

FINAL

DRAFT STATEMENT AT ROUNDTABLE

Senators Enzi, Kennedy, DeWine, and Mikulski, and Members of the Committee:

As National Coordinator of the 440 Member bipartisan Elder Justice Coalition, I appreciate the invitation to share views on the impending Older Americans Act reauthorization especially as it relates to Title VII Allotments for Vulnerable Elder Rights Protection Activities. I also serve as the Immediate Past President of the National Committee for the Prevention of Elder Abuse.

This 15th reauthorization of the Older Americans Act may provide one of the key opportunities for Congress to recommit itself to the prevention of elder abuse, nearly 15 years ago after Title VII was added to the Act.

Since the last reauthorization in 2000, reported cases of elder abuse have clearly risen in our nation. The most recent indication comes from a new study released by the National Center on Elder Abuse. It points to a 19.7 percent increase in reports of elder and vulnerable adult abuse and neglect cases since 2000 as reported to adult protective services. The study also cites a 15.6 percent increase in substantiated cases.

The reality is this is only one dimension of elder abuse incidence. There are other reporting entities not reflected in this study. Furthermore as the Senate Special Committee on Aging has reported in the past there may be as many as 4 times as many elder abuse cases that go unreported. Using their figures on reported cases from the only incidence and prevalence study we may be dealing with as many as 500,000 reported cases and upwards of 5 million overall.

For the moment there is only one federal program that dedicates categorical funds for elder abuse prevention and that is Title VII. It was made a separate title by Congress to consolidate and expand certain programs that focus on the protection of the rights of older persons which had been previously under Title III. Its mission and purposes are sound. Its resources are not. The entire Title VII of the Act has a current appropriation of just over \$20 million. Especially woeful is the \$4.8 million for the elder abuse prevention program in the Title which broken down by state rounded means

\$206,000 for Ohio
\$87, 000 for Maryland
\$26,000 for Wyoming and
\$116,000 for Massachusetts

In fact two of the sections of Title VII, the Native American program and the Legal Services Developers have never received funding. That absence of funding needs to end this year.

Clearly we support a stronger Title VII with adequate funding to allow it to better accomplish its missions of supporting community based elder abuse prevention programs, helping with better reporting data and aiding in raising public awareness through education. In Title VII we need to commit more attention and resources to the alarming rise in self neglect cases in elder abuse.

Central to a stronger Title VII must be a strong Ombudsman program both State and Local long-term care ombudsman. What is more central to a national elder abuse prevention strategy than the ombudsman program which involves dedicated individuals who identify, investigate and resolve complaints filed by or on behalf of elderly residents in long term care. In this reauthorization process I urge the Subcommittee to get direct input from state and local ombudsmen and make sure that Title VII promotes a strong environment of autonomy for ombudsmen.

Specifically the strategy to a stronger Title VII is providing it with realistic funding levels to allow it to achieve the goal of enhancing the capacity of the aging network to develop and implement a comprehensive elder rights system over the coming years.

The proposals put forth by the Leadership Council of Aging Organizations whose Chair and a number of other members are here related to Title VII deserve the very serious consideration. It is critical to set authorization levels high enough to send the proper signal to the Appropriations Committees of the importance of all of the Title VII programs.

In particular I would note their call for:
\$10 million in funding for elder abuse prevention activities under Title VII
\$45.5 million in funding for the Long Term Care Ombudsman program which would take this program a long way to meeting a critical recommendation of the Institute on Medicine which recommended there be one ombudsman per 2000 nursing home residents

\$10 million in funding for the Native American Organization provisions.

\$10 million in funding for the Legal Services Developer program.

There will be guaranteed returns on this investment of federal money. These funds will lead to clear outcomes—better training of law enforcement and medical personnel and others who come in regular contact with the elderly to be able to detect possible elder abuse. These funds will lead to the bolstering in some cases and the establishment in other cases of local based multidisciplinary teams formed to help combat elder abuse in the community. They will lead to the hiring of more ombudsmen and can lead to better reporting of elder abuse, which is so crucial.

I remember presenting testimony to this Committee back in September of 2003 and noting that a new commitment to elder justice—the right of older Americans to be free

from abuse, neglect and exploitation is as important as any initiative that has been undertaken to improve the quality of life for seniors in need.

A good first step would be to accomplish the reauthorization of the Older Americans Act with a commitment to a stronger Title VII. It should be about taking those steps to allow a comprehensive elder rights system to be developed and advanced at the state and local level through the aging network. Also under Title II we need to continue the National Center on Elder Abuse and hope it too can receive a modest increase in its authorization. This call for a prompt and purposeful reauthorization of the Older Americans Act was the top vote getting resolution at the recent 2005 WHCOA.

The Elder Justice Coalition also hopes that this Committee will again move forward and adopt its version of the Elder Justice Act either in conjunction with the Older Americans Act reauthorization or separately.

This Committee in 2004 reported out S. 2940 the Act for Elder Justice unanimously. This followed a unanimous reporting out of S. 333 the Elder Justice Act by the Finance Committee. The 108th Congress did adjourn before taking final action on the bills.

Our Coalition is pleased that Senators Hatch together with Senators, Lincoln, Smith and Kohl have introduced S. 2010. It is now and always has been a bi-partisan bill which would greatly expand and better coordinate our federal response to the problems of elder abuse neglect and exploitation.

When a new bill is considered by this Committee related to elder justice we hope it maintains the essential feature supported by the Administration of enhancing the existing authority of AOA to raise awareness about elder abuse, promote coordination and support intervention efforts. We also hope it will take the critical step of creating a specific Office of Elder Justice within the Department the precise location to be at the discretion of the Secretary.

We also hope that this legislation as well as anything done on reauthorization of the OAA recognizes the critical role of adult protective services in the prevention of elder abuse, neglect and exploitation. In the previously mentioned national Incidence and Prevalence study, it noted that 80 percent of elder abuse occurs in home settings, not institutions; Adult Protective Services is the entity best trained and able to work to respond, aid in reporting and help victims of this more common form of elder abuse.

Although not the direct jurisdiction of this Committee the Elder Justice Coalition does want to reiterate its support for a dedicated funding stream for adult protective services in the future. This is especially critical in light of the proposed \$500 million reduction offered in the President's budget for the Social Services Block Grant which is the largest source of funding of adult protective services.

The delegates to the White House Conference on Aging actually spoke twice on the subject of elder abuse prevention. Their top resolution as mentioned called for the

prompt reauthorization of the OAA including Title VII. The also adopted a resolution entitled Create a National Strategy for Promoting Elder Justice through the Prevention and Prosecution of Elder Abuse. It ranked number 15 of the 50 resolutions adopted.

When you combine the 1200 delegates to the White House Conference on Aging, the more than 430 members of the Elder Justice Coalition and the Leadership Council of Aging organizations you get quite a powerful and bi-partisan group of American constituencies calling for the same end: more resources to address elder abuse in this country.

There is a finding in the opening pages of S. 2010 which to me says with chilling simplicity the ultimate consequence of elder abuse. It states ‘that victims of elder abuse, neglect and exploitation are 3.1 times more likely to die at an earlier age than expected than elders who were not victims of elder abuse, neglect and exploitation.’

This compels us to move forward on the Older Americans Act and the Elder Justice Act.

Thank you.