

Report to
The Vermont Legislature


**Annual Report on
Adult Protective Services for State Fiscal Year 2017**

In Accordance with Act 79 (2005), Sec. 12, as amended by Act 46, (2013), Sec. 3,
An act relating to criminal abuse, neglect, and exploitation of vulnerable adults.

Submitted to: **Senate Committee on Judiciary**
Senate Committee on Health and Welfare
House Committee on Judiciary
House Committee on Human Services

Submitted by: **Al Gobeille**
Secretary
Agency of Human Services

Monica Caserta Hutt
Commissioner
Department of Disabilities, Aging, and Independent Living

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Director
Division of Licensing and Protection

Report Date: **January 2, 2018**

Reporting Requirement to Vermont Legislature

On or before January 15 of each year until January 15, 2018, the Secretary of the Agency of Human Services shall submit a report on Adult Protective Services (APS) to the House and Senate Committees on Judiciary, the House Committee on Human Services, and the Senate Committee on Health and Welfare. This report is required by Act 79 (2005), Sec. 12, as amended by Act 46, (2013), Sec. 3, which is provided at Appendix A.

The Division of Licensing and Protection (DLP) in the Department of Disabilities, Aging and Independent Living (DAIL), Agency of Human Services (AHS), is pleased to present this State Fiscal Year 2017 (SFY17) Legislative Report on APS. Below is a narrative description of APS activities for SFY17, followed by the data required by Act 46 at Appendix B.

Dedication to Lynn Holland-Kelley

This annual report is dedicated to the memory of Lynn Holland-Kelley. Lynn died on January 5, 2017, after a prolonged battle with cancer. She was an APS Investigator who spent years nurturing and supporting vulnerable adults in New Hampshire and Vermont, and her exceptional determination and humor was an inspiration to her coworkers.

Examples of Adult Protective Services' Work

Adult Protective Services (APS) is committed to the DAAL mission of making Vermont the best state to grow old or live with a disability, with respect, dignity, and independence. This mission is the common thread behind these stories.

Newly Vulnerable

The first story doesn't involve an investigation or the maltreatment of a vulnerable adult. Instead it shows how filing a report can help prevent someone from becoming more vulnerable. A concerned community member filed a report because they were worried about their neighbor's ability to manage their finances. The reporter didn't suspect financial exploitation, but they knew their neighbor was feeling overwhelmed since their spouse died earlier that year. The spouse had handled the couple's finances, and the surviving partner was stepping into a new and unfamiliar role. APS didn't initiate an investigation, but did connect this person with their local Area Agency on Aging, where they received support in managing their finances. APS connected a Vermonter to services available in their community, which helped this person stay independent and in control of their financial life.

Addiction Fuels Exploitation

A grandmother doted on her grandson. Unfortunately, the grandson, like many Vermonters, became addicted to opioids. The grandson used his relationship with his grandmother to access her retirement savings to feed his addiction, despite attempts by the grandmother's children to stop the financial exploitation. APS worked with the grandmother, so she would understand how the exploitation was occurring, and then worked with her and her children to implement appropriate protective measures to preserve her assets.

The Helpful Friend

An older woman with complex health conditions wanted to stay independent and continue living in her home. She recently made a new friend, a younger man who was out of work and needed a place to stay. She invited the man into her home, hoping he would help her while he looked for work. As a private citizen, she had no way of knowing he was already on the Adult Abuse Registry for financial exploitation. Out of state relatives noticed suspicious withdrawals from the woman's account and determined the new friend had forged checks. In trying to get the man removed, the family was told they would have to follow an eviction process that could take months. Within 24 hours of a face-to-face meeting with the woman, an APS Investigator had obtained a relief from abuse order that removed the man from the woman's home, and the man is now being prosecuted for felony forgery.

Doing Her Best

APS received a report that a woman with developmental disabilities was being neglected by her caregiver, who was her mother. The daughter was routinely found by

local law enforcement wandering at night, sometimes in dangerous locations. The APS Investigator interviewed the mother and learned she was doing her best to care for her daughter, but had her own health issues and was at a loss for how to remedy the situation. The APS Investigator helped the mother identify a motion tracking system that would alert her if her daughter got up in the middle of the night. There have been no reports of wandering since the system was in place, allowing the daughter to safely stay at home with her mom as she prefers.

Opportunistic Fraud

An older gentleman lived at home with his daughter, who was also a vulnerable adult. When the father became ill and needed to be admitted to a nursing home, his neighbor fraudulently gained control of his property with the assistance of a notary public who notarized falsified signatures. After the father died, the daughter was compelled to move out of her family home because of the fraud. The APS Investigator was able to uncover evidence of the fraud and work with local law enforcement. The neighbor and notary are now being prosecuted, and the daughter has returned to her home.

As described later in this report, many investigations involve individuals who have had numerous interactions with APS...

Dependency on Vulnerable Breadwinner

Over the past seven years, dozens of reports have been filed regarding a vulnerable adult cared for by his family. The resulting investigations document how the family relied on the vulnerable adult's government assistance to navigate their own generational poverty and addictions. APS would conduct investigations and implement protective services, only to have the vulnerable adult and family undermine these protective services at the completion of the investigation. This led to a cycle of physical and emotional abuse, neglect, and exploitation, all of which were denied by the vulnerable adult, who was devoted to his family and chose to remain with them. In 2017 this cycle stopped when the vulnerable adult chose to leave this situation. With the assistance of APS, they have a public guardian and are living in a new, supportive home environment where they are thriving and are healthier than at any time during APS history with them.

There are common themes in APS investigations evidenced in the stories above. One theme is that for each situation the alleged perpetrator is either a family member or a close acquaintance. Our culture's concern about "stranger danger" is not reflected in the experience of APS. In SFY17, 58% of the alleged perpetrators for APS investigations that concluded with a recommendation of substantiation were family, friends, or known community members. For all reports received in SFY17, in only 15% of reports received was there no known connection between the alleged perpetrator and the alleged victim. This creates a complicated dynamic for investigators looking to protect vulnerable Vermonters from people to whom they likely have emotional connections, as you can see in the examples above.

Adult Protective Services' Mission and Organizational Structure

APS is the primary unit of state government responsible for investigating allegations of abuse, neglect and exploitation of vulnerable adults under Title 33 of Vermont Statutes. APS is a program within the Division of Licensing and Protection (DLP), with the Assistant Director for Adult Protective Services reporting to the DLP Director. DLP also houses Survey and Certification (S&C). S&C monitors licensed health care facilities for compliance with state and federal regulations, and they conduct their own investigations in response to complaints and self-reports from the facilities.

During SFY17, APS was staffed with 16 FTE positions, as follows:

- 1 Assistant Director for APS (APS Director at central office)
- 2 APS Field Supervisors (.5 FTE Supervision/.5 FTE Investigator home based)
- 9 APS Investigators (home based)
- 1 APS Intake and Services Coordinator (Intake and Screening at central office)
- 2 Program Specialists (Intake at central office)
- 1 APS Senior Planning Coordinator (IT System Administration/Administrative at central office)

Services Delivered

Community Outreach and Education

APS continued to provide monthly mandatory reporter training at the Waterbury State Office Complex for both state employees and community partners. In addition, APS published a Vermont Vulnerable Adult Mandatory Reporter Training video on YouTube. This replaces outdated training videos on DVD and VHS previously used by many healthcare facilities and can be updated when changes occur so that viewers will always have current training available. In addition, APS began working with AHS Field Services Directors in SFY17 to initiate regional APS outreach and training that will continue into SFY18 and beyond.

Intake and Screening

All APS investigative activities begin with a report filed with intake staff. Within 48 hours of receiving a complete report, APS staff determine if the alleged victim is a vulnerable adult and if the allegations meet the statutory definitions for abuse, neglect, or exploitation. If both criteria are met, an investigation is assigned. If the report is not complete and criteria are not clear, APS intake staff have four business days to gather additional information from the reporter or others who may have knowledge of the situation. If intake staff still don't have enough information to determine if the alleged victim is a vulnerable adult, an APS Investigator may be

sent to perform a field screen to make a determination about vulnerability. Field screens are to be completed within 6 business days, or they automatically convert to an investigation, which means that all reports should have a screening decision within 10 business days to be fully compliant with the APS Policy Manual.

APS intake staff also:

- Assesses the alleged victim’s situation to determine if referrals should be made to service providers or law enforcement.
- Notifies the person who made the report of the screening decision via mail, to include their appeal rights if the screening decision is to not investigate.
- Notifies the alleged victim via mail that a report was made if the screening decision is to not investigate.

In SFY17, APS restructured its intake staffing, converting a vacant APS Investigator position into an APS Intake and Services Coordinator which was filled in July 2016. This change ensured the intake and screening function had the same level of supervisory support as our investigative work and created a higher level of consistency in the process. This also addressed the issue identified in last year’s APS Annual Report regarding insufficient intake capacity. One key change to the restructuring is that Program Specialists are no longer required to both gather report information and make a final screening decision. Since December of 2016, all final screening decisions have been made by an APS staff member in a supervisory or managerial level position, which ensured all reports were reviewed by at least two employees and at least one supervisor. This resulted in more consistent screening decisions and improved the quality of the information provided to investigators when reports are screened in for investigation.

Intake and Screening Data

In SFY17, APS received 3,261 reports. In comparison, APS receive 3,312 reports in SFY16, indicating a 2% decrease in the total number of reports received from SFY16 to SFY17.

In SFY17, the median number of days for a screening decision was 2 business days, with 78% of reports receiving a screening decision and assignment made within 4 business days. There was a marked difference in timeliness, however, between the first and second halves of the year. From July through December 2016, APS received 1,473 reports, and 68% of reports were screened and assigned, if necessary, within 4 business days. From January through June 2017, APS received 1,696 reports, a 15% increase from the first half of the year, and 85% of reports were screened and assigned, if necessary, within 4 business days. This change is a result of filling a vacant Program Specialist position and the improved efficiency of the new screening system with the addition of the APS Intake and Services Coordinator.

Below is a table showing the percentage of reports completed by the number of business days since report receipt, broken out by the first and second half of SFY17. Investigations involving a field screen were removed.

| Number of Business Days Until Screening Decision | % Screened for July 2016 to December 2016 | % Screened for January 2017 to June 2017 |
|--|---|--|
| Same Day Report Received | 17% | 21% |
| 1 Business Day | 22% | 28% |
| 2 Business Days | 13% | 12% |
| 3 Business Days | 9% | 14% |
| 4 Business Days | 8% | 10% |
| 5 Business Days | 8% | 7% |
| 6 Business Days | 8% | 3% |
| 7 Business Days | 8% | 2% |
| 8 Business Days | 4% | 1% |
| 9 Business Days | 2% | 0.5% |
| 10 or More Business Days | 1% | 0.5% |

Of the 3,261 reports received, 93 required a field screen to determine if the alleged victim was a vulnerable adult, which was 3% of the total. Of the field screens, 82% were completed within 10 business days of receiving the report, and 28 were screened in for investigation, which was 30% of the total.

Of the 3,261 reports received, there were 2,883 unduplicated alleged victims. In 35% of the reports received, APS had no previous reports involving either the alleged victim or the alleged perpetrator. In 65%, APS had previously received a report involving either the alleged victim or the alleged perpetrator. In 17%, APS had previously received five or more reports involving either the alleged victim or the alleged perpetrator. **This data shows that the majority of reports received involve at least one individual previously known to APS, with one in six reports involving individuals with a high number of APS interactions.**

Of the 3,261 reports received, in 997 of the reports the alleged victim was a resident of a facility licensed by DLP, which was 31% of the total. These facilities include but are not limited to assisted living residences, nursing homes, psychiatric hospitals, residential care homes, and therapeutic community residences. Of the 997 reports, 176 were screened in, which was 18% of the total. This lower screen in rate is consistent with feedback received from mandatory reporters working at facilities who indicate they will over report to ensure compliance with reporting requirements.

Below is a table showing the reporting options, number or reports received by option, and the screening rate for each option. In person reports typically involve a report made by an AHS employee working in the Waterbury State Office Complex.

| Reporting Method Used | Total Reports Received | % of Total Reports Received | % of Reports Screened In |
|-----------------------|------------------------|-----------------------------|--------------------------|
| Web Intake | 1,837 | 56% | 26% |
| Telephone | 483 | 15% | 30% |
| Fax | 463 | 14% | 23% |
| Email | 400 | 12% | 26% |
| Uncharacterized | 57 | 2% | 19% |
| Mail | 16 | 0.4% | 13% |
| In Person | 5 | 0.2% | 60% |

Investigation and Investigation Data

When a report is screened in for investigation, the APS Investigator will interview the reporter, the alleged victim, and any other relevant witnesses, along with reviewing any available documentation. They will also provide the alleged perpetrator with an opportunity to present information. At the conclusion of the investigation, they will make a recommendation for substantiation to the DAIL Commissioner if the evidence indicates there was abuse, neglect, or exploitation. The results of a substantiation are described below under the Reviews and Appeals and the Adult Abuse Registry sections.

There are nine APS Investigators broken into two teams, with two APS Field Supervisors. The APS Field Supervisors carry half an investigation load, and the two teams are broken out into northern and southern regions.

In SFY17, APS assigned 852 reports for investigation. In previous years, investigations and field screens were counted together in accordance with the APS Policy Manual, so a comparison to SFY16 data cannot be made. The policy manual was amended in May 2016 so that field screens would be reported as part of the intake and screening function and not part of investigation function, as field screens are, by definition, an extension of the screening process.

In SFY17, APS completed 664 investigations and 20 field screens that were initiated prior to the May 2016 policy manual change and therefore are included in the investigation data. In comparison, in SFY16, APS completed 624 investigations, representing a 6% increase between SFY16 and SFY17.

Of the 664 investigations completed, 132 resulted with a recommendation of substantiation, for a substantiation rate of 20%. In comparison, in SFY16, 97 investigations concluded with a recommendation of substantiation, with a substantiation rate of 16%. **There was a 36% increase in the number of recommended substantiations between SFY16 and SFY17.**

Of the 664 investigations completed, in 112 investigations the alleged victim was a resident of a licensed facility, which was 17% of total investigations. Those 112 investigations resulted in 31

recommendations of substantiation, for a 28% substantiation rate. In comparison, in SFY16, 14 investigations where the alleged victim was a resident of a licensed facility resulted in a recommendation of substantiation, **representing a 121% increase between SFY16 and SFY17.**

There are three types of allegations that APS investigates: abuse, neglect by a caregiver, and exploitation. Exploitation consists of both financial exploitation and sexual exploitation. For this report, we will consider four types of allegations, with financial and sexual exploitation examined separately.

About 1 in 6 investigations have multiple allegation types. This is referred to as polyvictimization. Research completed by the National Adult Protective Services Association (NAPSA) suggests that victims who are maltreated through one allegation type are more likely to be maltreated through other allegation types as well. The table below shows the number of investigations broken out by the number of allegation types, demonstrating that 16% of investigations had multiple allegation types.

| Number of Allegation Types | Number of Investigations | # of Recommended Substantiations | Substantiation Rate |
|----------------------------|--------------------------|----------------------------------|---------------------|
| 0 | 4 | 0 | 0% |
| 1 | 553 | 95 | 17% |
| 2 | 84 | 25 | 30% |
| 3 | 23 | 9 | 39% |
| 4 | 0 | 0 | 0% |

The table below shows the number of investigations that had an allegation of each allegation type, omitting the four investigations listed above without an allegation type and keeping in mind that 16% of investigations had multiple allegation types.

| Allegation Type | Number of Investigations | % Investigations with this Allegation Type | # of Recommended Substantiations | Substantiation Rate |
|------------------------|--------------------------|--|----------------------------------|---------------------|
| Abuse | 295 | 44% | 58 | 20% |
| Financial Exploitation | 280 | 42% | 67 | 24% |
| Neglect | 163 | 25% | 33 | 20% |
| Sexual Exploitation | 52 | 8% | 14 | 27% |

The APS Policy Manual provides timelines for investigation completion. Investigators should conclude their investigation and submit their report within 60 days for investigations involving abuse or neglect, and 90 days for investigations involving exploitation. The manual also provides guidance on when investigators can request extensions to complete an investigation.

In SFY17, of the 664 investigations completed, 43% were completed within the timelines described above, and 32% had an approved extension. **This brings the total percentage of investigations completed either on time or with an approved extension to 75%.**

Of the 664 investigations completed, 213 had approved extensions. The average number of days for investigation completion for investigations without an extension was 70, with a median of 52 days. For all investigations, including those with an approved extension, the average number of days for investigation completion was 111, with a median of 78.

In examining the timeliness of completed investigations, there was a marked difference depending on the investigation conclusion. In SFY17, the average number of days for investigation completion for unsubstantiated investigations, including those with an extension, was 87 days, with a median of 69 days. The average number of days for investigation completion for investigations recommending substantiation, including those with an extension, was 215 days, with a median of 154 days.

When considering all investigations, the averages are skewed by investigations that have appropriate extensions but may be open for multiple years, primarily as a result of ongoing law enforcement investigations and criminal prosecutions. In SFY17, 10 investigations closed that took more than 500 days to complete. These investigations had appropriate extensions and had been documented in previous APS Annual Reports. Removing just these 10 investigations reduced the average number of days for completion of all investigations from 111 days to 101 days. This shows how the median may be a more accurate reflection of the time it takes to complete typical investigations when those investigations with extensions are not removed from the data pool.

Investigator Caseload Data

In SFY17, the average daily caseload for APS Investigators was 20, a slight increase from the 19 in SFY16 but substantially lower than the 29 in SFY15.

In SFY17, the average daily open investigations remained at 216. In SFY15, the average open daily caseload was 314.

In SFY17, each investigator averaged completing 64 investigations, or 1.2 per week.

Protective Services

The investigator will discuss with the alleged victim and/or their legal representative appropriate protective services. Except where protective services are court ordered, the investigator works to implement protective services agreed to by the victim or their

representative. Victims with decisional capacity can choose to decline all services. Some services typically offered include:

- Referrals to service providers, including case management, guardianship services, mental health and developmental services, law enforcement, and health care.
- Securing change of representative payee.
- Petitioning for removal of a court-appointed guardian.
- Notifying and filing a misuse of funds report with the Social Security Administration.
- Alerting financial institutions of misappropriation of funds.
- Assisting the client to close/change banking or other accounts.
- Intervening in cases of identity theft.
- Petitioning for guardianship.
- Filing for temporary restraining orders and relief from abuse orders.

A Services and Protection Summary is required for completion in all investigations where the alleged victim is determined to be a vulnerable adult, and is optional for investigations where the alleged victim is determined not to be a vulnerable adult but has consented to receiving referrals and protections. The Services and Protection Summary assesses the unmet needs of the alleged victim and documents the referrals to service providers, referrals to law enforcement, and the protective services implemented.

In SFY17, 45 adults with decisional capacity refused protective services from an APS Investigator, representing 7% of the alleged victims involved with an APS investigation. In comparison, the declination rate in SFY16 was 10%, in SFY15 was 19%, and in SFY14 was 37%. This positive, precipitous decline is a result of changes in practice for APS Investigators.

Reviews and Appeals

Reviews and appeals are managed by the DAIL Legal Section on behalf of the DAIL Commissioner. There are three primary reviews and appeal types:

- When an intake is screened out, indicating that APS staff feel that an investigation is not warranted, the reporter may request this decision be reviewed by the DAIL Commissioner.
 - There were 23 reviews of an APS screening decision not to investigate. Of those, 12 of the screening decisions were upheld, resulting in 52% of decisions upheld. In comparison, in SFY16, there were 13 reviews, of which 62% were upheld.
- When an investigator recommends that an investigation **not** be substantiated, the reporter may request this decision be reviewed by the DAIL Commissioner.
 - There were 5 reviews of an APS investigation resulting in unsubstantiation. Of those, 4 were upheld, resulting in 80% of decisions upheld. In comparison, in SFY16, there were 2 reviews, of which 100% were upheld.
- When an investigator recommends substantiation after an investigation, the alleged perpetrator may appeal that decision to the DAIL Commissioner and/or the Human

Services Board (HSB). HSB decisions may then be appealed to the Vermont Supreme Court.

- There were 21 appeals of a recommendation of substantiation that concluded with the DAIL Commissioner. Of those, 12 of the recommendations were upheld, resulting in 57% of decisions upheld. In comparison, for SFY16, there were 41 appeals, of which 76% were upheld.
- There was 1 appeal of a recommendation of substantiation that concluded with the Human Services Board. This appeal was upheld, resulting in 100% of decisions upheld. In comparison, for SFY16, there were 15 appeals that concluded at the Human Services Board, of which 57% were upheld.
- There were no appeals that concluded with the Vermont Supreme Court in SFY17.

Adult Abuse Registry

APS is responsible for maintaining and managing the Vermont Adult Abuse Registry, which provides a confidential listing of individuals who have been substantiated for abuse, neglect and/or exploitation of a vulnerable adult. The registry may be accessed by current or prospective employers whose employees or volunteers serve vulnerable adults and/or children. The Adult Abuse Registry receives over 50,000 checks a year. Each check is partially automated but does require the review and action of an APS staff member to complete, requiring APS to dedicate a minimum of 0.5 FTE to complete the checks.

In SFY17, there were 44 positive matches made when an employer checked the Adult Abuse Registry, indicating that there were 44 instances where an individual on the registry was attempting to work or volunteer where they would have access to children or vulnerable adults.

In SFY17, APS placed 79 individuals on the registry. In comparison, in SFY16, APS placed 64 individuals on the registry, **representing a 23% increase between SFY16 and SFY17.**

The number of individuals placed on the registry will not match the number of investigations recommended for substantiation for two reasons:

- Appeals will delay the addition to the registry if upheld and will prevent individuals from being placed on the registry if overturned.
- When an alleged perpetrator has allegedly harmed multiple vulnerable adults, there will be a separate investigation for each vulnerable adult. As a result, there can be multiple investigations that recommend substantiation against a single individual.

Expungement

After an individual has been placed on the Adult Abuse Registry, they can make a request to the DAIL Commissioner to have their name expunged. To be expunged, individuals generally must

speak to activities they have engaged in to create change in their thinking and/or behavior since the substantiation which indicate a reduced risk to vulnerable adults.

In SFY17, there were 18 expungement requests resulting in the removal of 10 individuals from the Adult Abuse Registry. In comparison, in SFY16, there were 28 expungement requests resulting in the removal of 10 individuals from the Adult Abuse Registry.

Beyond SFY17

APS Committee and File Review

APS continues to find value in working with volunteers and community partners through the APS Committee of the DAIL Advisory Board and through the file review process, where individuals external to APS review reports and investigations to provide feedback. Anyone interested in becoming either a committee member or file reviewer should contact Joe Nusbaum, Assistant Division Director for APS, at joe.nusbaum@vermont.gov.

BANKSAFE

Vermont is one of 10 states that has received a grant from AARP to participate in their BANKSAFE program. BANKSAFE provides customized, online training for front line employees of banks and credit unions so that they can better identify financial exploitation and know the appropriate actions to take when they suspect it. This program will roll out to participating banks and credit unions during the summer of 2018. APS partnered with Senior Solutions, the Vermont Bankers Association, and the Association of Vermont Credit Unions on the grant. Vermont is the only grant recipient that has trade associations included on the grant team to help develop and promote the use of this training.

Statutory Review

The statutory language establishing APS was written in the 1970s, at a time when vulnerable adults were largely cared for in institutional settings and there were very different views on the ability of vulnerable adults to make decisions regarding their own care and life. APS will be working with both internal and external partners to identify areas of the statute that might benefit from an update.

Regional Outreach

APS will be collaborating with other parts of AHS to host regional gatherings to inform communities and service providers about APS' role, to include mandatory reporter training.

Ongoing SFY17 and Earlier Investigations

There were 852 reports assigned to investigation in SFY17. As of December 30, 2017, all but 34 have been completed (96% completed). Furthermore, there are only 22 ongoing investigations that have been open for more than a year. Six of these investigations pertain to two incidents with multiple alleged victims and alleged perpetrators. Nearly all of these involve a joint investigation with another investigative body, such as local law enforcement, the Office of

Professional Regulation, and the Attorney General's Office. APS field supervisors manage these investigations to ensure they are closed as quickly as possible.

Appendix A: Act 46 (2013), An act relating to adult protective services reporting requirements, Section 3

Sec. 3. 2005 Acts and Resolves No. 79, Sec. 12 is amended to read:

Sec. 12. REPORT

(a) On or before January 15, 2006 and on or before January 15 of each year thereafter until January 15, 2018, the Secretary of Human Services shall submit a report to the following committees: the House and Senate Committees on Judiciary, the House Committee on Human Services, and the Senate Committee on Health and Welfare. The report shall include:

(1)(A) For the preceding year, the number of reports of abuse, exploitation, and neglect:

- (i) received by Adult Protective Services (APS) within the Department of Disabilities, Aging, and Independent Living, and the total number of persons who filed reports.
- (ii) investigated by APS.
- (iii) substantiated by APS.
- (iv) referred to other agencies for investigation by APS regardless of whether reports were opened, substantiated, or unsubstantiated, including identification of each agency and the number of referrals it received.
- (v) referred for protective services by APS, including a summary of the services provided.
- (vi) resulting in a written coordinated treatment plan pursuant to 33 V.S.A. § 6907(a) or a plan of care as defined in 33 V.S.A. § 6902(8).
- (vii) for which an individual was placed on the abuse and neglect registry as the result of a substantiation.
- (viii) referred to law enforcement agencies.
- (ix) for which a penalty was imposed pursuant to 33 V.S.A. § 6913.
- (x) for which actions for intermediate sanctions were brought pursuant to 33 V.S.A. § 7111.

(B) For each type of report required from APS by subdivision (1)(A) of this section, a statistical breakdown of the number of reports according to the type of abuse and to the victim's:

- (i) relationship to the reporter;
- (ii) relationship to the alleged perpetrator;
- (iii) age;
- (iv) disability or impairment; and
- (v) place of residency.

Appendix B: Act 46 Required Data for SFY17^A

| Data Element Label | SFY14 | SFY15 | SFY16 | SFY17 |
|--|-------|-------|-------|-------|
| Number of Reports Received by Intake ^B | 4,037 | 4,295 | 3,835 | 3,261 |
| Number of Reporters | 3,744 | 3,574 | 3,279 | 2,914 |
| Number of Intakes Referred to Investigation or Field Screen ^C | 1,515 | 1,785 | 1,318 | 852 |
| Number of Investigations Substantiated | 165 | 205 | 97 | 132 |
| Referrals to Other Agencies ^D | 2,333 | 2,192 | 1,134 | 100 |
| Other Referral | 206 | 152 | 102 | 33 |
| Law Enforcement | 276 | 327 | 179 | 32 |
| Area Agency on Aging (AAA) | 372 | 325 | 259 | 11 |
| Office of Professional Regulation | 16 | 24 | 17 | 9 |
| Survey and Certification (DLP) | 1,356 | 1,306 | 542 | 4 |
| Vermont Legal Aid | 48 | 35 | 12 | 4 |
| Vermont Attorney General - Medicaid Fraud Unit | 29 | 30 | 12 | 3 |
| Disability Rights Vermont | 18 | 20 | 4 | 3 |
| Department of Health | 5 | 1 | 5 | 1 |
| Other DAAL Division | 7 | 5 | 2 | 0 |
| Referred to Protective Services ^E | 629 | 949 | 489 | 168 |
| Other Protective Service | 96 | 152 | 97 | 35 |
| Arranged for Counseling | 153 | 287 | 154 | 31 |
| Conducted Joint Investigation with Law Enforcement | 83 | 102 | 81 | 30 |
| Arranged for Increased Supervision | 129 | 199 | 63 | 29 |
| Obtained a Temporary Relief from A/N/E Order | 32 | 32 | 22 | 11 |
| Asked Bank to Freeze Accounts | 19 | 26 | 15 | 8 |
| Petitioned for Guardianship | 26 | 21 | 12 | 5 |
| Assisted with the Implementation of a Rep Payee | 28 | 33 | 10 | 5 |
| Assisted with the Execution of a POA | 7 | 8 | 7 | 5 |
| Assisted with Securing Safe Living Conditions | 47 | 69 | 20 | 4 |
| Dissolved a POA | 5 | 8 | 6 | 4 |
| Petitioned to Appoint a Successor Guardian | 4 | 12 | 2 | 1 |
| Protective Services Declined by an Adult with Decisional Capacity | 555 | 331 | 137 | 49 |
| Services and Protections Summaries (Previously Written Coordinated Treatment Plans) ^F | 392 | 489 | 228 | NA |
| Individuals Placed on the Adult Abuse Registry | 95 | 155 | 64 | 79 |
| Penalties Imposed Pursuant to 33 V.S.A. § 6913 | 0 | 0 | 0 | 0 |
| Intermediate Sanctions Brought Pursuant to 33 V.S.A. § 7111 | 0 | 0 | 0 | 0 |

| Data Element Label | SFY14 | SFY15 | SFY16 | SFY17 |
|---|-------|-------|-------|-------|
| Victims' Relationship to Reporter | | | | |
| Health/Medical Professional | 310 | 441 | 336 | 351 |
| Social Worker | 328 | 313 | 247 | 211 |
| Not Documented | 767 | 693 | 601 | 202 |
| Mental Health Staff | 274 | 204 | 190 | 177 |
| Home Health/VNA | 169 | 197 | 165 | 139 |
| Facility Staff | 383 | 342 | 264 | 135 |
| Other | 536 | 545 | 420 | 114 |
| Relative | 207 | 254 | 187 | 90 |
| Developmental Services Staff | 47 | 70 | 107 | 82 |
| Police | 63 | 76 | 84 | 62 |
| AAA | 80 | 103 | 114 | 42 |
| Bank | 22 | 40 | 37 | 30 |
| Friend/Acquaintance | 64 | 75 | 33 | 22 |
| Legal Guardian | 9 | 34 | 46 | 19 |
| Doctor | 14 | 13 | 23 | 13 |
| Non-Family Caregiver | 14 | 20 | 11 | 13 |
| School | 9 | 19 | 20 | 11 |
| Home Provider | 10 | 12 | 5 | 8 |
| Anonymous | 12 | 13 | 13 | 7 |
| Spouse/Partner | 11 | 11 | 16 | 6 |
| Neighbor | 9 | 17 | 19 | 5 |
| Landlord | 0 | 5 | 2 | 2 |
| Ombudsman | 9 | 3 | 1 | 2 |
| Attorney | 16 | 12 | 5 | 1 |
| Fellow Resident/Patient | 3 | 6 | 3 | 1 |
| Probation/Parole Officer | 4 | 6 | 4 | 0 |
| Victims' Relationship to Alleged Perpetrator | | | | |
| Relative | 682 | 839 | 590 | 451 |
| Not Documented | 644 | 671 | 655 | 221 |
| Spouse/Partner | 167 | 244 | 222 | 198 |
| Other | 272 | 299 | 210 | 93 |
| Friend/Acquaintance | 237 | 208 | 128 | 90 |
| Non-Family Caregiver | 117 | 101 | 99 | 87 |
| Fellow Resident/Patient | 409 | 291 | 191 | 80 |
| Facility Staff | 138 | 98 | 66 | 52 |
| Home Provider | 49 | 57 | 76 | 44 |
| Legal Guardian | 41 | 46 | 31 | 26 |
| Health/Medical Professional | 28 | 18 | 54 | 22 |
| Roommate | 0 | 15 | 20 | 20 |
| Home Health/VNA | 40 | 31 | 31 | 18 |
| Neighbor | 45 | 49 | 48 | 16 |
| Developmental Services Staff | 15 | 23 | 16 | 9 |

| Data Element Label | SFY14 | SFY15 | SFY16 | SFY17 |
|-----------------------------|-------|-------|-------|-------|
| Mental Health Staff | 39 | 31 | 19 | 8 |
| Landlord | 0 | 3 | 12 | 5 |
| Attorney | 2 | 3 | 1 | 2 |
| Police | 3 | 0 | 2 | 1 |
| School | 1 | 0 | 1 | 1 |
| Social Worker | 2 | 7 | 4 | 0 |
| Probation/Parole Officer | 0 | 1 | 4 | 0 |
| Doctor | 8 | 4 | 2 | 0 |
| AAA | 1 | 0 | 1 | 0 |
| Ombudsman | 0 | 0 | 1 | 0 |
| Age Range | | | | |
| 18-59 Years Old | 1,358 | 1,412 | 1,128 | 765 |
| 60-79 Years Old | 952 | 1,070 | 909 | 474 |
| Over 80 Years Old | 871 | 907 | 791 | 409 |
| Unknown | 183 | 142 | 121 | 93 |
| Vulnerable Condition | | | | |
| Unknown | 1,533 | 1,616 | 1,420 | 855 |
| Mental Disability | 1,307 | 1,375 | 1,006 | 573 |
| Elderly/Frail | 936 | 992 | 866 | 437 |
| Physically Disabled | 793 | 828 | 670 | 386 |
| County of Residence | | | | |
| Addison | 132 | 136 | 158 | 66 |
| Bennington | 307 | 255 | 111 | 107 |
| Caledonia | 116 | 152 | 202 | 86 |
| Chittenden | 527 | 563 | 483 | 323 |
| Essex | 14 | 35 | 15 | 22 |
| Franklin | 253 | 311 | 241 | 147 |
| Grand Isle | 25 | 38 | 19 | 19 |
| Lamoille | 123 | 100 | 83 | 43 |
| Orange | 137 | 151 | 137 | 47 |
| Orleans | 142 | 145 | 143 | 86 |
| Rutland | 263 | 369 | 311 | 179 |
| Washington | 414 | 462 | 378 | 215 |
| Windham | 364 | 332 | 243 | 99 |
| Windsor | 276 | 261 | 245 | 159 |

| Data Element Label | SFY14 | SFY15 | SFY16 | SFY17 |
|----------------------------|-------|-------|-------|-------|
| Victims' Type of Residence | | | | |
| Own Home | 651 | 1,376 | 1,134 | 662 |
| Not Documented | 717 | 528 | 504 | 335 |
| Licensed LTC Facility | 765 | 692 | 495 | 236 |
| With Relative | 347 | 277 | 295 | 173 |
| With Caregiver | 139 | 144 | 127 | 91 |
| Other | 195 | 139 | 126 | 64 |
| Psychiatric Facility | 88 | 147 | 63 | 62 |
| Developmental Home | 16 | 59 | 80 | 34 |
| Unknown | 36 | 66 | 50 | 32 |
| Homeless | 43 | 44 | 46 | 27 |
| Hospital | 19 | 48 | 29 | 26 |
| Unlicensed Facility | 8 | 0 | 0 | 0 |

^A Referrals, protective services, and some demographic data were not consistently entered into the APS case management system by intake staff and investigators until midway through SFY14. As described below, a move away from the Harmony Investigation Management System for some functions also affects SFY17 data.

^B Intake data for SFYs 14-16 are higher because they included intakes for Survey and Certification. Until November 2016, APS received all reports for both APS and Survey and Certification.

^C Assignment data for SFYs 14-16 included both field screens and investigations. SFY17 data is only for investigations.

^D APS began using a Services and Protection Summary Template outside of the Harmony Investigation Management System in September 2016. This template improved documentation for referrals and protective services, but an unintended consequence was not having the data in the Harmony system. This data reflects only the first few months of SFY17.

^E Ibid.

^F As of September 2016, all investigations must include a Services and Protection Summary. It is no longer an optional component of the investigation, therefore the number of Services and Protection Summaries completed will match the number of investigations completed.