

Oregon Department of Human Services

Adult Protective Services

ORS 124.005 – 124.990
OAR 411-020-0000 - 0130

Adult Protective Services Program:

The intent of the APS Program is to provide protection and intervention for older adults and adults with a physical disability who are unable to protect themselves.

APS scope of services:

- Receive reports of abuse or self-neglect;
- Provide and document risk assessments of alleged victims;
- Conduct and document investigations of alleged abuse and self-neglect;
- Provide connections to resources for victim safety.

Who is eligible for APS Services

- Adults aged 65 and older.
- Adults aged 18 and older who have a physical disability:
 - “physical disability” means any physical condition, or cognitive condition such as brain injury or dementia, that significantly interferes with an adults ability to protect themselves from abuse or self-neglect.
- Any individual living in an APD licensed Community Based long term care facility or adult foster home.

Facility Investigations:

DHS is the licensing and regulatory agency for the following types of facilities in the state of Oregon:

- Assisted Living Facilities
- Residential Care Facilities (i.e. memory care)
- Adult Foster Homes (1 house, up to 5 residents)
- Nursing Facilities (APS only investigates when the case involves community)

Community Investigations:

Abuse and self-neglect investigations within the community at large.

Types of abuse within APS scope:

- Physical Abuse
- Sexual Abuse
- Neglect of Care
- Financial Exploitation
- Abandonment
- Verbal and Emotional
- Involuntary Seclusion
- Wrongful Use of Chemical and Physical Restraints
- Self-Neglect (has two criteria)

Types of abuse within APS scope:

- Self-Neglect (has two criteria)
 - Cognitive impairment that creates an inability for the adult to understand the consequences of their action or inactions.
 - That inability leads to, or may lead to, harm or self-endangerment

Reports to APS – What can Reporters Expect?

- APS Program Expectations (OAR 411-020-020-0090)
 - Reporting - Contact with reporters as soon as possible
 - Screening – Provide enough information for follow up
 - Consultation – Provide additional information or resources
 - Triage – On site response; Same Day, Next Day, 5 Days
 - Law enforcement/first responder notification.

APS Investigations

- Components
 - Initiation – in person contact
 - Assessment – Private interview
 - Referral/Risk mitigation
 - Investigation – Records, Interviews, Observations
 - Findings of Facts – Written report with outcome Sub, Unsub, Inconclusive.
 - Protective Actions – Planning, additional information, or Resources
 - Risk Management – Short term monitoring or intervention

APS Reports

What happens after ?

Community Reports

- Risk Management
- LEA notification
- Licensing Board or Regulatory Agency notification
- Court testimony
- Guardianship / Conservatorship proceedings
- Documentation purposes

Facility Reports

- Facility safety planning
- Regulatory action or sanction
- Documentation used is Administrative hearing
- Reconsideration or amendment
- Documentation of facility history for future sanctions

APS Reports

Community Reports

Facility Reports

- Confidential
- Identify Involved parties
- Have the same investigative process and outcomes
- Used to document the investigation and protective actions
- May be available to the public only in redacted form
- Both records kept in the Centralized Abuse Management (CAM) System

APS Reports

Community Reports

- Kept in the Centralized Abuse Management System (CAM)
- Subject to local office review
- Limited due process (local court only)
- Information used for Victim Protection
- Release of only minimum necessary information
- Redacted Available on Request to a select few

Facility Reports

- Draft Released to the Facility
- Subject to review by Safety Oversight and Quality (SOQ)
- Due process for the Facility and additional APs (120 days)
- Information used for regulatory sanction
- Available when final by public records request.

How Can MAC Members Help?

- Encourage reporting
 - Every public official is now a mandatory reporter of Elder Abuse 24/7 (ORS 124.050 to 124.095.)
 - Exception for information obtained under privileged communication (clergy or Attorney)
 - Includes those licensed under ORS Chapter 677 Medicine, Podiatry and Acupuncture
- Encourage cooperation and provide information
 - 411-020-0123 Allows for Disclosure of PHI to APS to prevent or lessen the threat to health and safety of a person or the public.
- Manage expectations
 - APS are not first responders or LEA
 - Full investigations, mitigation, and interventions take time
 - The right to self determination
- Assist with the coordination of support services

Thank you for all you do!!

Statewide APS Referral Number: 1-855-SAFE (7233)

Clackamas County Adult Protective Services:

971-673-6655

FAX: 971-673-7339

Email: Clackamascounty.aps@dhsosha.state.or.us

Doug Colling, Clackamas County APS Co-Manager 971-673-6602

Clarissa Taylor, Clackamas County APS Co-Manager 971-284-3828

Jessica Kakesako, Clackamas County APS Co-Manager 971-673-7321

Tami Black, Lead Adult Protective Service Specialist 971-673-6611