

GAO Reviews of Federal Government Efforts to Address Elder Abuse

New England Intergovernmental Audit Forum

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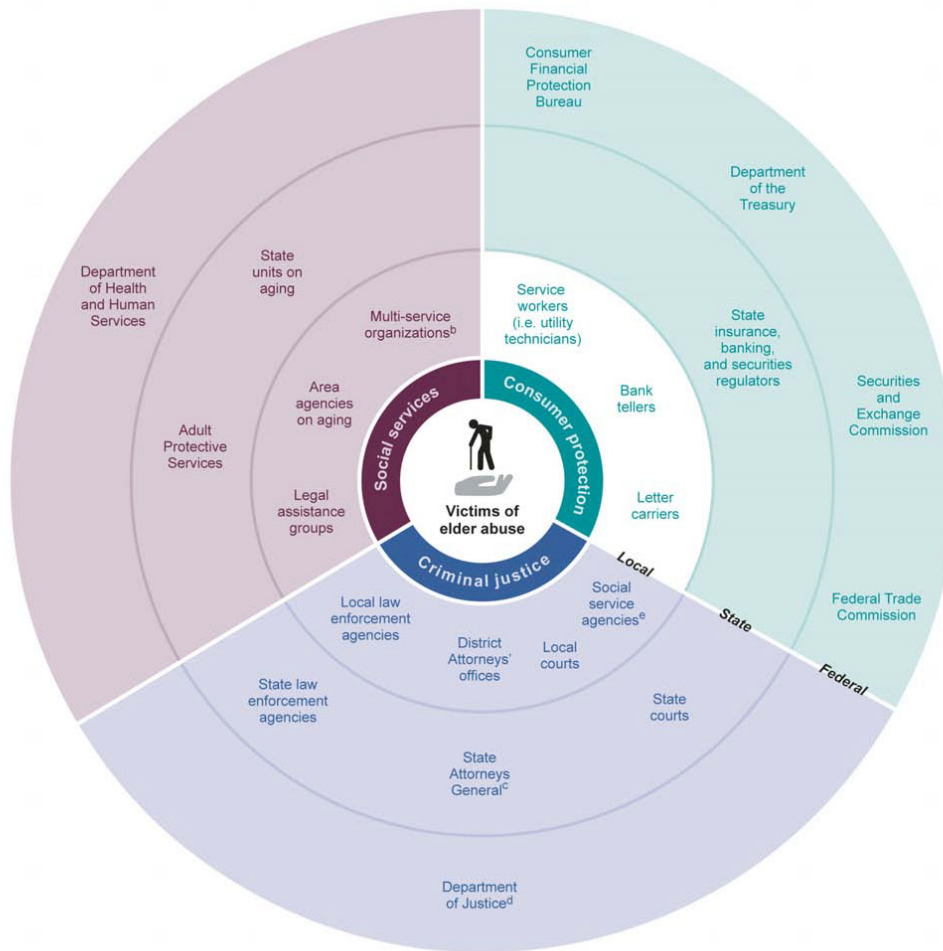
Often called the "congressional watchdog," GAO examines how taxpayer dollars are spent and provides Congress and federal agencies with objective, reliable information to help the government save money and work more efficiently.

Elder Abuse in the United States

Elder abuse may involve physical, sexual, emotional, or financial abuse or neglect of an individual age 60 or above, and can come at the hands of trusted individuals, such as family, guardians, and caregivers. It can also be carried out by strangers and by international criminal enterprises.

- ❖ Although we still do not understand the full extent of elder abuse in the United States, reports of elder abuse are increasing, and the federal government has begun to pursue this issue.
 - ❖ Data are important to support policy decisions and could help determine what government resources to allocate and how best to prevent and respond to this problem.
- ❖ States and localities are on the frontlines of elder justice.
 - ❖ In the United States, the Adult Protective Services (APS) program in each state is generally responsible for identifying, investigating, resolving, and preventing abuse of older adults.
 - ❖ Nonetheless, the federal government has a role to ensure elder justice.

Federal Agencies Involved in Addressing Elder Abuse



Source: GAO analysis of information provided by agencies.

- Federal elder justice efforts include those that serve to prevent, detect, treat, understand, intervene in, and where appropriate, prosecute elder abuse, neglect, and exploitation.
- Many federal agencies are involved.
 - 14 federal agencies sit on the Elder Justice Coordinating Council, including the Department of Justice (DOJ), and Department of Health and Human Services (HHS), which chairs the council.

Federal Elder Justice



- What is the federal government's role in elder justice?
- Congress has passed a number of laws directing federal attention to elder justice, including:
 - The Older Americans Act
 - The Elder Justice Act
 - The Elder Abuse Prevention and Prosecution Act (EAPPA)
 - EAPPA also required GAO to review elder justice efforts in the federal criminal justice system.

What did we review? and how?

- | | |
|---|---|
| <p>1. The ways DOJ works to address crimes against older adults, including exploitation by international criminal enterprises, and the extent to which DOJ is planning for and assessing its efforts; and</p> | <ul style="list-style-type: none">➤ Reviewed DOJ documents and interviewed DOJ officials➤ Examined DOJ grants➤ Also interviewed stakeholders from organizations that seek to address elder abuse and state and local officials regarding their work with DOJ on elder justice or their use of DOJ elder justice resources |
| <p>2. How the Departments of State and Homeland Security address the arrest of older U.S. citizens abroad, including arrests involving international criminal enterprises.</p> | <ul style="list-style-type: none">➤ Reviewed the Department of State's policies and guidance, and websites and interviewed Department of State officials➤ Reviewed Department of Homeland Security (DHS) information related to their investigations and operations and interviewed DHS officials |

DOJ has several elder justice efforts to address elder abuse

- DOJ plays a lead role in the federal criminal justice system, as well as, in federal efforts to address elder justice.
 - Other federal agencies support the investigation of elder abuse and some pursue civil prosecution and refer criminal cases to DOJ
- DOJ's elder justice efforts generally include:
 - investigations and prosecutions,
 - training and educational materials, and
 - grants

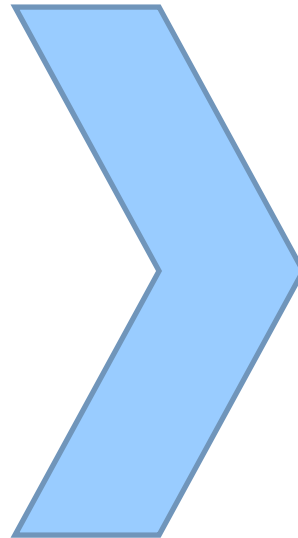


Elder Abuse Prevention and Prosecution Act

While DOJ independently established some of its current elder justice efforts, DOJ expanded its elder justice efforts due to EAPPA.

Prior to EAPPA, DOJ's elder justice efforts were focused on nursing home "failure of care" cases

- Elder Justice Initiative
- Task Forces



EAPPA's requirements broadened and increased DOJ's focus on elder justice

- DOJ Elder Justice Coordinator
- 94 elder justice coordinators throughout the U.S. Attorneys' Offices

DOJ Elder Justice Resources

Many of DOJ's elder justice efforts support state and local elder justice work including:

- Training:
- Grants
- Elder Justice Coordinators and Task Forces

Many DOJ resources can be found online at <https://www.justice.gov/elderjustice>

Arrests of Elders Abroad

- There have been reports that older U.S. citizens have been arrested abroad for their unwitting participation in illicit activities, such as smuggling drugs
- However, federal agencies do not have data on the extent of this specific type of arrest.
- The roles of the Departments of State and Homeland Security



Challenges to Federal Elder Justice Efforts

According to DOJ officials, some challenges they face include:

- Elder abuse is underreported
- Too many places to report
- Lack of data



Are DOJ's elder justice efforts effective?

We found that:

- DOJ has undertaken several elder justice efforts
- However, DOJ did not set goals that articulate the common outcomes it seeks to achieve through its elder justice efforts
- Also, DOJ has not developed or documented outcome measures that track the agency's progress on its overall elder justice efforts
- GAO-19-365

SET GOALS

- 1.
- 2.
- 3.

Goals and Outcome Measures!!

GAO continuously reaffirms the importance of goals and performance measures as important steps in strategic and performance planning in the federal government.

- Goals tell us where we are headed
- Outcome measures tell us whether and how effectively we are achieving our goals



GAO Work on the HHS' Efforts to Address Elder Abuse

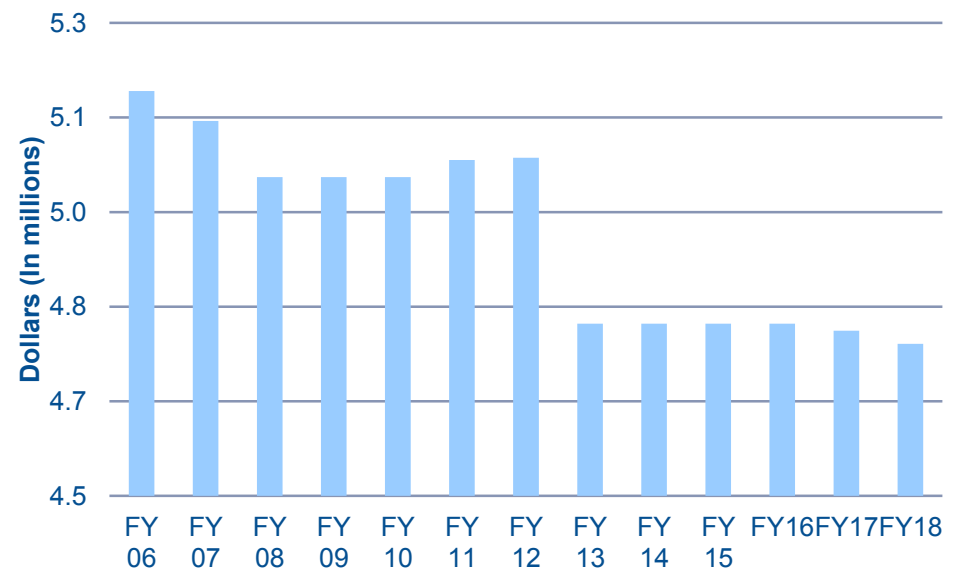
Within HHS, GAO work has generally focused on two components that carry out the agency's mandates to address elder abuse:

- The Administration on Aging (AoA)
- The Centers for Medicare and Medicaid Services (CMS)

HHS: Administration on Aging and the Centers for Medicare and Medicaid

- AoA efforts to lead efforts to collect data on elder abuse have been limited (GAO-11-208)
- Abuse deficiencies in nursing homes have increased and there are gaps in CMS oversight (GAO-19-433)

AoA Funding
(fiscal years 2006 through 2018)



Recent GAO Work on Elder Abuse and Elder Justice

- **ELDER JUSTICE:** Stronger Federal Leadership Could Enhance National Response to Elder Abuse (GAO-11-208) – March 2, 2011
 - ❖ **ELDER JUSTICE :** Stronger Federal Leadership Could Help Improve Response to Elder Abuse (GAO-11-384T) before Senate Comm on Aging – March 2, 2011
- **ELDER JUSTICE:** National Strategy Needed to Effectively Combat Elder Financial Exploitation (GAO-13-110) – November 15, 2012
- **ELDER JUSTICE :** Strengthening Efforts to Combat Elder Financial Exploitation (GAO-13-140T) before Senate Comm on Aging – November 15, 2012
 - ❖ **ELDER JUSTICE :** Federal Government Has Taken Some Steps but Could Do More to Combat Elder Financial Exploitation (GAO-13-626T) before House Comm on Energy & Commerce, Subcomm on Commerce, Manufacturing, & Trade – May 16, 2013
- **ELDER ABUSE:** The Extent of Abuse by Guardians Is Unknown, but Some Measures Exist to Help Protect Older Adults (GAO-17-33) – November 16, 2016
- **ELDER ABUSE:** The Extent of Abuse by Guardians Is Unknown, but Some Measures Are Being Taken to Help Protect Older Adults (GAO-17-273T) – November 16, 2016
- **ELDER JUSTICE:** Goals and Outcome Measures Would Provide DOJ with Clear Direction and a Means to Assess Its Efforts (GAO-19-365) – June 7, 2019
- **NURSING HOMES:** Improved Oversight Needed to Better Protect Residents from Abuse (GAO-19-433) – Jun 13, 2019
 - ❖ **NURSING HOMES:** Improved Oversight Needed to Better Protect Residents from Abuse (GAO-19-671T) before Senate Finance Comm – July 23, 2019

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