



Understanding, Preventing and Eliminating Elder Abuse in Montgomery County

WHAT IS ELDER ABUSE?

In Pennsylvania, elder abuse is defined as the abuse (physical, sexual, or emotional), financial exploitation, neglect, or abandonment of a person at least 60 years old.

The Protection from Abuse Act (23 Pa.C.S. §6101 et seq.) defines abuse as: The occurrence of one or more of the following *between household members, intimate partners or persons who share biological parenthood*: attempting to cause or intentionally, knowingly or recklessly causing bodily injury, serious bodily injury, rape, spousal sexual assault or involuntary deviate sexual intercourse with or without a deadly weapon; placing another in reasonable fear of imminent serious bodily injury; infliction of false imprisonment; knowingly engaging in a course of conduct ... which places the person in reasonable fear of bodily injury.

IS ELDER ABUSE A CRIME?

Two Pennsylvania statutes specifically criminalize elder abuse: The Older Adult Protective Services Act (OAPSA) and the Criminal Neglect of a Care Dependent Individual (Act 28 of 1995, 18 Pa.C.S.A. §2713), create criminal and administrative penalties for elder abuse.

WARNING SIGNS OF ELDER ABUSE

The most *frequently reported forms of elder abuse* in Pennsylvania are self-neglect, caregiver neglect, financial exploitation and emotional abuse. *Primary risk factors* for elder abuse are: an adult child who is dependent upon an older adult, a history of domestic violence in the home, living with others in isolation, and the alleged abuser having mental illness or substance abuse problems.

Obvious signs are physical or sexual abuse or neglect, such as bruises or other injuries. However, subtle warning signs are more common - an older person who suddenly becomes more withdrawn and evasive, a person of influence in the senior's life living beyond their means or accompanying the senior to the bank, the senior's resources suddenly becoming depleted, running out of prescription medications before they are ready to be re-filled, bedsores, sunken eyes, or weight loss.

MANDATORY REPORTING OF ELDER ABUSE

OAPSA, as amended by Act 13 of 1997, mandates reporting of suspected abuse in very limited instances only. (35 P.S. §10211, et seq.).

Employees and administrators of nursing homes, personal care homes, domiciliary care homes, adult day care centers and home health care must report abuse involving serious injury, sexual abuse, or suspicious death to both the police and Pennsylvania Department of Aging (through *Montgomery County Aging & Adult Services*, 610-278-3601 or the *Montgomery County Protective Services Hotline* at 1-800-734-2020) or face administrative and criminal penalties. Reports of elder abuse made to the government must be investigated rapidly. Criminal Neglect under Act 28 must also be immediately reported to local law enforcement or the Pennsylvania Attorney General.

Before reporting, you must determine the degree of danger and risk the older person faces. If the older person is in **imminent danger**—meaning that you know that he or she is being abused and his or her life is in danger— call 911 immediately. You may also contact the Pennsylvania Statewide Elder Abuse Hotline at 1-800-490-8505. If you believe that an older person is **possibly being abused or neglected**, be observant and gather information. Additionally, listed below are many resources where you can learn more or report suspected abuse or neglect.