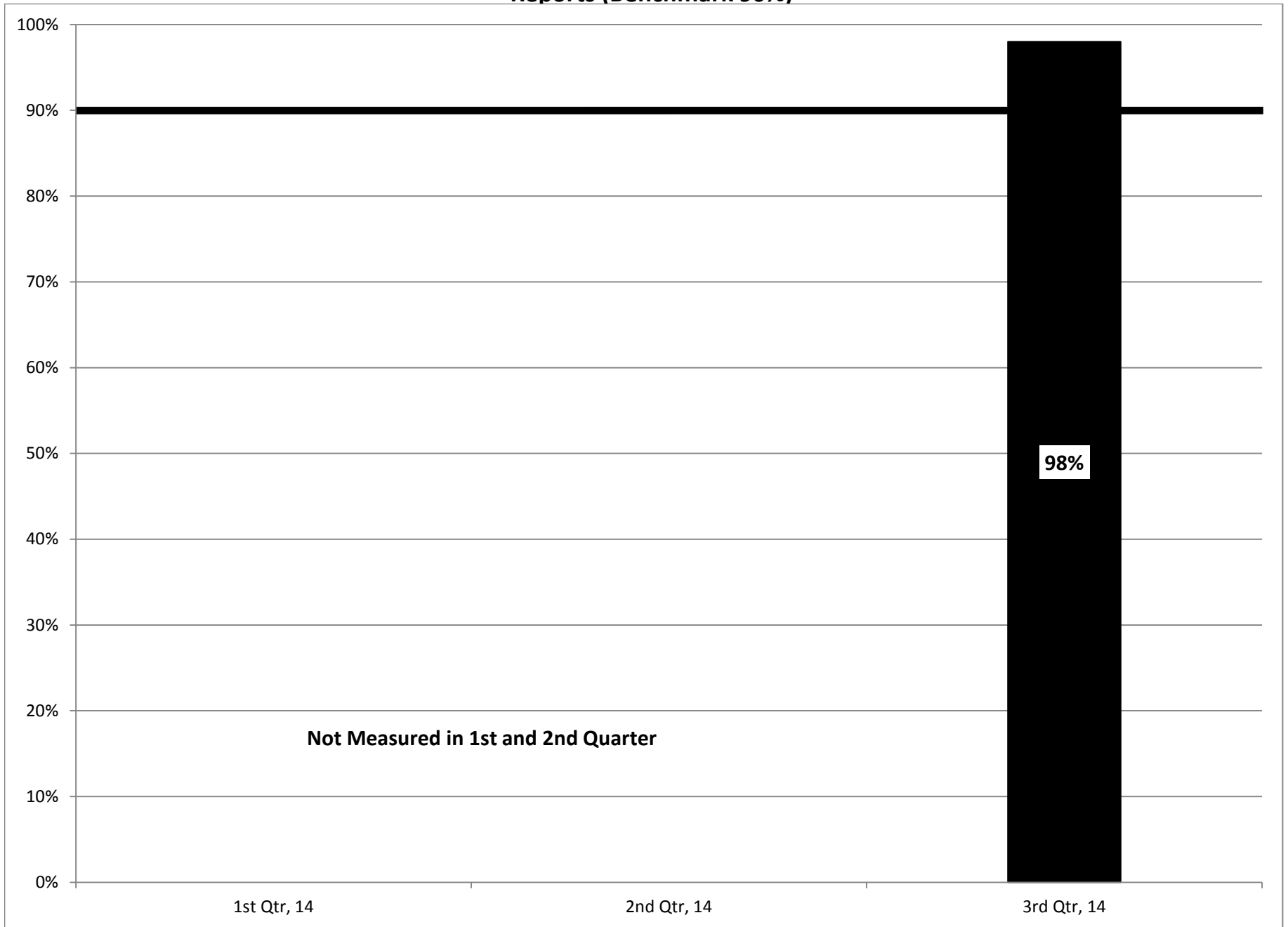
**Chart 11: Count of Alleged Perpetrator Types for Cases Not Investigated Because Alleged Victim is Not a Vulnerable Adult**



**Chart 12: APS File Review Panel, Benchmark 1, Contact to Reporter Before Closing when Intake Complete and Not Referred to Investigation (Benchmark 90%)**

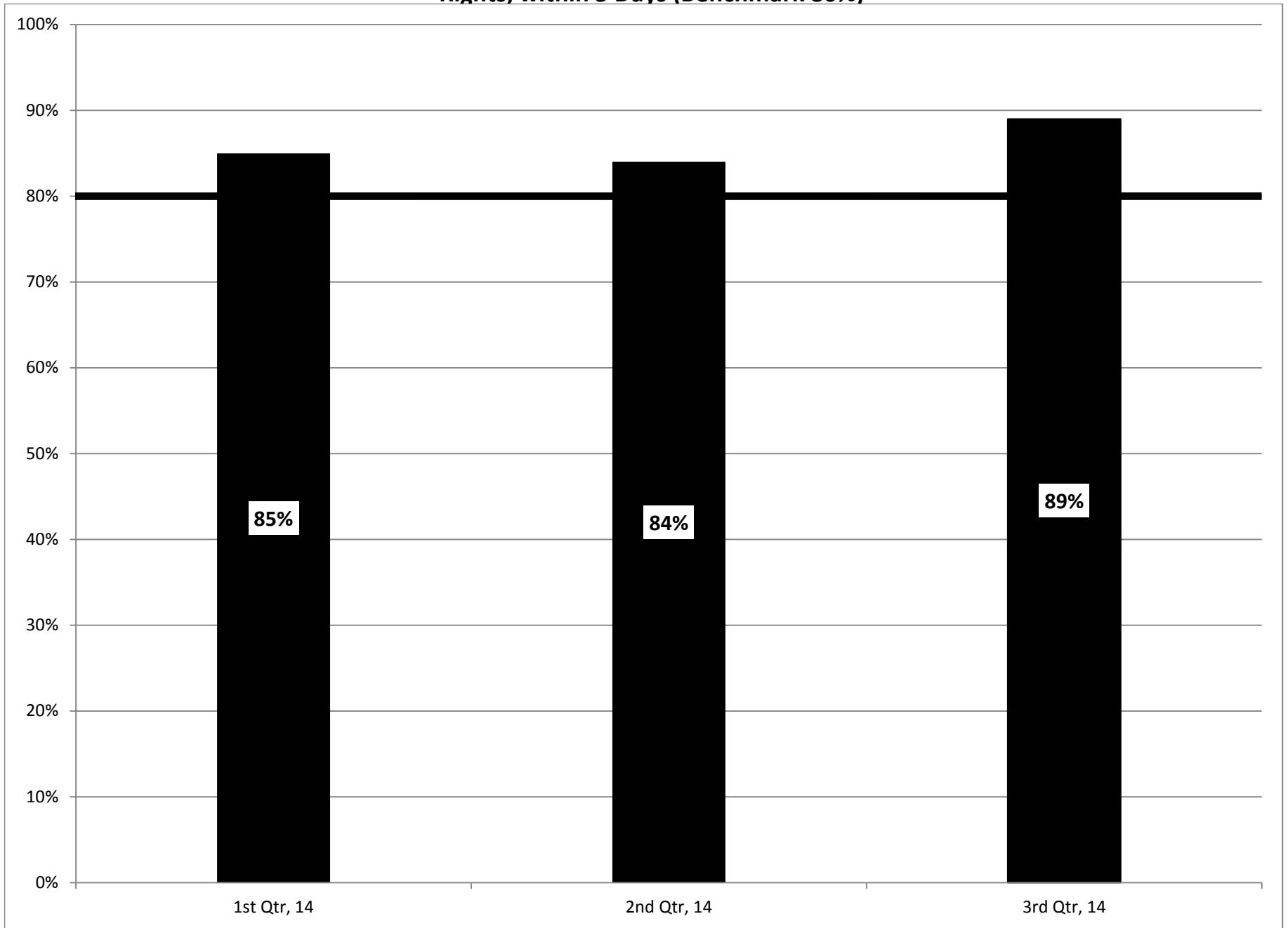


**Chart 13: APS File Review Panel, Benchmark 2, Reporter Contact within 48 Hours and Before Closure for Incomplete Reports (Benchmark 90%)**

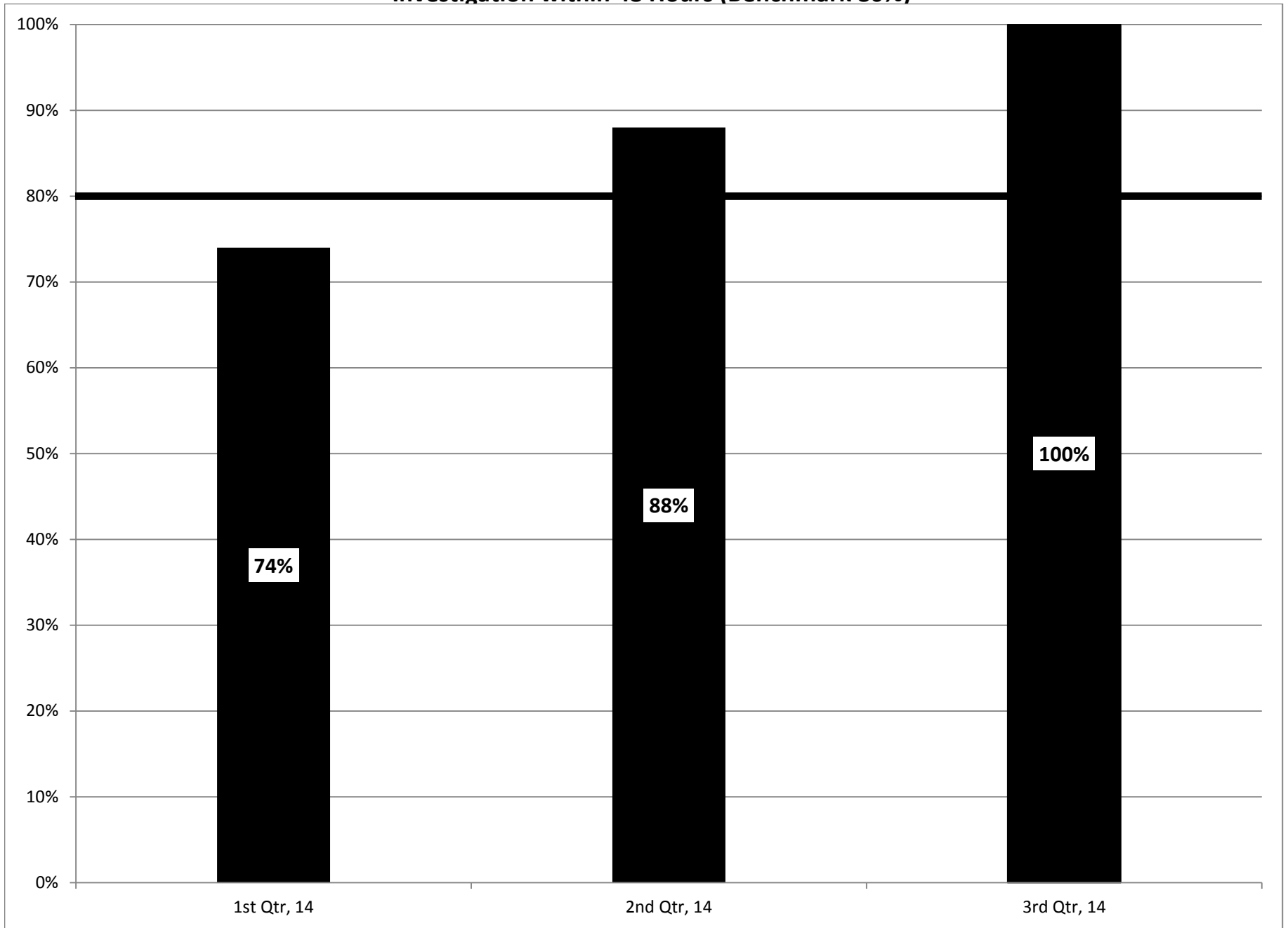




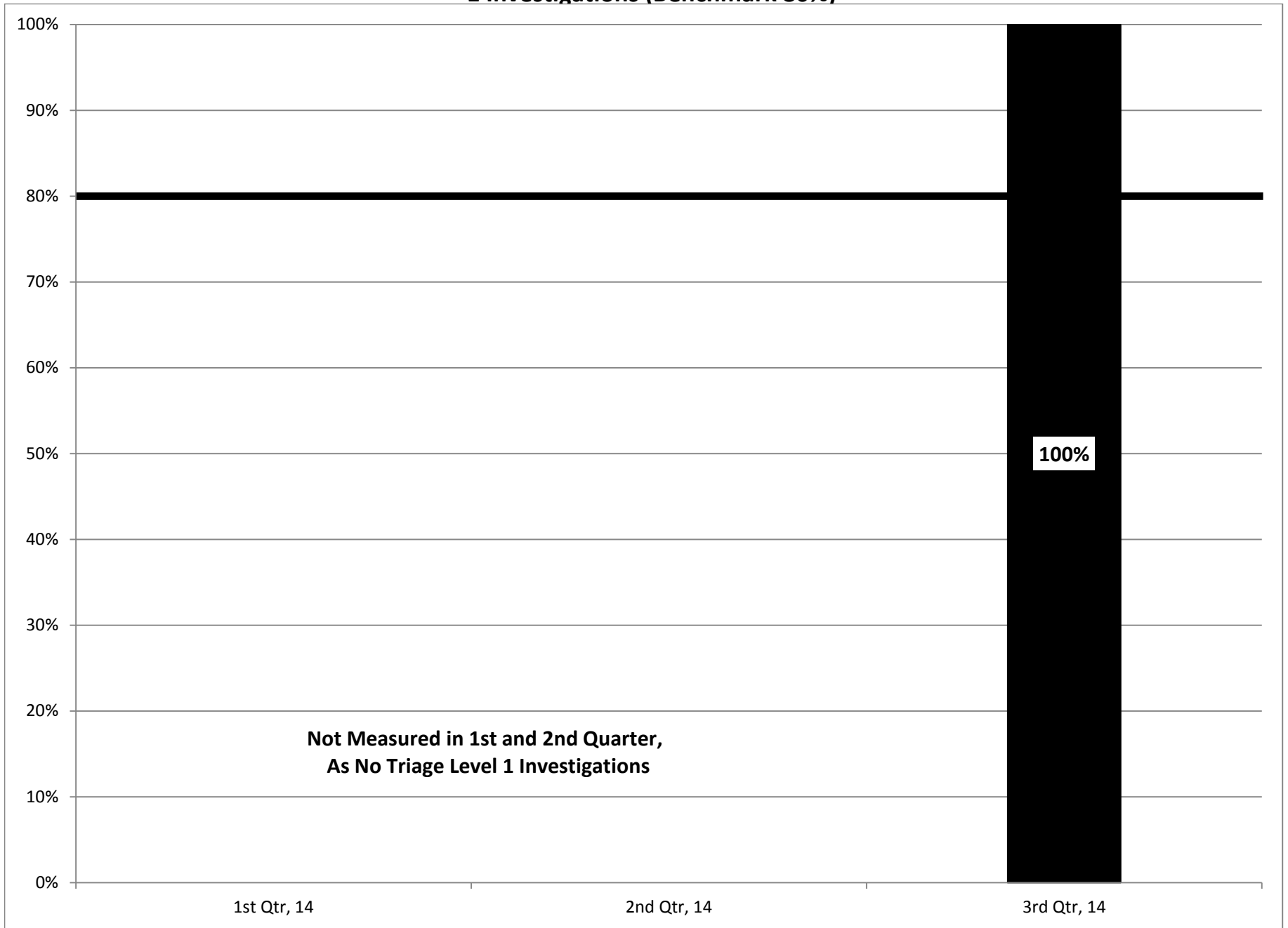
**Chart 14: APS File Review Panel, Benchmark 3, Reporter and Victim Notification of Closed Contact, Including Appeal Rights, within 5 Days (Benchmark 80%)**



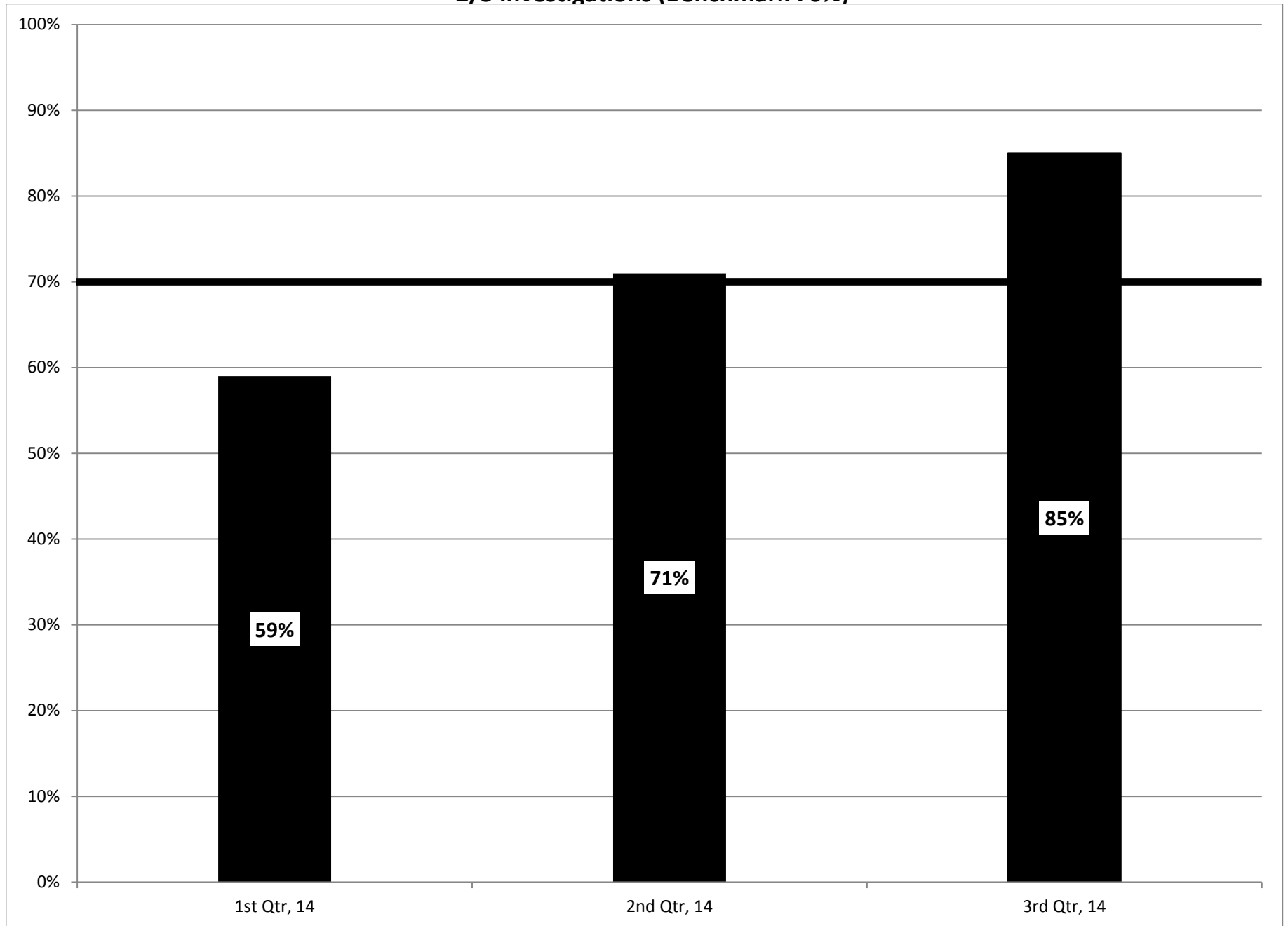
**Chart 15: APS File Review Panel, Benchmark 4, Complete Intakes Warranting Investigation are Assigned to Investigation within 48 Hours (Benchmark 80%)**



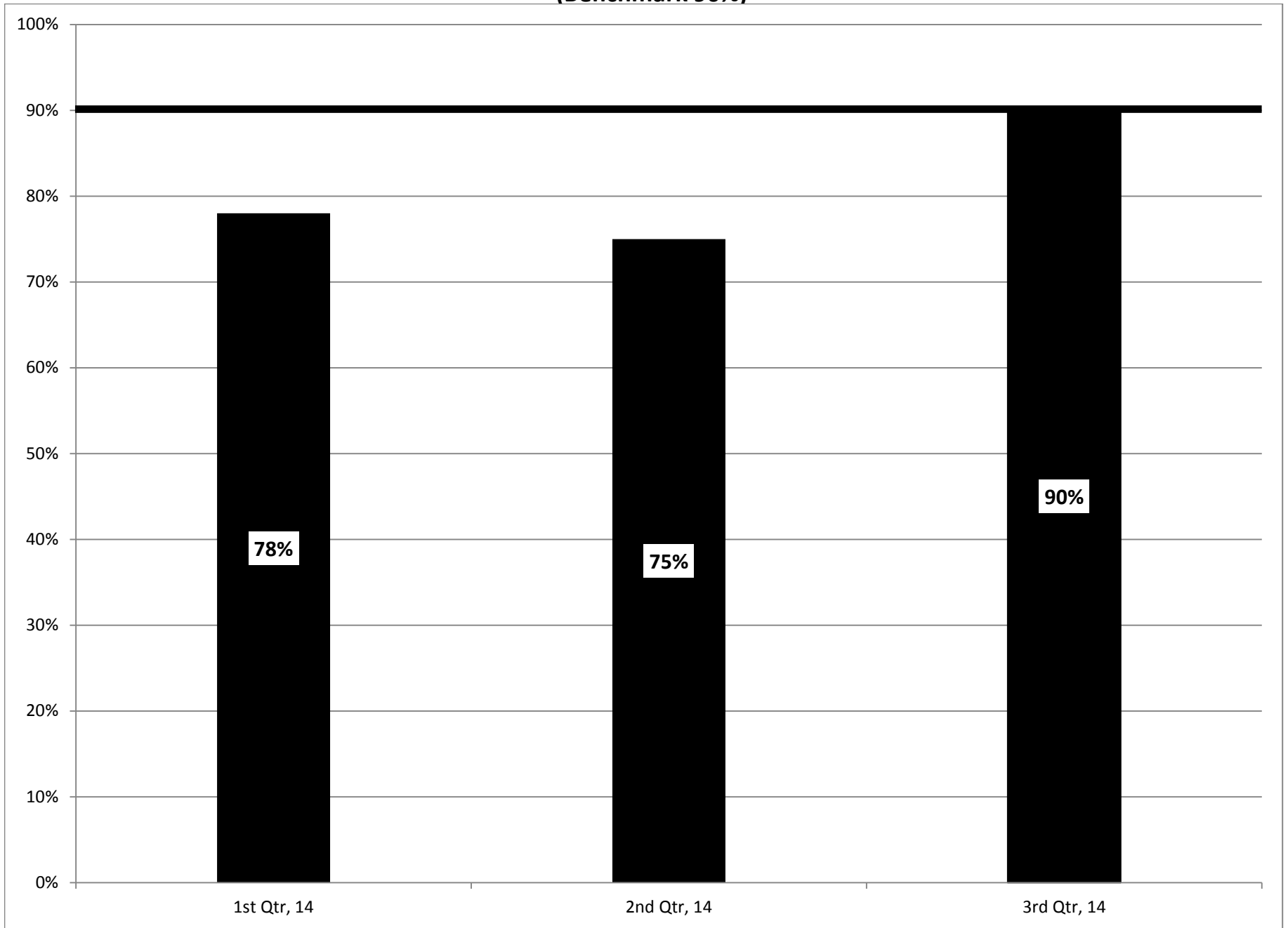
**Chart 16: APS File Review Panel, Benchmark 5, Contact with Reporter or Victim within 5 Business Days for Triage Level 1 Investigations (Benchmark 80%)**



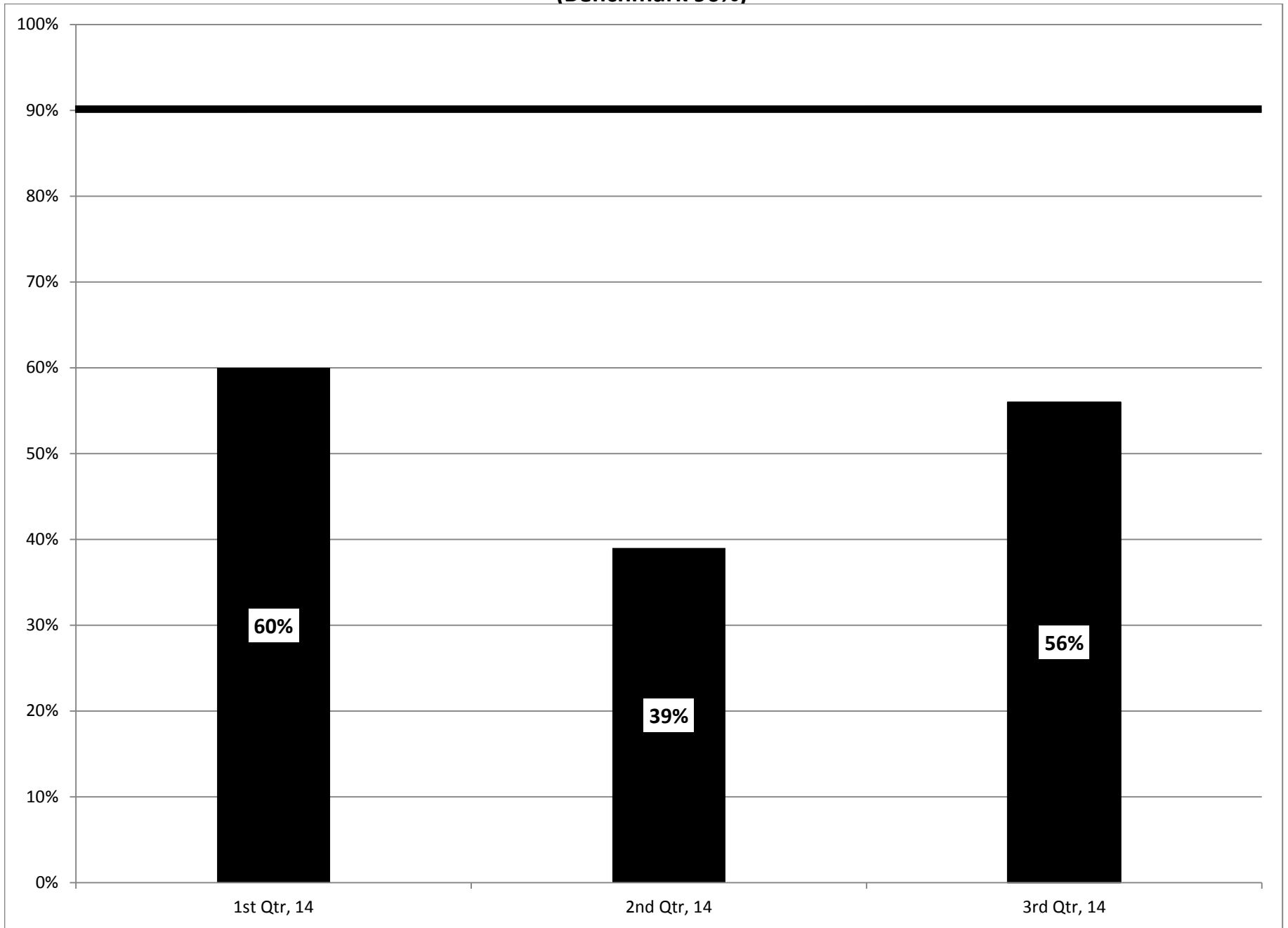
**Chart 17: APS File Review Panel, Benchmark 6, Contact with Reporter or Victim within 5 Business Days for Triage Level 2/3 Investigations (Benchmark 70%)**



**Chart 18: APS File Review Panel, Benchmark 7, Non-Financial Exploitation Investigations Completed within 60 Days  
(Benchmark 90%)**



**Chart 19: APS File Review Panel, Benchmark 8, Financial Exploitation Investigations Completed within 90 Days  
(Benchmark 90%)**



## Appendix A

### Definitions for Common Data Elements

*All Closed Contacts:* The number of intakes closed without investigation because the alleged victim is not a vulnerable adult and/or the situation described does not involve abuse, neglect, or exploitation.

*A/N/E:* Abuse, neglect, and/or exploitation.

*APS:* Adult Protective Services, a section of the Division of Licensing and Protection (DLP), that investigates allegations of abuse, neglect, and/or exploitation of vulnerable adults.

*AP:* Alleged Perpetrator

*AV:* Alleged Victim.

*Closed Contacts Referred to S&C:* The number of intakes not investigated by APS but referred to Survey and Certification (S&C) because they pertain to a licensed facility.

*Completed Investigations:* The total number of investigations completed.

*DLP:* Division of Licensing and Protection, which contains Adult Protective Services (APS) and Survey and Certification (S&C).

*Intakes Entered:* The total number of intakes received by the Division of Licensing and Protection during the month through web intake, fax, phone, and mail.

*Intakes Referred for Investigation:* The number of intakes referred to an APS Investigator for investigation.

*Perpetrators Placed on Registry:* The number of individuals placed on the registry after they have been substantiated and no appeal has been filed, or after they have been substantiated and their appeals have been heard and denied.

*Reporter:* The person contacting the Division of Licensing and Protection to provide information to APS or S&C.

*S&C:* Survey and Certification, a section of the Division of Licensing and Protection (DLP), that surveys hospitals and long term care facilities to ensure compliance with state and federal regulations.

*Substantiated Investigations:* The number of investigations that have been completed and are substantiated because the APS Investigator determined a vulnerable adult has been abused, neglected, and/or exploited by a perpetrator.

*Total Open Cases (Average):* The average number of cases open during the reporting period.

*Unsubstantiated Investigations:* The number of investigations that have been completed and were not substantiated by the APS Investigator.



## **APS Quarterly Report Appendix B Settlement Benchmarks**

**BENCHMARK # 1: Completed Report Received Benchmark: 90%**

Closed contacts based on reports containing sufficient information to contact the reporter must include at least two attempts to reach the reporter prior to closing, unless the allegations in the report fit within a policy exception identified in the APS Policy Manual or clearly do not meet the statutory requirement in 33 V.S.A 6902.

**BENCHMARK # 2: Incomplete Report Received Benchmark: 90%**

Closed contacts based on reports considered incomplete as received must include two follow-up calls to the reporter within 48 hours of receipt of the incomplete report.

**BENCHMARK # 3: Reporter & Victim Notification Benchmark: 80%**

Closed contacts based on incomplete-as-received reports must include a follow-up letter to the reporter and victim within five business days of receipt of the incomplete report explaining why the report was not accepted. The reporter letter must also include information regarding the report's appeal rights.

**BENCHMARK # 4: Assignment & Initiation Benchmark: 80%**

Complete reports alleging abuse, neglect and exploitation of a vulnerable adult are assigned to a field investigator within 48 hours of receipt (or 48 hours of completion of in-complete- as-received report).

**BENCHMARK #5: Triage #1 Benchmark: 80%**

Cases categorized as Triage level 1 include direct contact with the alleged victim or reporter within two business days of assignment and in-person contact with the victim within five business days, unless such contact would jeopardize the health, welfare or safety of the alleged victim, or the alleged victim objects to an interview.

**BENCHMARK #6: Triage #2 or Triage #3 Benchmark: 70%**

Cases categorized as Triage level 2 or 3 include direct contact with the alleged victim or reporter within five business days of assignment, unless such contact would jeopardize the health, welfare or safety of the alleged victim, or the alleged victim objects to an interview.

**BENCHMARK #7: Non-Financial Exploitation Closures Benchmark: 90%**

Investigations that are not allegations of financial exploitation are closed within 60 days of assignment or receive a supervisory extension pursuant to APS Policy and Procedure Manual § VII (C).

**BENCHMARK #8: Financial Exploitation Closures Benchmark: 90%**

Financial exploitation cases are closed within 90 days of assignment or receive a supervisory extension pursuant to APS Policy and Procedure Manual § VII (C).