



# ELDER ABUSE TASK FORCE



*Dana Nessel*

Thank you for your interest in Michigan's Elder Abuse Task Force – an alliance representing more than 55 different organizations in the public, private and non-profit sectors – all working together to reduce barriers facing our aging population.

## LEGISLATION & FIRST INITIATIVES

On June 10, Attorney General Nessel joined Michigan Supreme Court Justice Megan Cavanagh, Representative Graham Filler, Senator Roger Victory and a bipartisan group of state legislators to announce legislation implementing fundamental reforms impacting guardians and conservators—individuals appointed by probate courts to act in the best interests of vulnerable individuals.

The bi-partisan legislation—House Bills [4847](#), [4848](#), [4849](#), and [4850](#); and Senate Bills [503](#), [504](#), [505](#) and [506](#)—is the culmination of more than two years of work by the [Elder Abuse Task Force](#).

If passed, the bills will implement the remainder of the [Task Force's first initiatives](#).

The legislation implements substantial additional protections for vulnerable adults, which include:

- Requiring certification of guardians and conservators (including requirements for minimum training and professional standards);
- Increasing guardians' visitation requirements from once every three months to monthly;
- Requiring probate courts to make findings of facts if a person with priority for appointment, like a family member, is passed over in favor of a party with lower priority;
- Improving protections for wards when professional guardians seek to remove them from their homes – including requiring prior consultation with the wards when possible and consideration of supports and services that would allow the wards to remain in their current residences;
- Requiring professional guardians in most circumstances to file petitions seeking court authority to move wards;
- Requiring courts to appoint guardians ad litem or, where appropriate, counsel for wards and to schedule hearings before authorizing moves to new residences.

Additional statutory changes are summarized within the [Task Force's initiatives](#).

Also Attorney General Nessel testified on June 22 before the House Judiciary Committee on the legislation: "This package of bills is not just a good idea, it is a moral imperative. The bills, and our continued work in this area, are fundamental to restoring basic human rights and dignity to people who have worked hard their entire lives. Now, they need us to make sure that our guardianship and conservatorship system is in place to fight for them, and that is what this bill package does."



Front Row, Left to Right: Interpreter Bethany James, Attorney General Dana Nessel and Senator Ruth Johnson.

Back Row, Left to Right: Michigan Supreme Court Justice Megan Cavanagh, Representative Rodney Wakeman, Senator Roger Victory and Representative Graham Filler.



Left to Right: Representative Kyra Bolden, Michigan Supreme Court Justice Megan Cavanagh, Attorney General Dana Nessel, Representative Graham Filler and Representative Rodney Wakeman.

## MULTI-DISCIPLINARY TEAM COMMITTEE

The Multi-Disciplinary Team (MDT) Committee is finalizing its work on two core documents consisting of an investigative protocol as well as a more broad-based community protocol.

The investigative protocol, known as the Michigan Vulnerable Adult Team (or Mi-VAT) Protocol, is focused on providing guidance for collaboration between prosecutors, sworn law enforcement officers, and Adult Protective Services (APS).

The Mi-VAT will formally replace the prior investigative protocol that was published by statutory mandate back in June of 2013. The Committee has improved upon the prior model and studied ways to overcome hesitancy on the part of local jurisdictions to implement the protocol.

The Community MDT Protocol incorporates the full complement of support services and expertise often required to secure the most favorable outcomes to challenges facing the vulnerable adult population. This protocol was crafted using the most up-to-date nationally accepted best practices to help provide additional tools and capabilities to those working to improve the lives of Michigan's vulnerable adult population.

As the MDT Committee finishes final formatting of the materials, the team will shift toward sharing the protocols across the state. A series of summer speaking engagements have been arranged and features in various association newsletters will be used for the initial effort. A mentorship program is also being established to connect interested agencies with established MDTs to answer questions and demonstrate the value that comes with an MDT model.

## COMING THIS SUMMER ... MANDATORY REPORTER TRAINING MODULE!

A mandatory reporter is required by law to report reasonable suspicions of abuse, neglect and exploitation. In less than 15 minutes, learn about who is an adult abuse, neglect and exploitation mandatory reporter, how to make a report and what to include, along with the responsibilities of Adult Protective Services once they receive a report.

The training module will be accessible via the [Elder Abuse Task Force's homepage](#).

ELDER ABUSE TASK FORCE	SEE IT	DOCUMENT & REPORT IT
<p><b>ABUSE</b> More than 73,000 older adults in Michigan are victims of elder abuse. They experience abuse, neglect and exploitation.</p> <p><b>NEGLECT</b> The symptoms and treatment of elder abuse are complex and demand a concerted effort to tackle this often unrecognized and unreported social problem.</p> <p><b>EXPLOITATION</b> That's why we brought together dozens of different organizations to work collaboratively to tackle the challenge.</p>	<p><b>ABUSE</b> Harm or threatened harm to an adult's health or welfare caused by another person.</p> <p><b>NEGLECT</b> The inability or failure to provide adequate food, shelter, clothing, medical care, etc.</p> <p><b>EXPLOITATION</b> The misuse of an adult's funds, property or personal dignity (e.g., humiliation, objectification, degradation, dehumanization) by another person.</p>	<p>Take photographs and written notes on: what you observed, when you observed it, who was present, and any further information that may be of assistance.</p> <p>Immediately report incidents in licensed settings to the administrator, the director of nursing or charge nurse (in a nursing home), or director of resident care (in a home for the aged or adult foster care) of the facility.</p> <p>Immediately report applicable situations to Adult Protective Services; the State Police and/or the local police; Attorney General Health Care Fraud Division; Long Term Care Ombudsman; and the Department of Insurance and Financial Services.</p>
<p><b>PHYSICAL SIGNS</b> of Elder Abuse/Neglect/Exploitation</p> <ul style="list-style-type: none"><li>Dehydration or unusual weight loss</li><li>Missing medication or medical assistive devices</li><li>Unexplained injuries or sores</li><li>Unsanitary living conditions or poor hygiene</li><li>Unattended medical needs or missed appointments</li></ul>	<p><b>EMOTIONAL/BEHAVIORAL SIGNS</b> of Elder Abuse/Neglect/Exploitation</p> <ul style="list-style-type: none"><li>Unusual changes in behavior or sleep patterns</li><li>Withdrawal from normal activities</li><li>Isolation from friends or family</li><li>Increased anxiety or fear</li><li>Hesitance to speak in presence of "caregiver"</li></ul>	<p><b>FINANCIAL SIGNS</b> of Elder Abuse/Neglect/Exploitation</p> <ul style="list-style-type: none"><li>Unpaid bills (elder adult receives foreclosure warnings, electricity is shut off)</li><li>Unusual changes in spending patterns (increases in ATM withdrawals, checks made out to cash or written out of order)</li><li>Missing household items (cherished heirlooms, expensive tools, or other valuable items)</li><li>Unexpected changes in wills or property deeds (property deemed will be changed to benefit "new friend")</li><li>Purchase of large items the elder adult does not use (vehicles when the adult does not drive, timeshare purchases when adult is homebound)</li></ul>

## NEW BROCHURE DESIGN

The redesigned [No Excuse For Elder Abuse Brochure](#) now includes physical, emotional or behavioral, and financial signs of elder abuse, neglect and exploitation.

If your organization is interested in distributing brochures in large quantities, [please send an email](#) with an explanation of your distribution plan, the quantity desired, and mailing address.

## SENTINEL PROJECT

[Announced in late April by Attorney General Nessel](#), the Sentinel Project's specially trained staff examines long-term care facilities for evidence of abuse or neglect through unannounced visits. A set of performance metrics, complaints and other data will guide the team through discrete but comprehensive site investigations. Such visits will determine if additional action is necessary to ensure loved ones are given the best possible care.

The Sentinel Project is housed in the Health Care Fraud Division of the Michigan Department of Attorney General and is dedicated to working to eliminate any instances of substandard care.

If you or someone you know is being abused or neglected in a nursing facility, please let us know by contacting the Michigan Attorney General's Health Care Fraud Hotline at 800-24-ABUSE (2-2873) or file a complaint online through the [Michigan Attorney General Patient Abuse Complaint Form](#).



## FINANCIAL EXPLOITATION PREVENTION ACT (FEPA) IMPLEMENTATION

The Financial Exploitation Prevention Act (FEPA) takes effect on September 26, 2021 and the Task Force has formed a subcommittee to draft written guidance and provide educational outreach about the implementation of the Act. The Act requires financial institutions to report suspected or detected covered financial exploitation to Adult Protective Services (APS) or law enforcement, and permits financial institutions to report exploitation to the county prosecutor under certain circumstances.

The subcommittee members include prosecutors, law enforcement, APS, and representatives of credit union and bank associations.

The subcommittee has drafted administrative rules which describe the procedures that must be followed when APS, law enforcement and financial institutions notify county prosecutors' offices of reports of suspected or detected covered financial exploitation under FEPA.

A public hearing on Rule Set 2021-34 AG has been scheduled for July 7 at 1 p.m. in the auditorium of the Williams Building - 525 W. Ottawa Street, Lansing, MI, 48933.

The subcommittee is also in the process of drafting a best practices guide financial institutions may use when determining whether to report suspected or detected covered financial exploitation to APS or law enforcement. Members of the subcommittee are continuing to schedule speaking events to ensure all affected professionals and other interested members of the public can become informed about the requirements of the Act before it takes effect in the fall.



Front Row, Left to Right: Interpreter Bethany James, Michigan Supreme Court Justice Megan Cavanagh and Senator Ruth Johnson.

Back Row, Left to Right: Representative Kyra Bolden, Representative Rodney Wakeman, Senator Roger Victory and Representative Graham Filler.



Senator Roger Victory



Front Row, Left to Right: Interpreter Bethany James and Representative Graham Filler.

Back Row, Left to Right: Representative Kyra Bolden, Attorney General Dana Nessel and Michigan Supreme Court Justice Megan Cavanagh.



Front Row, Left to Right: Interpreter Bethany James, Christopher Smith, Senator Ruth Johnson.

Back Row, Left to Right: Representative Kyra Bolden, Michigan Supreme Court Justice Megan Cavanagh, Senator Roger Victory and Representative Graham Filler.



Front Row, Left to Right: Interpreter Bethany James, Salli Pung - State Long Term Care Ombudsman and Senator Ruth Johnson.

Back Row, Left to Right: Representative Kyra Bolden, Attorney General Dana Nessel, Michigan Supreme Court Justice Megan Cavanagh, Senator Roger Victory and Representative Graham Filler.

**For Questions:**  
**800-24-ABUSE (22873)**  
[mi.gov/elderabuse](http://mi.gov/elderabuse)



**To Report:**  
**855-444-3911**  
[mi.gov/protectiveservices](http://mi.gov/protectiveservices)