

# What You Should Know about Adult Protective Services

#### Q: What are "adult protective services"?

**A:** "Adult protective services" are services provided to help vulnerable older adults who have no one to assist them. In Ohio, the Ohio Department of Job and Family Services supervises the adult protective services (APS) program, which is administered through each county's department of job and family services.

#### Q: Who is eligible to receive services from an adult protective services program?

**A:** Recipients of services must be over the age of 60. They must also be in danger of harm, unable to protect themselves, and have no one to assist them.

## Q: What sort of "harm" must the person be in danger of experiencing in order to get services?

**A:** "Danger of harm" refers to actual or suspected neglect, abuse or exploitation. "Neglect" is failure to provide the goods or services necessary for the adult's own safety and/or well-being, whether as a result of a caregiver's failure or the adult's own failure. "Abuse" can be physical, emotional or sexual. "Physical abuse" is an intentional use of physical force that results in pain, injury or impairment. "Emotional abuse" is any action intending to threaten, humiliate, intimidate or otherwise cause psychological injury, and includes violating an adult's loss of privacy and ability to make his or her own decisions. "Sexual abuse" is any unwanted, nonconsensual sexual contact, and includes rape, coerced nudity, exhibitionism as well as other sexual situations that may not involve touching. "Exploitation" is the unlawful or improper use of someone's resources for monetary or personal benefit, profit or gain. This most often includes taking the victim's money without his or her consent.

# Q: What if I am not sure whether an adult is suffering from neglect, abuse or exploitation?

**A:** Even if you are not certain or have no specific evidence that an adult is suffering from neglect, abuse or exploitation, you should still report your suspicions to the adult protective services program of your county's job and family services department. It is the program's duty to investigate actual or suspected neglect, abuse or exploitation, and a caseworker will be sent out to personally meet with the adult and complete an assessment to determine if neglect, abuse or exploitation is occurring. If so, the department will take the appropriate action to obtain protective services for that adult.

### Q: How can I keep my name out of the adult protective services investigation?

**A:** Under Ohio law, all reports and investigations of suspected or actual neglect, abuse or exploitation of an adult over age 60 are kept confidential.

### Q: I believe my neighbor, who is more than 60 years old and infirm, may be suffering abuse from a family member. Where would I find an adult protective services program in my area so I can report my suspicions?

**A:** Contact your local county department of job and family services in the county where the elderly adult lives or where you suspect the abuse has occurred. To find the phone number and location of the county agency in your area, go to http://jfs.ohio.gov/county/County\_Directory.pdf. During non-business hours or in an emergency, you should contact local law enforcement.

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This "Law You Can Use" consumer legal information column was provided by the Ohio State Bar Association. It was prepared by Columbus attorney Bryan B. Johnson of the Columbus firm of Bryan B. Johnson, Attorney at Law, LLC.

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