

## Adult Protection Services Initial Assessment Guide

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## VULNERABLE ADULT

**Vulnerable Adult:** An individual 18 years of age and older adult who is at risk of self-harm or harm from another individual due to physical, emotional or mental impairments that severely limit his/her ability to manage his/her home, or personal or financial affairs.

Individuals considered vulnerable:	Individuals not necessarily considered vulnerable:
<p>Adult age 18 or older with a vulnerable condition, such as wheel chair bound, paraplegic, blind, Intellectually Developmentally/Delayed (IDD), physically disabled, traumatic brain injury, mental illness, Alzheimer’s, Dementia, autism, abusing drugs or alcohol, etc  <b>AND</b>                      Is unable to protect their own interest  <b>OR</b>                      Who lacks capacity to make decisions  <b>OR</b>                      Who has a guardian or conservator</p> <p>Adult age 18 or older diagnosis or disabilities and receiving waiver services  <b>AND</b>                      Is unable to protect their own interest  <b>OR</b>                      Who lacks capacity to make decisions  <b>OR</b>                      Who has a guardian or conservator</p> <p>Adult 60 and above who is frail and elderly  <b>AND</b>                      Is unable to protect their own interest  <b>OR</b>                      Who lacks capacity to make decisions  <b>OR</b>                      Who has a guardian or conservator</p>	<p>Over age 60 with NO indication the adult                      Is unable to protect their own interest  <b>OR</b>                      Who lacks capacity to make decisions  <b>OR</b>                      Who has a guardian or conservator</p> <p>Person with mental illness such as depression or bi-polar but is not currently at risk or self-harm or harm from others.</p> <p>A parent with a mental illness or physical disability, unable to care for his/her minor child</p> <p>A person abusing drugs or alcohol but no indication of impact on daily living.</p> <p>Disability that is not to the level of receiving services from the local Community Developmental Disability Organization (CDDO).</p> <p>A person who is homeless and no indication of frailty, disability, or waiver services.</p>

**If the adult is NOT considered vulnerable the report can be screened out with no further assessment.**

# ABUSE

## CHEMICAL/PHYSICAL RESTRAINT

Any action or failure to act, performed intentionally or recklessly that causes or is likely to cause harm to an adult;

AND

Unreasonable use of physical or chemical restraint, medication or isolation as punishment, for convenience, in conflict with a physician’s orders or as a substitute for treatment, except where such conduct or physical restraint is in furtherance of the health and safety of the adult.

**Possible allegation scenarios** (not intended to include all the scenarios which may be reported)

Almost Always Assign	Usually Not Assign for this assignment type
<p><b><i>Chemical</i></b>                      Intentional medication overdose or underutilization of prescribed drugs.</p> <p>Providing the involved adult with illegal drugs, prescriptions not prescribed to them or over the counter drugs affecting their ability to function.</p> <p><b><i>Unreasonable Physical Restraint</i></b>                      Isolation by another person of the involved adult, not allowing anyone to have contact with the involved adult.</p> <p>Physical restraint of the involved adult e.g., bound, locked/kept in a confined area, gagged, tied to a bed or chair, etc.</p> <p>Physical restraint where physical harm has occurred or is likely to have occurred.</p> <p>Isolating the involved adult as punishment such as confining to a room.</p> <p>Removal of medical equipment or assistive devices not allowing the involved adult to walk, move, or access necessary items.</p>	<p><b><i>Chemical</i></b>                      Physician has ordered specific dosage of medication that appears to be causing the involved adult to be overmedicated.</p> <p>Involved adult states they need more medication but is taking as prescribed per physician’s orders.</p> <p>The involved adult is unable to get the medication needed due to financial reasons, consider other factors such as exploitation, fiduciary abuse or self-neglect.</p> <p><b><i>Reasonable Physical Restraint</i></b>                      If involved adult is self-harming or has violent behavior and is restrained using reasonable techniques that did not place the involved adult at risk of further harm.</p> <p>Involved adult refuses to use medical equipment provided to them.</p>

## MENTAL INJURY

Any action or failure to act, performed intentionally or recklessly that causes or is likely to cause harm to an adult;

AND

infliction of mental injury

### Possible allegation scenarios (not intended to include all the scenarios which may be reported)

Almost Always Assign	Usually Not Assign for this assignment type
<p>Involved adult has observable and substantial impairment of their mental or psychological ability to function (e.g., onset of paranoia/fear, crying spells/depression, aggression, self-harming behaviors, etc.) not attributable to diagnosed condition, substance abuse, or non-abuse issue but is due to the actions of a caregiver or other person</p> <p><b>AND</b></p> <p>These acts negatively impacting their ability to function or worsens their mental health.</p> <p><i>Including but not limited to the following actions:</i>                      Acts towards the involved adult (e.g., repeatedly humiliates the involved adult in front of others, degrades, ridicules, demeans, etc.);</p> <p>Threatening the involved adult with a weapon;</p> <p>Threatening to commit an act that would meet the definition of physical/mental injury, sexual abuse, chemical/physical restraint, or omission of goods/services;</p> <p>Abuses or kills the involved adult’s pet(s);</p> <p>Threatens to not allow the involved adult to see grandchildren or family members;</p> <p>The person has threatened to lock involved adult in an institution or nursing home not allowing anyone to see them again;</p> <p>Intentionally destroys the involved adult’s property;</p>	<p>A person is threatening harm but there is no indication the involved adult has emotional or mental harm, assess for threat or menacing conduct.</p> <p>Arguments with family members and no indication the involved adult ability to function is impacted.</p> <p>Name calling between the involved adult and other that does not create or cause stress to the involved adult.</p> <p>The involved adult is having declining mental or emotional health but there is no indication it has been caused by a person’s actions.</p> <p>The involved adult is having threats made towards them but there are no observable behaviors or decline in their mental or emotional health, assess the report for Threat or Menacing Conduct.</p> <p>Isolating the involved adult from family/friends to prevent further abuse/neglect.</p>

## PHYSICAL INJURY

Any action or failure to act, performed intentionally or recklessly that causes or is likely to cause harm to an adult;

AND

infliction of physical injury

**Possible allegation scenarios** (not intended to include all the scenarios which may be reported)

Almost Always Assign	Usually Not Assign for this assignment type
<p>The involved adult has burns, fractures, puncture wounds, cuts, welts, or other injuries where explanation is missing or inconsistent and cannot be accounted for by a pre-existing medical/physical condition.</p> <p>The involved adult has life threatening injuries due to abuse or inconsistent explanation.</p> <p>Involved adult is slapped, hit, punched, kicked, pushed, pinched, twisted arm, tripped, hair pulled, force fed, etc. by their caregiver or another person.</p> <p>Objects are being thrown at the involved adult with the intent of physical harm.</p> <p>The involved adult was choked or strangled by caregiver or another person.</p> <p>The involved adult has a broken bone and indicates it was caused from abuse.</p> <p>Using extremely hot water to bathe the involved adult to the extent they suffer burns.</p> <p>The involved adult has fingerprints or handprints visible on the face, neck, arms or wrists.</p> <p>Suspicious injuries on the involved adult include but are not limited to tearing of skin behind the ear, facial injury, injury on several surfaces, injury with a pattern, injury on the genitalia or buttocks.</p> <p>The involved adult is bed bound and the injuries are not in locations normally associated with pressure wounds.</p> <p>The involved adult presents to the doctor with unexplained or untreated injuries that are consistent with physical abuse.</p> <p>The involved adult has an injury caused by an object such as a belt, cord, fly swatter, cigarette, etc.</p> <p>Involved adult has multiple injuries that are in various stages of healing.</p>	<p>Consider screening for Self-Neglect or neglect by caregiver if the physical injury of the involved adult is due to medical condition (ex. wounds on feet attributed to diabetes, pressures or bed sores, etc).</p> <p>Consider screening for Threat or Menacing Conduct if a person has threatened physical harm but has not followed through.</p> <p>If the alleged perpetrator is under the age of 18, consider assessing for child protection services regarding child behavior problems also.</p> <p>Consumer to consumer physical fights where injuries have occurred, consider if a staff responsible should have intervened and assess for neglect.</p> <p>Involved adult has self-inflicted injuries, consider assessing for self-neglect or neglect.</p>

## SEXUAL ABUSE

Any action or failure to act, performed intentionally or recklessly that causes or is likely to cause harm to an adult;

AND

Any sexual act with an adult when the adult does not consent or when the other person knows or should know that the adult is incapable of resisting or declining consent to the sexual act due to mental deficiency or disease or due to fear of retribution or hardship;

### Possible allegation scenarios (not intended to include all the scenarios which may be reported)

Almost Always Assign	Usually Not Assign for this assignment type
<p>Involved adult discloses non-consensual sexual act, regardless of the relationship to the victim.</p> <p>Involved adult is incapacitated or unable to consent and has signs of sexual abuse such as unexplained STI's, injuries to genitals or anal area, pregnancy etc.</p> <p>Involved adult is depicted in pornographic materials  <b>AND</b>                      the involved adult was unable to consent or lacks capacity to their production OR they were made using force or coercion.</p> <p>Medical professional suspects sexual abuse of the involved adult.</p> <p>Involved adult lacks capacity to engage in a consensual relationship.</p> <p>Involved adult is having a sexual relationship with a person who is an employee at a group home, a teacher, or person in another position of power.</p> <p>The involved adult is being human trafficked by anyone.</p>	<p>Both individuals are vulnerable, unless there is a significant difference in their capacity and/or ability to consent (ex. both adults have IDD, one functions at level of two year old, the other is high functioning, then assign. If both are high functioning, don't assign.)</p> <p>The involved adult is engaging in risky sexual behaviors (ex. having sexual encounters with strangers; having unprotected sex) and have the ability to give consent.</p> <p>Process and assess for child protection services if the involved adult is engaging in sexual acts with a person under the age of 16.</p> <p>If the sexual abuse occurs in the nursing home or the hospital  <b>AND</b>                      the alleged perpetrator was an employee of the nursing home or hospital, it would be referred to other agency for assessment.</p>

## THREAT OR MENACING CONDUCT

Any action or failure to act, performed intentionally or recklessly that causes or is likely to cause harm to an adult;

AND

A threat or menacing conduct directed toward an adult that results or might reasonably be expected to result in fear or emotional or mental distress to an adult.

### Possible allegation scenarios (not intended to include all the scenarios which may be reported)

Almost Always Assign	Usually Not Assign for this assignment type
<p>Acts towards the involved adult (e.g., repeatedly humiliates a person in front of others, degrades, ridicules, demeans, etc.).</p> <p>Threatening the involved adult with a weapon.</p> <p>Threatening to commit an act that would meet the definition of physical/mental injury, sexual abuse, chemical/physical restraint, or omission of goods/services.</p> <p>Threatening to not allow involved adult to see grandchildren, family members or pets.</p> <p>Threatening to lock the involved adult in an institution or nursing home, not allowing one to see others.</p> <p>Intentionally destroys the involved adult’s property.</p> <p><i>If the involved adult is having observable or substantial impact on their mental or psychological ability to function due to the threatening or menacing conduct, also assess for Mental Injury.</i></p>	<p>Arguments with family members and no indication the adult has an impact on their ability to function.</p> <p>Name calling between adult and other that does not create or cause stress.</p> <p>A threatening comment made out of anger and the person did not follow through with the threat.</p> <p>Consumer to consumer threats made towards each other but no indication of follow through.</p>

## FINANCIAL EXPLOITATION

Means the unlawful or improper use, control or withholding of an adult's property, income, resources or trust funds by any other person or entity in a manner that is not for the profit of or to the advantage of the adult. "Financial Exploitation" includes, but is not limited to:

### Possible allegation scenarios (not intended to include all the scenarios which may be reported)

<p style="text-align: center;">Almost Always Assign  <i>with consideration of the above factors</i></p>	<p style="text-align: center;">Usually Not Assign for this assignment type  <i>Unless multiple factors above indicate or increase likelihood of harm</i></p>
<p>The use of deception, intimidation, coercion, extortion or undue influence to obtain or use an adult's property, income, resources or trust funds in a manner for the profit of or to the advantage of such person or entity; OR</p> <p>The obtainment or use of an adult's property, income, resources or trust funds, without lawful authority, by a person or entity who knows or clearly should know that the adult lacks the capacity to consent to the release or use of such adult's property, income, resources or trust funds.</p> <p>A person asks the involved adult to sign documents, such as: loans, credit cards, leases, wills, other legal documents, etc., knowing the involved adult lacks capacity to understand and the action(s) do not benefit the involved adult.</p> <p>Any person who convinces the involved adult to send them an excessive amount of money. For example, a person in another country requests wire transfer, someone on Facebook requests money, checks or gifts to person, Pre-Paid Visa Cards, gift cards, important documents are missing (titles to properties, driver's license, social security card, wills, etc.), multiple bank visits, payday or title loans, etc.</p> <p>A person who the involved adult recently met moves into the home and starts to misuse their assets (money, home, car, property, adding name to bank account, life insurance, etc.).</p> <p>A person living in the involved adult's home, not contributing to the household income and the involved adult is paying all bills.</p> <p>Scams to the involved adult when they are over the age of 60 or mentally impaired (sweepstakes or lottery winner if you send a \$100 you'll receive a car).</p> <p>The breach of a fiduciary duty, including, but not limited to, the misuse of a power of attorney, trust or a guardianship or conservatorship appointment, as it relates to the property, income, resources or trust funds of the adult;</p> <ul style="list-style-type: none"> <li>• Giving away money</li> <li>• Checks or gifts to people with no explanation</li> <li>• Signatures not matching on financial documents</li> <li>• Paying self for care (not reasonable amount) no care contract</li> <li>• Taking involved adult to the bank for numerous withdrawals.</li> <li>• Person is using involved adult's money for their own personal bills and expenses.</li> <li>• Any cases in which an Involved Adult (IA) loses money due to their advisor's fraudulent or negligent actions</li> <li>• Misrepresenting potential conflicts of interest</li> </ul> <p><i>Assess to determine if Neglect has also occurred.</i></p>	<p>The DPOA, payee, guardian or other responsible person and involved adult have a joint bank account and no indication of misappropriation of funds.</p> <p>Payee is meeting financial needs of involved adult but not giving additional funds as requested by the involved adult.</p> <p>The DPOA, payee, guardian or other responsible person is not paying the bill at a nursing home, facility or community based services</p> <p><b>AND</b>  no indication of misappropriation of funds, consider screening for neglect.</p> <p>Person given a debit card to use to purchase goods for the involved adult and used appropriately.</p> <p>Submitting hours for work not performed consider screening for neglect by caregiver, forward on to fraud.</p>



## NEGLECT

**Neglect:** The failure or omission by one’s self, caretaker or another person with a duty to supply or to provide goods or services which are reasonably necessary to ensure safety and well-being and to avoid physical or mental harm or illness K.S.A. 39-1430 (c).

**Possible allegation scenarios (not intended to include all the scenarios which may be reported)**

Almost Always Assign	Usually Not Assign for this assignment type
<p><i>Consider if the neglect is caused by a caregiver or another person. If not, consider screening for self-neglect.</i></p> <p>Caregiver or another person is refusing to allow in home care needed for the involved adult. The caregiver or other adult will not allow people into the home.</p> <p>Caregiver or another person allows the household to pose a danger to the involved adult; lack of utilities during weather extremes, medical need for electricity, pest infestation or mold in the home with the presence of breathing problems, etc.</p> <p>Caregiver or another person is withholding or limiting food from the involved adult and the involved adult has significant weight loss indicating malnourishment due to the actions or inactions of the caregiver or another person.</p> <p>Caregiver or another adult is not taking the involved adult to medical or mental health appointments, is refusing to purchase the medical equipment or assistive devices the involved adult needs, will not purchase required medication, or intentionally withholds prescribed medications for long periods of time, or is causing them to miss medication which is impacting or likely to impact their mental or physical health.</p> <p>Activities of daily living are not being provided by caretaker or another person, resulting in harm and/or deterioration to the involved adult.</p> <p>Caretaker or another adult failing to seek services from the community to assist with involved adults needs.</p> <p>Caregiver or another adult is failing to remove the involved adult from a hoarding situation and the involved adult’s health is endangered, such as; no pathways, fire hazards, animal feces, dead animals, trash, excessive bug infestation, etc.</p> <p>Caregiver or another adult has failed to pay for housing or nursing home AND the person is being evicted or discharged with no adequate services available.</p> <p><i>Assess to determine if Financial Exploitation has also occurred.</i></p>	<p>Family or friends do not agree with the care provided to the involved adult AND no indication of neglect.</p> <p>There is landlord and tenant conflict due to conditions of the home AND the caregiver or another person is attempting to resolve the issues.</p> <p>Hoarding situation that does not pose a hazard to the involved adult’s health.</p> <p>Caregiver or another adult is providing adequate care, but the involved adult is non-compliant or is making dangerous decision. Examples: refusing to bathe, does not cooperate with dietary needs, or refusal of medication, etc.</p> <p>The involved adult is on a special diet and needs to eat specific foods for their health but claims to not want to eat the food provided.</p> <p>The involved adult is refusing to eat but is being provided food, consider assessing the report for Self-Neglect.</p> <p>The involved adult was not fed on one occasion and there is no malnourishment or ill effect on the person.</p> <p>Involved adult and caregiver do not have funds to pay for in home services and no indication the needs of the involved adult are not being met.</p> <p>The family did not purchase medical equipment or assistive devices but has other means of assuring the involved adult’s needs are met.</p> <p>The involved adult wants to take over the counter medication or supplement, but caretaker is not providing</p> <p>The involved adult was not given their medication accidentally on one occasion.</p> <p>Caregiver declines in home services and no indication the involved adult’s needs are not being met.</p>

## SELF-NEGLECT

**Self-Neglect:** An adult who fails to meet their own essential physical, psychological or social needs, which threatens their health, safety and well-being. This includes failure to provide adequate food, clothing, shelter and health care for one’s own needs.

### Possible allegation scenarios (not intended to include all the scenarios which may be reported)

<p>Almost Always Assign  <i>with consideration of the above factors</i></p>	<p>Usually Not Assign for this assignment type  <i>Unless multiple factors above indicate or increase likelihood of harm</i></p>
<p>Involved adult’s household poses a danger: due to the lack of utilities during weather extremes, medical need for electricity, pest infestation or mold in the home with the presence of breathing problems.</p> <p>The involved adult has significant weight loss indicating malnourishment due to their own actions.</p> <p>The involved adult is noncompliant with medications, medical or mental health appointments  <b>AND</b>                      impact to their mental or physical health is observed.</p> <p>Involved adult exhibits safety and/or self-harm behaviors (wandering from home, inappropriate attire for weather, etc.).</p> <p>Unable to complete activities of daily living, resulting in harm and/or deterioration to involved adult.</p> <p>Hoarding situation and the involved adult’s health is endangered, such as: no path ways, fire hazards, animal feces, dead animals, trash, excessive bug infestation, etc.</p> <p>The involved adult is refusing, incapable, unable or unwilling to seeking out necessary services to protect their health and safety.</p> <p>The involved adult is hospitalized AND is leaving against medical advice (AMA), unwilling to accept services to prevent future hospitalization, is refusing care after discharge or has a pattern of hospitalization for similar concerns.</p>	<p>Involved adult is in the hospital and services to meet their needs can be attained through discharge planning AND the involved adult is willing to accept the services.</p> <p>Mental health diagnosis involved adult with no indication of self-neglect.</p> <p>Substance abuse of involved adult who has capacity to make their own decisions and no indication of self-neglect.</p> <p>Family or friends do not agree with the lifestyle of the involved adult AND no indication of neglect.</p> <p>Hoarding situation that does not pose a hazard to the involved adult’s health.</p> <p>Involved adult is homeless and no indication they are not having their physical or mental needs met.</p> <p>Involved adult continues to drive and poses a safety risk to themselves and others.</p> <p>Involved adult’s failure to comply in a care-giving facility on self-care needs such as: refusing to bathe, does not cooperate with dietary needs, or refusal of meds AND no harm to the involved adult as a result.</p> <p>Requests for guardianship when no other concerns (abuse / neglect) are present.</p> <p>The person is refusing to eat but is being provided food and no indication of malnourishment.</p> <p>The involved adult is on end of life care and choosing not to eat.</p>

## Response Time Determination

***Meets criteria for 24-hour response if one of the following is checked (Abuse and Neglect only):***

- Involved adult is in imminent danger or immediate risk of death or serious physical harm
- Current marks or injury to the involved adult and the alleged perpetrator has access
- Sexual Abuse AND the perpetrator has access
- Involved adult is bedbound – cannot get out of bed AND has no caregiver
- Involved adult is at the hospital AND leaving against medical advice (AMA)
- Involved adult lacks capacity AND needs emergency medical care or hospitalization
- Involved adult lacks capacity AND is wandering away from home
- Involved adult is without electricity AND relies on life sustaining equipment
- Involved adult is without utilities AND without a way to keep the home cool or warm. A heat advisory has been issued or temperatures are below freezing.
- Involved adult is making threats of suicide with a plan (If not vulnerable notify law enforcement)
- Involved adult is physically leaving the facility or has left the facility at the time the report was made AND cannot provide care for themselves or does not have a caregiver available

***Meets criteria for 3-day response if one of the following is checked (Abuse only):***

- Physical abuse allegation with no current marks or injury

***Meets criteria for 5-day response if one of the following is checked (Neglect and Financial Exploitation only):***

- Self-Neglect of the involved adult that is not life threatening
- Neglect by a caregiver that is not life threatening
- Financial Exploitation by the alleged perpetrator
- Involved adult is homeless and living on the streets (does not include if staying at a shelter or with friends)