

10 THINGS LTC OMBUDSMEN CAN DO TO PROTECT LONG-TERM CARE CONSUMERS: PREVENTING, DETECTING AND REPORTING FINANCIAL EXPLOITATION

Long-Term Care Ombudsmen (LTCO) are often the first to notice the warning signs of possible financial exploitation or the first person a resident confides in regarding being a victim of financial abuse. Included below are tips, tools and action steps to help LTCO protect long-term care consumers from financial exploitation.

1. Learn about Financial Exploitation

Financial exploitation is the improper or illegal use of the resources of an older adult or an individual with a disability, such as misappropriation or misuse of income or assets, fraudulent use of power of attorney, and identity theft. Financial exploitation is the fastest growing form of elder abuse and is often not reported. Becoming familiar with how to prevent, detect and report financial exploitation is the first step in protecting residents. Visit the **National Center on Elder Abuse (NCEA)** website (link below in “Resources”) for training materials, best practices and resources regarding financial exploitation. The **National Long-Term Care Ombudsman Resource Center (NORC)** website has information regarding financial exploitation in long-term care. Make sure all LTCOP representatives understand how and when to report allegations of financial exploitation.

2. Speak with Residents about Their Rights

Provide residents with information regarding their rights, especially their right to be free from all types of abuse, including financial exploitation. Fact sheets regarding residents’ rights, individualized care and more are available on the **National Consumer Voice for Quality Long-Term Care’s (Consumer Voice)** website.¹

3. Share Information About Financial Exploitation with Residents

Share information about preventing, detecting and reporting financial abuse (e.g. role of representative payee for Social Security benefits and receipt and use of personal needs allowance for Medicaid recipients). Download fact sheets on financial exploitation for residents of nursing homes and assisted living from the **NORC** website (link below in “Resources”).

4. Share Information About Financial Exploitation with Family Members/Visitors

Inform family members and visitors of the residents’ right to be free from all types of abuse and how to prevent, detect and report financial exploitation. Download fact sheets for residents of nursing homes and assisted living regarding financial exploitation from the **NORC** website (link below in “Resources”).

5. Discuss the Responsibilities of Long-Term Care Providers to Protect Residents from Financial Abuse

Share information and resources regarding the responsibilities of long-term care providers in supporting residents’ rights, protecting residents from financial exploitation and reporting allegations of abuse.² Inform providers about state and local resources regarding financial exploitation and encourage them to share the financial exploitation fact sheets from the **NORC** website with residents, family members and other visitors (link below in “Resources”).

¹ 42 CFR 483.10 Resident Rights <http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=e5d3af40a300a1dbbea73a7392115694&rgn=div8&view=text&node=42:5.0.1.1.2.2.7.3&idno=42>.

² Find links to the federal nursing home requirements in the NORC Library <http://www.ltombudsman.org/NORC-library>. A review of federal nursing home requirements and links to state assisted living regulations are available on the NH Regulations Plus website <http://www.hpm.umn.edu/nhregsplus/> and see the CMS Survey & Certification Letter titled “Reporting Reasonable Suspicion of a Crime in a Long-Term Care Facility” http://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertificationGenInfo/downloads/scletter11_30.pdf

6. Speak with Resident and Family Councils about Financial Exploitation

In addition to sharing the resources mentioned above with Resident and Family Councils, there are in-service training materials on residents' rights and abuse in long-term care on the **NORC** website (link below in "Resources").

7. Include Information about Financial Exploitation in Training for LTCO Staff and Volunteers

Resources on abuse in long-term care include: the **NORC Curriculum**, examples of LTCOP initial certification training manuals, NORC training materials (link below in "Resources").

8. Join (or start) a Local Elder Abuse Prevention Coalition/Task Force

Visit the **NCEA** website to locate a local elder abuse prevention coalition or a multidisciplinary team that addresses financial exploitation, learn how to create an effective coalition and review best practices.

9. Communicate with Local Law Enforcement

Inform local law enforcement of issues with financial exploitation in long-term care, the role of the LTCOP in protecting residents' rights and the requirements of long-term care providers to report allegations of abuse.

10. Increase Public Awareness of Financial Exploitation

Share information regarding abuse in long-term care, residents' rights and the LTCO program as often as possible (e.g. press releases, letter to the editor, community education), promote residents' rights to be free from all forms of abuse (e.g. recognize Residents' Rights Month) and participate in elder abuse prevention activities (e.g. World Elder Abuse Awareness Day).

Resources

National Long-Term Care Ombudsman Resource Center (NORC)

- **Elder Abuse/Elder Justice Issue page** (includes consumer and family member fact sheets regarding financial exploitation in assisted living and nursing homes): <http://www.ltcombudsman.org/issues/elder-abuse-elder-justice>
- **Ombudsman Training** (NORC Curriculum, Training Programs and In-Services, LTCOP Certification Manuals, NORC Training): <http://www.ltcombudsman.org/ombudsman-support/training>
- **NORC Curriculum**: <http://www.ltcombudsman.org/ombudsman-support/training#Curriculum>

National Consumer Voice for Quality Long-Term Care (Consumer Voice)

- **Fact Sheets**: <http://www.theconsumervoice.org/resident/nursinghomes/fact-sheets>
- **Residents' Rights Month**: <http://www.theconsumervoice.org/events>

National Center on Elder Abuse (NCEA)

- For additional information regarding elder abuse, neglect or exploitation visit the NCEA website at www.ncea.aoa.gov or call 1-855-500-3537.
- Locate a local or state elder abuse coalition or learn how to create an effective elder abuse taskforce: http://www.ncea.aoa.gov/Stop_Abuse/Teams/Local/index.aspx

World Elder Abuse Awareness Day (WEAAD)

- WEAAD is recognized annually on June 15: <http://www.inpea.net/weaad.html>