


APS QUARTERLY REPORT TO THE LEGISLATURE

3rd Quarter, SFY2015

To: House Committee on Human Services
Senate Committee on Health and Welfare
House Committee on Judiciary
Senate Committee on Judiciary

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

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

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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 third quarter of State Fiscal Year 2015. The attached data table and charts derived from it provide information on the APS program for the past six quarters. Appendix A provides definitions for the common data elements used in this report. Appendix C provides information on intakes referred to Survey and Certification (S&C) for investigation.

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 report includes new data on recommended substantiations where the alleged victim is a resident of a facility. Chart 7 shows there has been a 200% increase in the number of substantiations at facilities from the 2nd Quarter of 2014 to the 3rd Quarter of 2015. This increase is first noted in the 1st Quarter of 2015, which coincides with the additional training of intake staff in June 2014. Chart 8 shows that 44% of recommended substantiations in the last quarter were cases where the alleged victim was a resident of a facility.

This report does not have any new data from the APS File Review Panel, which is normally presented at Attachment B. The results of the 5th quarterly review will be included in the next quarterly report.

Data Table for APS Quarterly Report

Quarter	2nd Qtr, 14	3rd Qtr, 14	4th Qtr, 14	1st Qtr, 15	2nd Qtr, 15	3rd Qtr, 15
Intakes and Closures						
Intakes to DLP	978	934	1,095	1,173	1,049	1,041
Closed without Investigation	277	277	346	331	335	312
Referred to APS for Investigation	379	369	400	503	405	428
Referred to S&C for Investigation	322	283	348	335	309	288
Total Closures	937	896	1,048	1,008	1,122	992
APS Investigations Outcomes						
Investigations Substantiated	42	40	46	39	79	48
Investigations Substantiated - AV Facility Resident	7	9	7	14	19	21
Investigations Unsubstantiated	296	296	307	303	398	344
Adult Abuse Registry Additions	17	23	33	33	31	44
Caseloads						
Total Open Cases Daily Average	356	324	342	383	345	288
Investigator Caseload Daily Average	32	29	31	35	31	26

Data Table for APS Quarterly Report

3rd Quarter, SFY15

Cases Not Investigated:	
Allegations Not A/N/E	376
Resident on Resident Abuse	91
AV Not Vulnerable Adult	44
Not A/N/E, Self Neglect over 60	43
Previously Investigated	25
Incomplete Report	14
Incident in Distant Past	7
Referral Types for Intakes Not Investigated:	
Survey & Certification (DLP/DAIL)	288
Area Agency on Aging	43
Law Enforcement	27
Medicaid Fraud Unit	2
DS or ASD (DAIL)	1
Office of Professional Regulation	1
Reason for Unsubstantiated Investigations:	
Insufficient Evidence to Prove A/N/E Occurred	122
Available Evidence Indicated A/N/E Did Not Occur	97
AV Refused Investigation	66
Allegations Not A/N/E	49
Investigation Not Conducted Because Not a Vulnerable Adult, Relationship of Reporter	
Health/Medical Professional	12
Other	9
Social Worker	6
Bank	2
Friend/Relative	2
AAA	2
Attorney	1
Law Enforcement	1
Landlord	1
Investigation Not Conducted Because Not a Vulnerable Adult, Relationship of AP	
Other	7
Relative	6
Friend	6
Spouse	2

Chart 1: Average Investigator Caseload

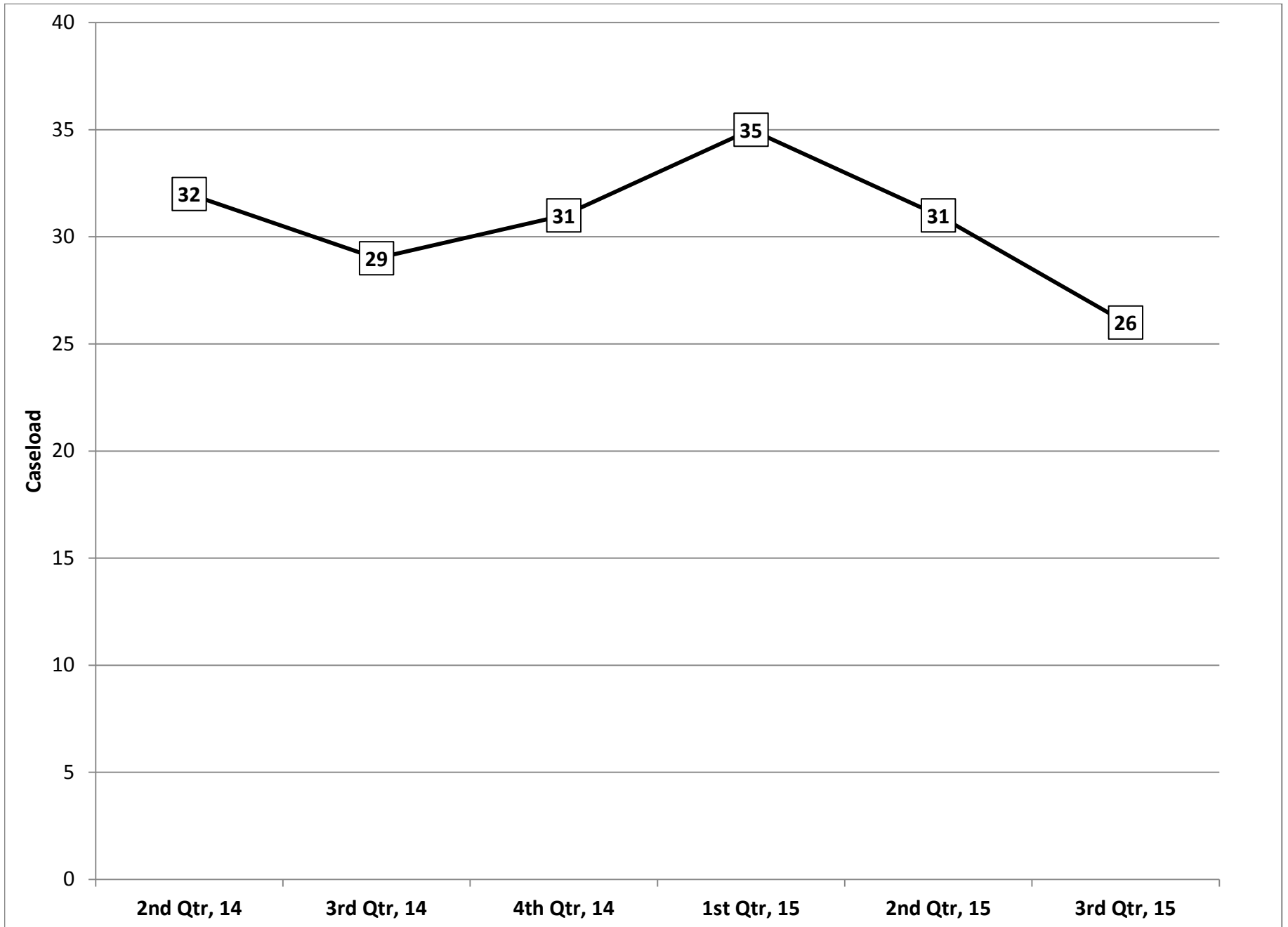


Chart 2: Intakes, Closures and Average Open Cases

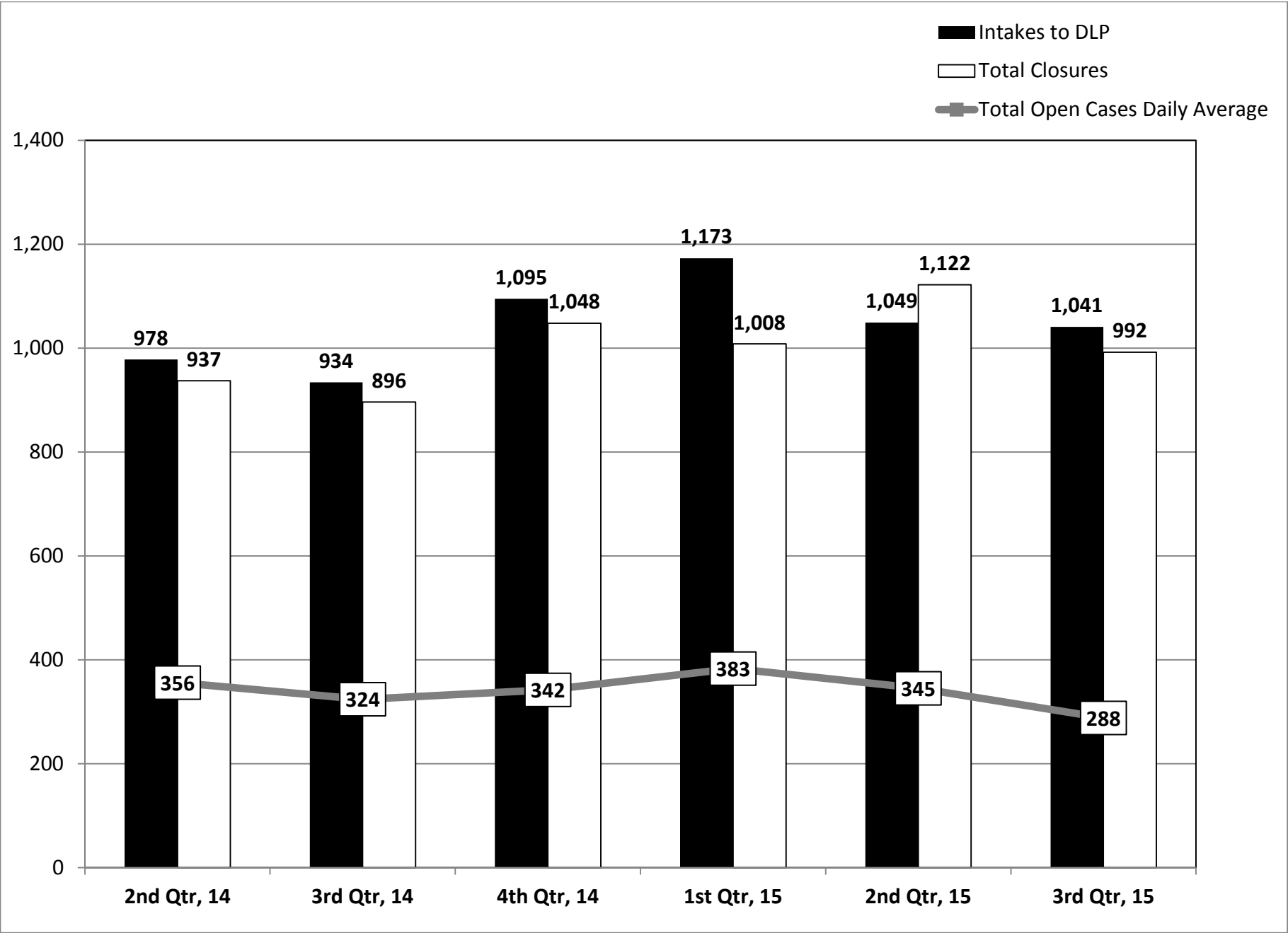


Chart 3: Intakes Referred to APS Investigation

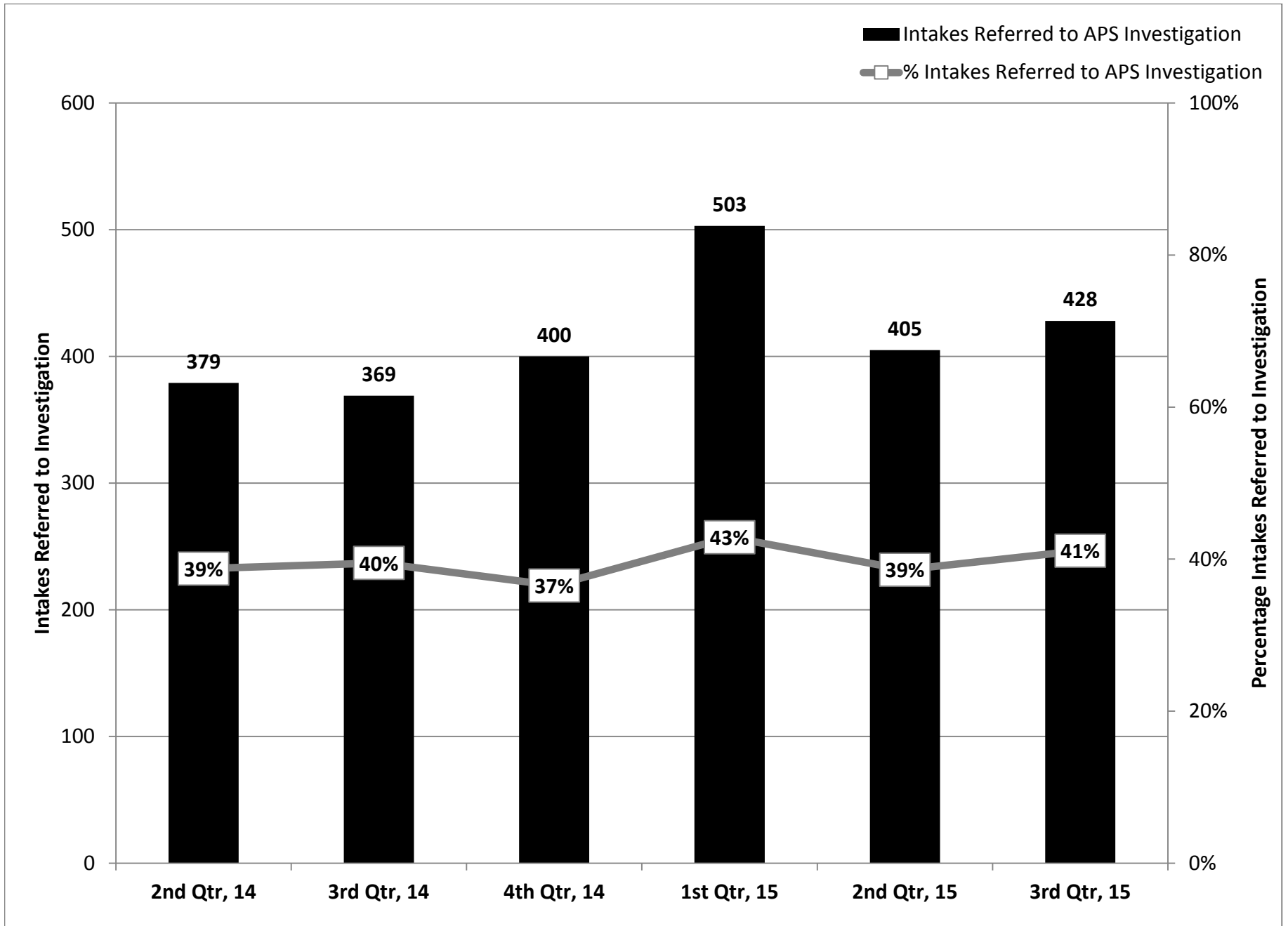


Chart 4: Substantiations, Percent Investigations Substantiated and Adult Abuse Registry

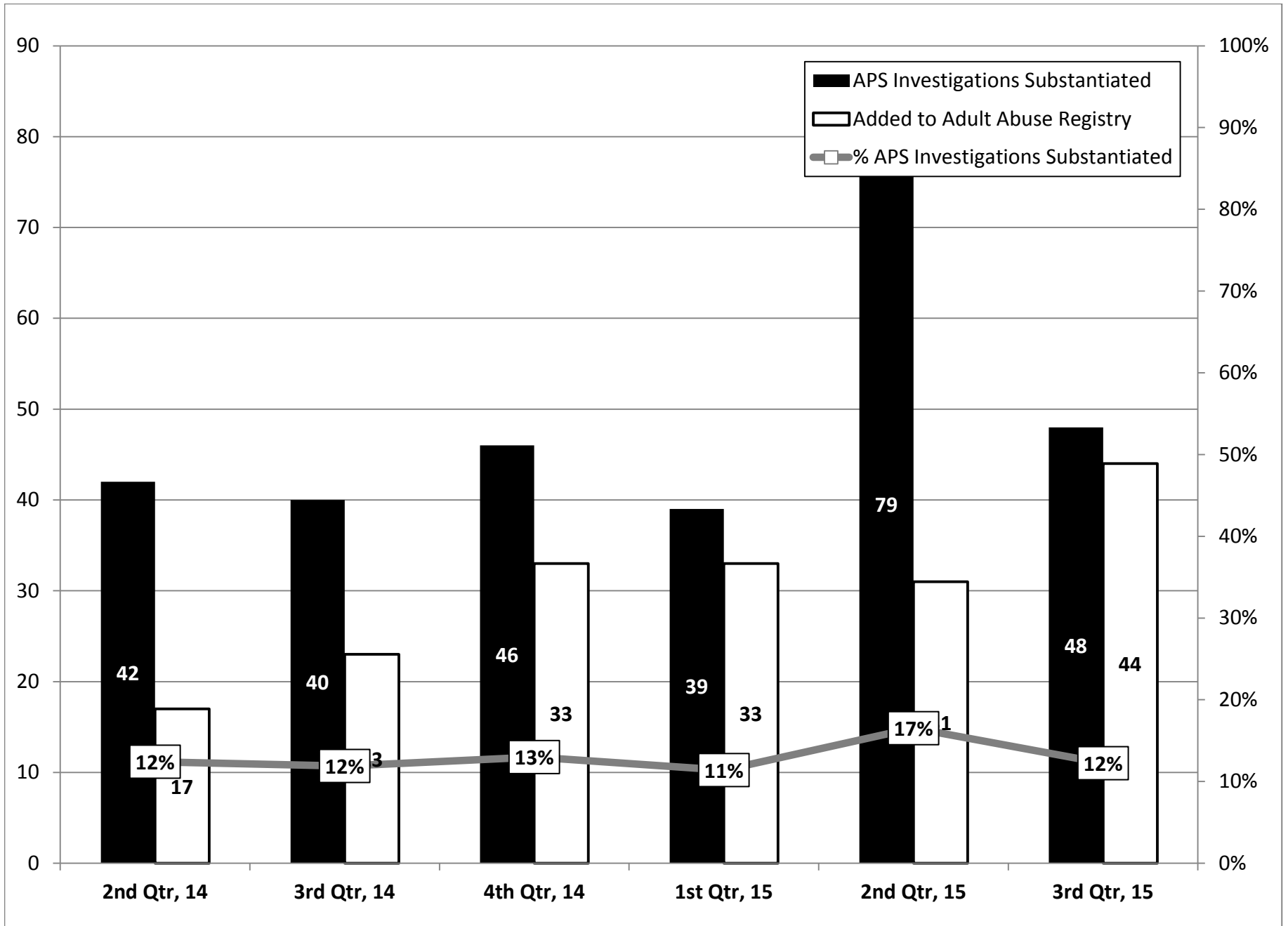


Chart 5: Count of Closure Types

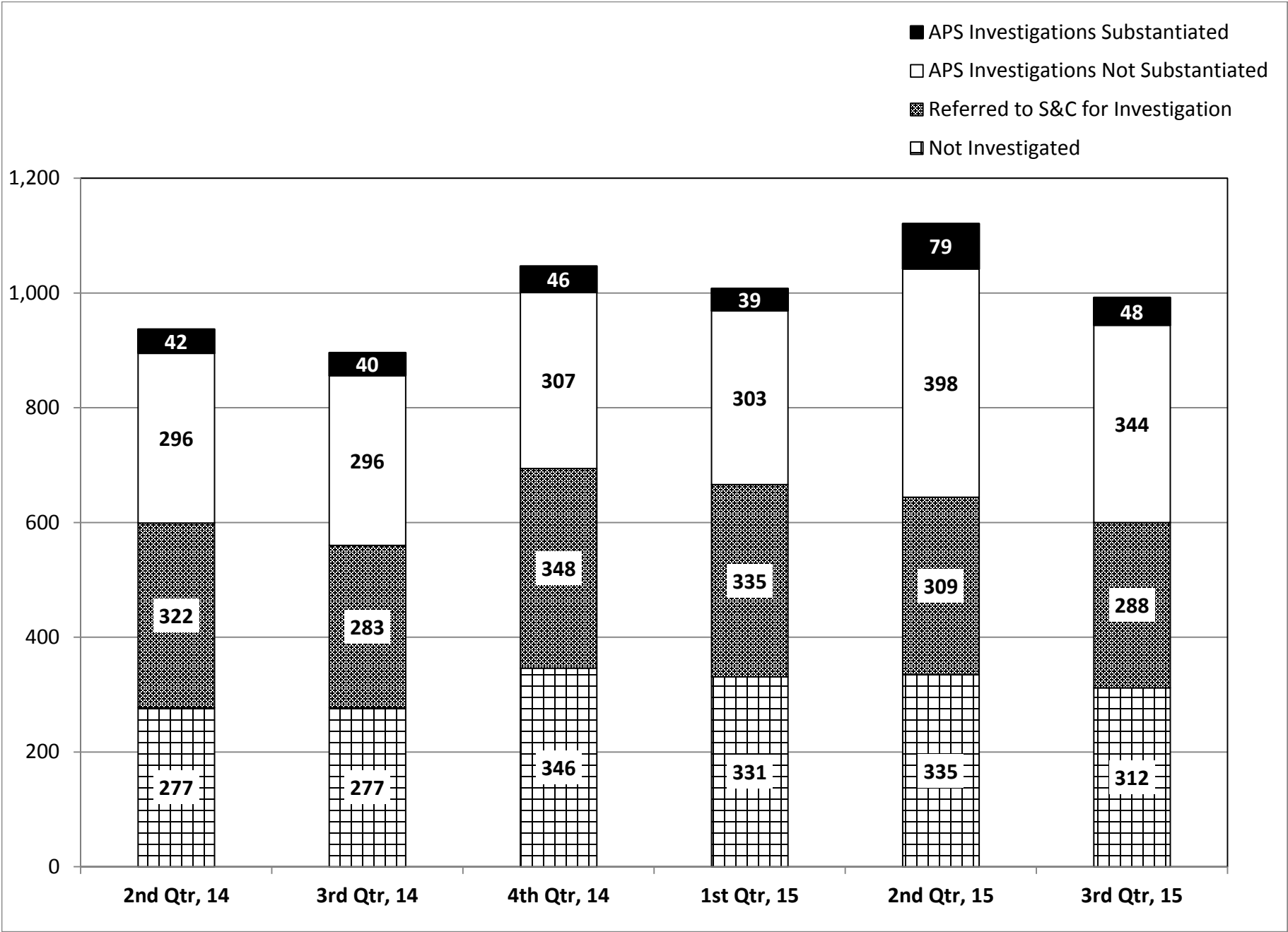


Chart 6: Percent of Closure Types

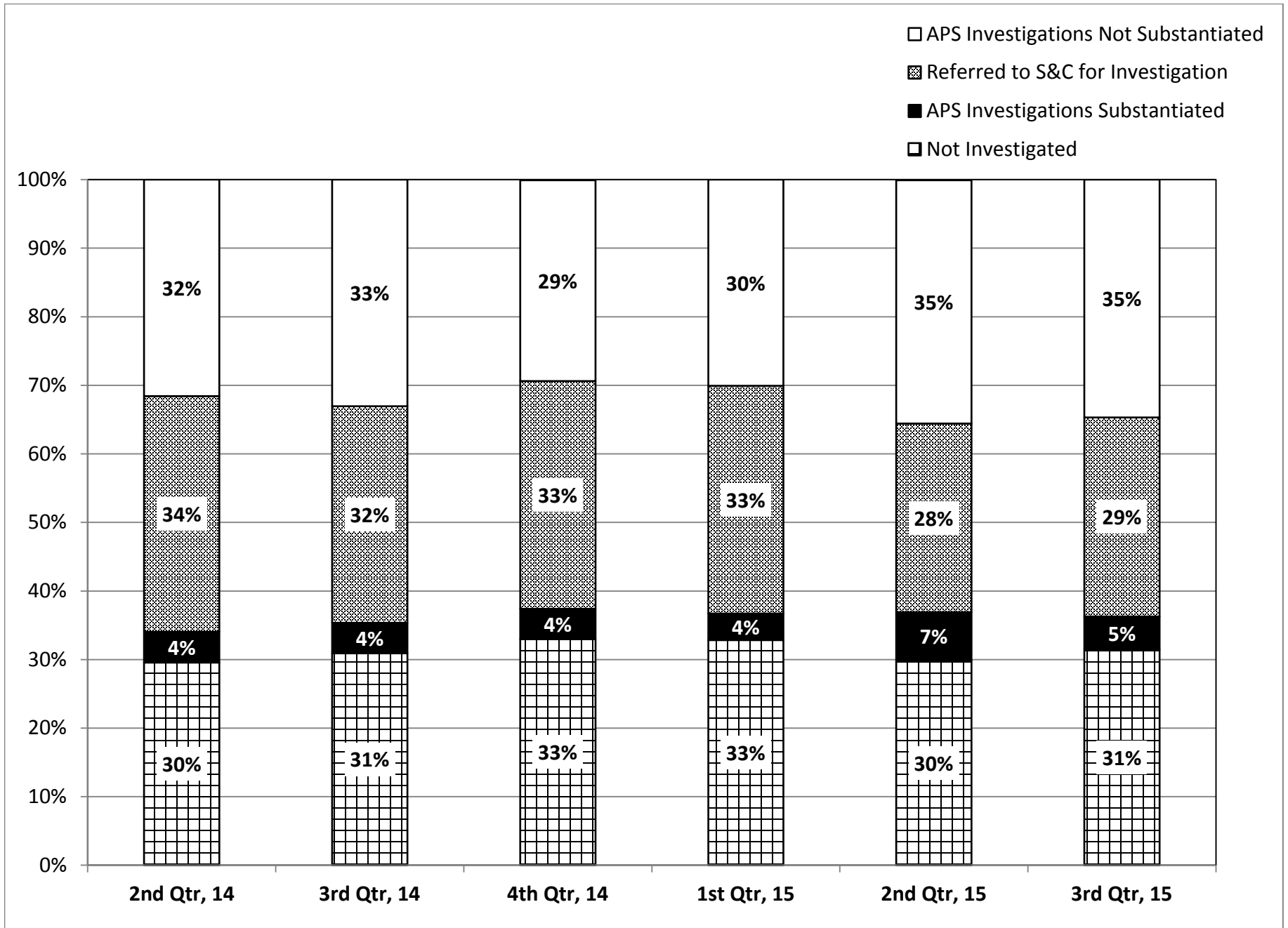


Chart 7: Substantiated Closures where Alleged Victim was a Resident of a Facility - Actual Numbers

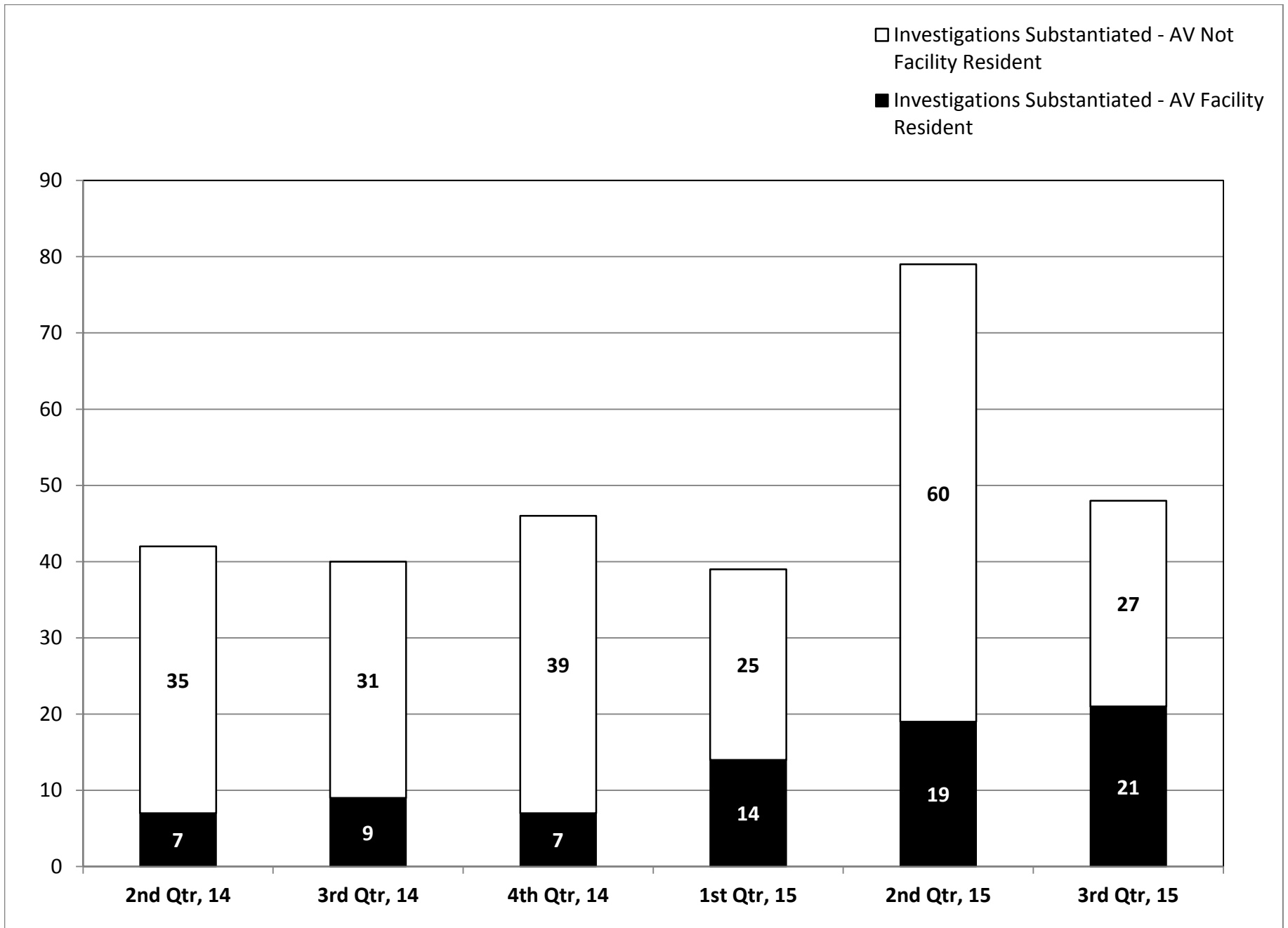


Chart 8: Substantiated Closures where Alleged Victim was a Resident of a Facility - Percentage

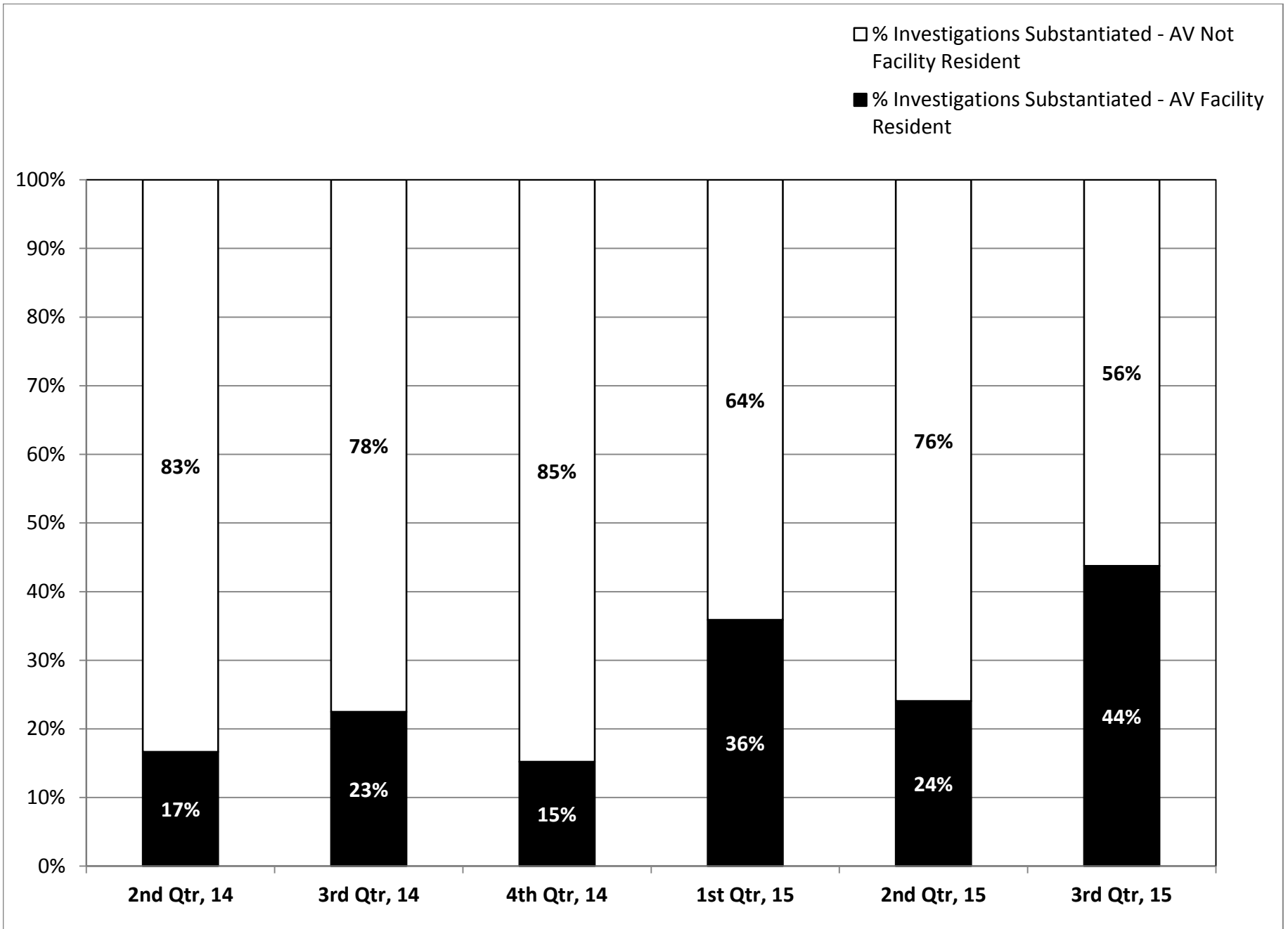


Chart 9: Reasons Intakes Not Referred to Investigation

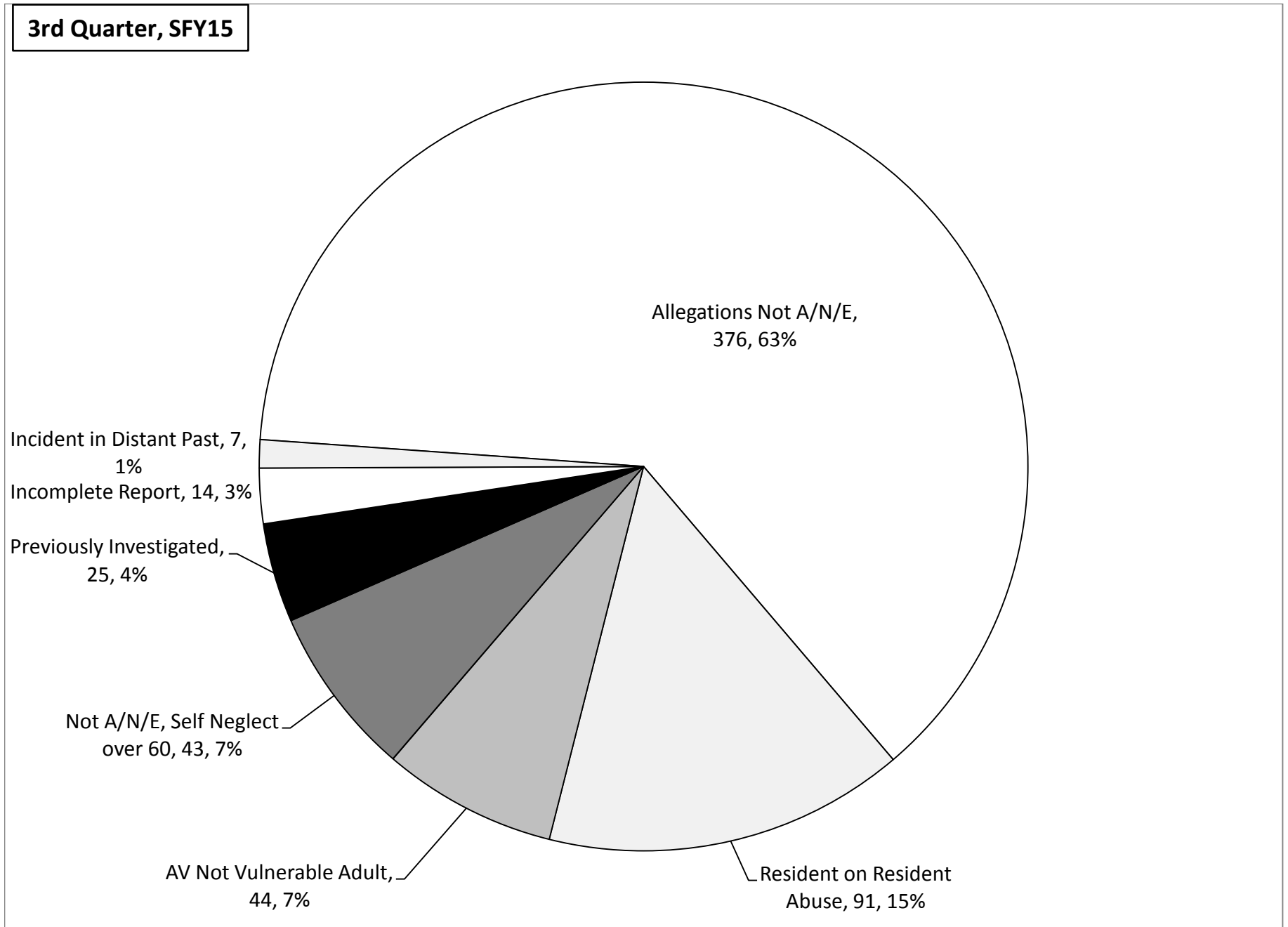
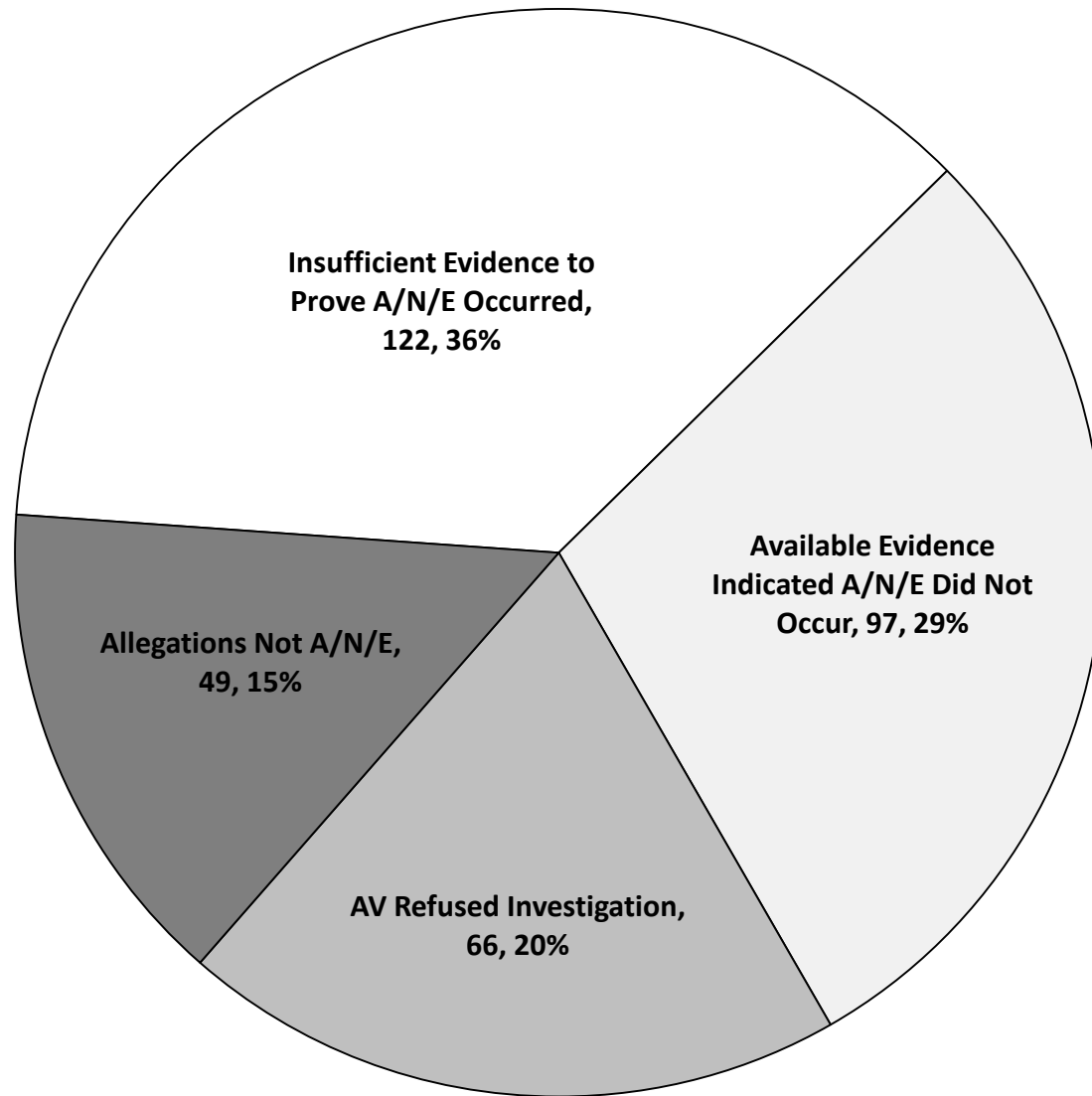


Chart 10: Reason for Unsubstantiation for Unsubstantiated Investigations

3rd Quarter, SFY15



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.

Appendix C

Survey and Certification Background and Data

The Division of Licensing and Protection houses Survey and Certification (S&C). S&C licenses and surveys health care organizations to ensure compliance with applicable state and/or federal regulations. S&C has a contract with the Centers for Medicare and Medicaid Services (CMS) to survey federally regulated facilities.

S&C uses the Aspen Complaint Tracking System (ACTS), which is provided and maintained by CMS, to track all of its investigative work. CMS has full access to ACTS data and provides ongoing oversight of S&C's activities at federally regulated facilities that includes:

- Monitoring the timely completion of investigations.
- Reviewing deficiencies.
- Reviewing investigative work.

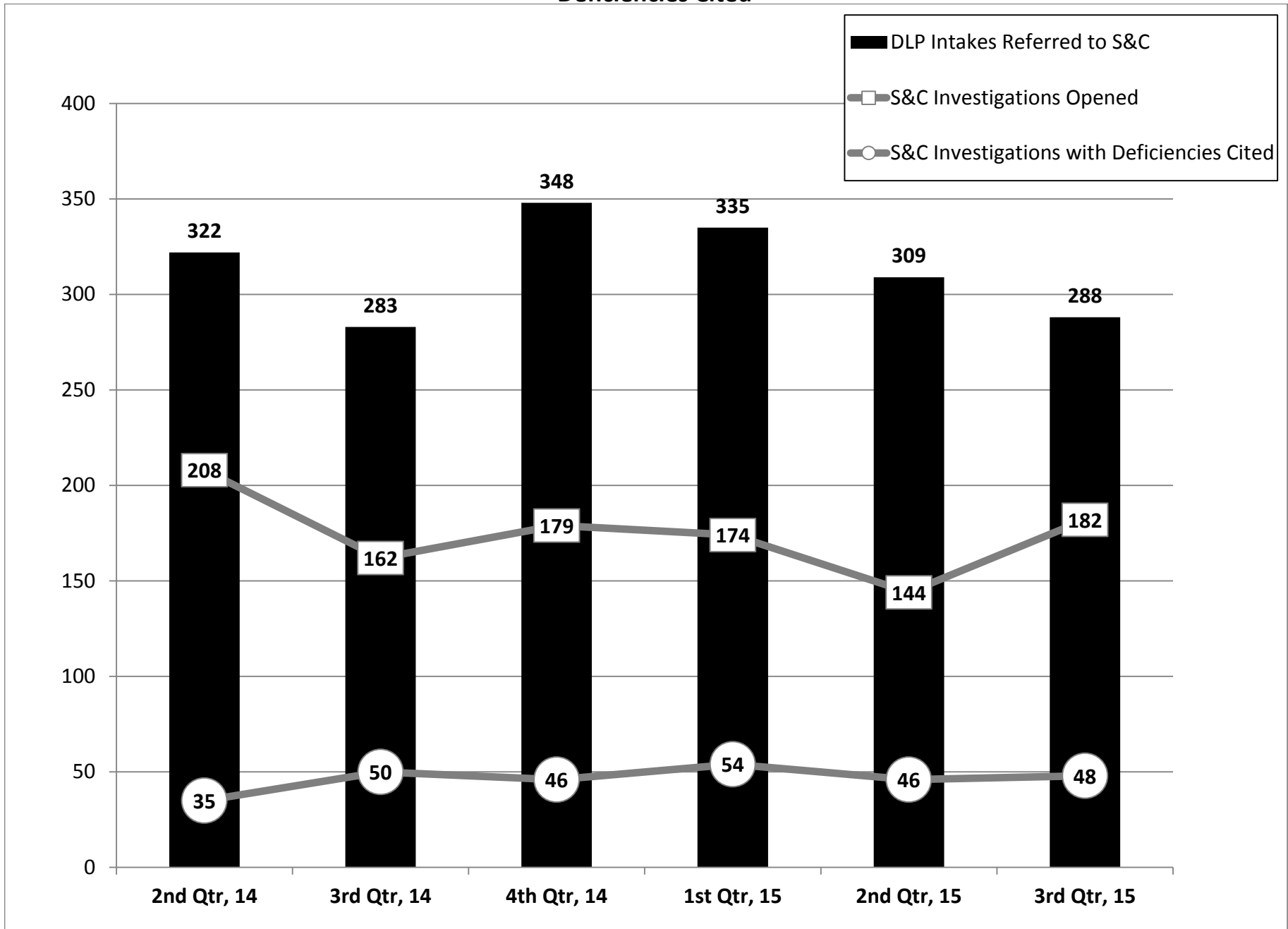
As part of the contract with CMS, S&C surveys the following facilities to ensure compliance with applicable federal regulations:

- Acute Care Hospitals (Federal)
- Ambulatory Surgical Centers
- Clinical Laboratories
- Critical Access Hospitals
- End Stage Renal Disease Units
- Federally Qualified Health Centers
- Home Health Agencies
- Hospice
- Intermediate Care Facilities for the Intellectually Disabled
- Nursing Homes
- Outpatient Physical Therapy
- Portable X-Ray Units
- Rural Health Clinics
- Transplant Programs

S&C surveys the following facilities to ensure compliance with applicable state regulations:

- Assisted Living Residences
- Home Health Agencies

Appendix C: DLP Intakes Referred to Survey and Certification, Intakes Referred to Investigation, Investigations with Deficiencies Cited



Source: Harmony for APS and ACTS

- Homes for the Terminally Ill
- Nursing Homes
- Residential Care Homes
- Therapeutic Community Residences

S&C investigates complaints and self-reported incidents at state regulated facilities using the same timelines as federally certified nursing homes.

S&C does not investigate the alleged abuse, neglect, or exploitation (A/N/E) of vulnerable adults by alleged perpetrators. S&C surveyors are mandated reporters that report evidence of A/N/E to Adult Protective Services through DLP Intake when discovered. In addition, when S&C encounters practices that deviate significantly from professional norms, they notify the Office of Professional Regulation.

The chart on the next page shows:

- The number of referrals made to S&C by DLP Intake.
- The number of referrals S&C opened for an onsite investigation.
- The number of onsite investigations resulting in at least one deficiency.

Please note that the data does cross quarters. A referral to S&C may result in an onsite visit in a future quarter.

100% of referrals to S&C are reviewed and screened by qualified Nurse Surveyors with extensive nursing and survey experience.