



CWDA

March 27, 2009

To: Honorable Jerry Hill, Chair
Assembly Budget Subcommittee No. 1

Honorable Members
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From: Frank J. Mecca, Executive Director

RE: Adult Protective Services 10 Percent Cut – OPPOSE [Item 5180]

The County Welfare Directors Association of California (CWDA) opposes the Administration's proposed continuation of the 10 percent cut to the Adult Protective Services program. The cut reduces program funding by \$11.4 million (\$6.1 million State General Fund), leaving thousands of vulnerable seniors and dependent adults in abusive situations that could lead to injury and early death.

Program Underfunded Prior to the Cut; 10% Cut Decimates Services

Adult Protective Services (APS) is the only program in California that responds 24 hours a day/7 days a week to reports of abuse and neglect of seniors and dependent adults. The program was not fully funded when it was created by the Legislature in 1999, was cut in 2001-02 and again in 2002-03, and funding remained flat for five years (2002-03 through 2007-08). This is despite steady increases in abuse reports since the program's inception, a factor of the growing population of elderly and disabled persons who are victimized each year. Nearly 110,000 reports came to APS hotlines in fiscal year 2006/07, rising nearly 34 percent between 2000 to 2007.

The program cuts are exacerbated by the lack of any additional funds to recognize increased costs in operating county programs. The result is a serious underfunding of the APS program, totaling \$49 million *annually* (\$31.5 million General Fund). Inadequate funding has seriously eroded counties' ability to respond to these emergency situations. In 2007, the Legislature recognized the critical situation in APS and added a much-needed augmentation of \$12 million, which the Governor vetoed. Requiring APS programs to take a cut of this magnitude when services were underfunded to begin with, decimates counties' APS emergency response system.

Cuts Harm Abused and Neglected Adults, Cause Untimely Deaths

The cut translates into a loss of 75 APS social workers statewide. As a result, 18,775 fewer incidents of abuse and neglect will be investigated each year, and of those that are investigated, an estimated 2,509 reports will have to be closed without a face-to-face investigation. This means that adults who are potentially being abused or neglected – who our programs might have caught early and served before the situation became life-threatening – will go without

services. These individuals will likely be seen again by APS or by another system such as law enforcement or a nursing facility, when their conditions have grown worse.

With fewer resources, local APS agencies are currently facing difficult decisions. For example:

- Counties are reducing APS staff and severely curtailing services. In Santa Cruz County for example, some Emergency Response cases are being deferred to law enforcement (LE) investigation, rather than a joint APS/LE investigation. Contra Costa County no longer provides case management services to elderly victims of financial abuse, instead referring those cases to law enforcement.
- Statewide, counties report that time spent per case dropped from 61 to 46 days on average between 2001 and 2005 and is likely to decline further.
- Counties are deferring investigations where possible. State data shows that the monthly average count of active cases has actually declined by 3.3 percent since 2000-01, despite the 34 percent increase in hotline calls and 29 percent increase in investigations during that time. The number of cases where the county waived an initial face-to-face investigation has increased 178 percent since 2002-03.

These cuts come at the worst time, when the aging population is booming. The population of seniors 65 and older is doubling, and the number of those 85 and older is tripling. This latter group is often very frail and is increasingly referred to APS for services and support. The ultimate result will be increased recidivism and the provision of services to only the most critical abuse and neglect cases. Our inability to respond fully to all reports of will leave elders and dependent adults more vulnerable to emotional and physical injury and neglect, and even death: Studies show that elder abuse victims are 3.1 times more likely to die than the average senior.

Increased Awareness Causes More APS Reports

A growing focus on elder abuse, especially the fast-rising problem of financial abuse, has led to greater awareness of the problem and more reports to APS programs in recent years. As the population ages, the number of reports will continue to grow. Additionally, recent legislation (SB 1018, Simitian, Statutes of 2005) has triggered early reporting of suspected financial abuse by banks and other financial institutions.

Cutting APS funding at the same time as counties are receiving more and more reports of abuse and neglect will leave these victims without assistance. Financial abuse now makes up 35 to 40% of reports to APS. These cases are also complex and can be extremely time consuming to resolve, requiring a coordinated response with law enforcement and other agencies. Financial abuse victims on limited and fixed incomes face particular hardship if they are fleeced out of a lifetime of savings, with little means of support and little recourse. These victims often experience depression, anxiety and other mental health impacts, and untimely death.

Cuts Will Cost State, Taxpayers in Other Ways

The \$11.4 million cut to APS has already led to increased reliance on other emergency response systems to respond – particularly law enforcement, paramedics and fire departments, and emergency rooms. However, APS is intended to address abuse and neglect before abuse rises to the level of law enforcement activity. For example, APS often builds rapport with clients and pursues restraining orders against perpetrators. Eliminating counties' ability to lay this groundwork leaves public safety agencies to respond instead, often when the situation has grown much worse.

In addition, the Olmstead Supreme Court decision requires California to institute practices and programs to reduced unnecessary institutional placement and maintain elders in their local

communities. APS helps California comply with this requirement by connecting seniors and dependent adults with community-based services that can help them remain in their own homes and avoid more costly institutionalization. Without these services, more of these individuals will end up in nursing facilities, at a far greater cost and in violation of the Olmstead decision.

Conclusion: Restore Funding to APS

APS is a critical safety net program that works with other community agencies to prevent premature institutionalization. We are often the first – and sometimes the only – program to come into contact with many seniors and people with disabilities who are experiencing self-neglect or abuse and neglect at the hands of others. APS often makes a link to other needed services to prevent or postpone inpatient hospitalization as well as premature institutionalization.

Cuts to APS are ill-advised and will result in greater harm to seniors and dependent adults, untimely deaths, and greater costs to taxpayers. We urge you to restore the \$11.4 million funds to this already underfunded program.

Thank you for the opportunity to comment. We look forward to working with you and your staff as the budget process moves forward. Please do not hesitate to contact CWDA if you have any questions regarding this memo.

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