ORANGE COUNTY SOCIAL SERVICES AGENCY
ADULT SERVICES
POLICY AND PROCEDURE MANUAL

Program/Area:	**Adult Protective Services**		
Title:	**APS Program Overview**		
Number:	SH 20.1.1	**Status:**	Approved
Effective Date:	05/01/2000	**Revision Date:**	07/18/2013

I. PURPOSE

The purpose of this procedure is to provide an overview of the history and operational authority of Orange County Adult Protective Services (APS).

II. POLICY

APS is dedicated to preventing or remedying neglect, abuse, or exploitation of elder or dependent adults who are unable to protect their own interests because of age or disability. APS accepts reports, and provides investigation, crisis intervention, and limited case management services, which can include resources and referrals. APS staff works in conjunction with multiple agencies including law enforcement, the Health Care Agency, other divisions within the Social Services Agency, community partners and service providers in the community. Services are provided to all elder and dependent adults in need of them without regard to income.

An elder is any person residing in Orange County, who is age 65 or older. A dependent adult is any person residing in Orange County, between the ages of 18 and 64 years, who have physical or mental limitations that restrict his or her ability to carry out normal activities or to protect his or her rights.

Abuse of an elder or dependent adult may include self-neglect, physical abuse, sexual abuse, neglect by others, financial abuse, abandonment, isolation, abduction, or other treatment with resulting physical harm, pain or mental suffering. Abuse may also include the deprivation by a care custodian of goods or services that are necessary to avoid physical harm or mental suffering.

APS receives and takes reports of abuse or neglect, twenty-four hours per day, seven days per week. Any person who has a reasonable suspicion that abuse or neglect of an elder or dependent adult has occurred should contact the APS Registry to file a report at 1-800-451-5155.

Mandated reporters of abuse or neglect include, but are not limited to: financial institutions, health care practitioners, medical personnel, care providers, social workers, law enforcement officers, senior center staff, and staff of government funded programs that provide services for elder or dependent adults. The expectation of mandated reporter is to call APS Registry as soon as possible to report abuse or neglect and to follow-up with a written report (SOC 341) to APS within two working days. The identity of all APS reporting parties is confidential.

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III. BACKGROUND

Subsequent to the passage of Senate Bill 1210 in 1983, the Orange County Board of Supervisors designated the Social Services Agency as Orange County's Adult Protective Services agency, and established the Elder Abuse Registry to receive reports. The passage of Assembly Bill 238 in 1985 required the report of known or suspected abuse of dependent adults, in addition to elders.

A dedicated APS field response unit was created on October 1, 1986 as one of five voluntary pilot projects selected by the California Department of Social Services (CDSS) subsequent to the passage of Senate Bill 129. APS has operated continuously in Orange County since that date. It is one of three programs in the Adult Services section of the Adult Services and Assistance Programs Division.

The passage of Senate Bill 2199 in September 1998, resulted in the funding of a statewide mandated Adult Protective Services program. Specifically, the bill expands abuse reporting requirements and criminal penalties for failure to report abuse. It also mandates certain tangible services for victims. Services are provided only with consent of the victim, unless the victim lacks capacity to give consent.

The passage of Senate Bill 1018 in 2005, requires bank, savings and loan, and credit union employees to report financial abuses if the abuse becomes evident in their contacts with, or review of, an elder and/or dependent adult's financial matters.

The Elder Justice Act (EJA) was signed into law by President Obama on March 23, 2010, as part of the Patient Protection and Affordable Care Act. It provides federal resources to "prevent, detect, treat, understand, intervene in and, where appropriate, prosecute elder abuse, neglect and exploitation." As of 2013, the EJA has not been federally funded.

IV. REFERENCES

APS operates under the authority of Welfare and Institutions Code Sections: 15750, 15751, 15752, 15754, 15755, and 15760 -15765

Welfare and Institution Code Sections that were altered by the passage of Senate Bill 2199 include:

- 15610.07: Abuse of an Elder or Dependent Adult
- 15610.10: Adult Protective Services
- 15610.17: Care Custodian
- 15610.30: Financial Abuse
- 15630.00: Mandated Reporters
- 15610.55: Multi-Disciplinary Personnel Team
- 15610.57: Neglect

The scope, breadth, and required components of APS, as defined by CDSS after the passage of Senate Bill 2199, are detailed in the following instructions issued by CDSS, pending issuance of formal regulations.

- All County Letter 99-16, March 26, 1999
- All County Letter 99-53, August 12, 1999
- All County Letter 99-48, September 22, 1999
- All County Letter 99-95, December 17, 1999
- All County Letter 00-16, February 28, 2000

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