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More help needed for Ohio's abused or neglected seniors State does relatively little to help Ohio seniors who are abused, neglected and exploited



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Emma Rosenbaum, 88, whose money was stolen by a family member, is now in the care of court-appointed guardian Michael Juhola and lives at a Columbus care center.

By **Encarnacion Pyle**

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Emma Rosenbaum never married and had no children.

So when Rosenbaum, now 88, fell and shattered her arm at her Indiana home 31/2 years ago, she agreed to move to a rehabilitation center in Columbus to be near her niece Terri Lane and Lane's husband, Denny.

They were her closest relatives, and she loved them as if they were her own kids. Rosenbaum gave Mr. Lane, 63, who had worked as a broker for many years, power of attorney over her affairs.

A short time later, it became clear that Rosenbaum, who had dementia and was growing physically weaker, couldn't live alone. The Lanes placed her in Sunrise on Scioto, an assisted-living center in Upper Arlington.

The couple was supposed to pay Rosenbaum's monthly bills with her long-term care insurance and General Electric pension. But Mr. Lane, who was unemployed, started dipping into Rosenbaum's money to cover family living expenses.

>> Encarnacion Pyle discusses the series on Sunny95

By the time the assisted-living center alerted police about its concerns in the summer of 2013, Mr. Lane had spent \$86,026 and Rosenbaum was being evicted.

An estimated 1 in 10 elderly Americans is abused or neglected every year, often at the hands of family members, caregivers or others entrusted to protect them, according to the National Center on Elder Abuse. That doesn't include people like Rosenbaum who have been exploited financially.

Elder abuse is a "rampant, largely invisible, expensive and lethal" problem that has serious and devastating effects and requires immediate action, said Kathleen Quinn, executive director of the National Adult Protective Services Association.

Rosenbaum, who now has a court-appointed guardian, eventually went to another assisted-living center and is now living in a Victorian Village nursing home. She has been there since her health took a turn for the worse in December.

In Ohio, 13,608 reports of abuse, neglect and exploitation of people 60 or older were made in the fiscal year ending on June 30. The figure has hovered between 14,000 and 15,000 in each of the past five years.

Last year, self-neglect cases made up nearly half of the reports (6,393), followed by neglect by others (3,196), exploitation (2,132), emotional abuse (1,010), physical abuse (851) and sexual abuse (26).

Self-neglect cases can involve hoarding, no food in the house or an older person living in unsafe conditions, such as violations of fire or housing codes.

Sometimes, those involved are unable to provide for themselves, but sometimes they refuse care or help. If they're ruled incompetent, their caseworkers will ask the probate court for a guardian; otherwise, they will try to connect seniors to services and agencies to improve their conditions.

The number of reports of elder abuse, neglect and exploitation don't show the whole problem, say many who work in the field. Victims often are unable or afraid to tell police, relatives or friends because of illness or fear of being harmed or removed from their homes.

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"They suffer in silence in the shadows," said Lynn Wieland, who oversaw adult protective services in Cuyahoga County for several years. She's now retired.

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A recent study funded by the HealthPath Foundation of Ohio estimates that at least 105,000 people age 60 or older are abused or neglected each year in the state. By comparison, 103,000 are hurt in falls requiring emergency care and 123,000 discover they have cancer.

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"Most people are shocked to learn that the incidence of elder abuse is as common as cancer," said Kenny Steinman, an adjunct assistant professor at Ohio State University and co-director of the Ohio Family Prevention Project, which did the report.

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Cuts to other state safety-net programs, such as cash assistance, also are forcing more struggling adults, including some with alcohol and drug addictions, to move in with their parents and grandparents, increasing the likelihood of abuse or neglect, said Jack Frech, retired director of the Athens County Department of Job and Family Services.

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Older adults who are abused often suffer lasting physical, mental and emotional anguish that can take years off their lives. Abused seniors are three times more likely to die early than those who have not been harmed, and almost 1 in 10 will go on Medicaid after their bank accounts have been drained, according to the National Adult Protective Services Association.

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The problems with Ohio's adult-protective-services system are separate from but related to the state's guardianship program, which was the subject of the 2014 *Dispatch* series "Unguarded," available online at Dispatch.com/unguarded.

» Officials going on the
road to talk transportation

That series showed that flaws in the system allowed court-approved guardians to neglect or abuse their wards. Just last week, the Ohio Supreme Court issued new rules for the training and oversight of guardians, and the legislature is considering additional regulation.

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Meanwhile, abuse of the elderly continues.

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A new study by True Link Financial, a private financial-services company, recently concluded that elder exploitation costs victims about \$36.5 billion a year — 12 times higher than previously thought.

"Sadly, they lose much more than just money," said Kai Stinchcombe, True Link Financial's CEO. "Of seniors who experienced fraud, 1.8 percent lost their home or other major assets as a result, 6.7 percent skipped medical care, and 4.2 percent reduced the number of meals they ate, for budgetary reasons."

State law in Ohio says that each county is responsible for investigating reports of suspected abuse, neglect or exploitation of people age 60 or older who are living in the community. Though supervised by the state, adult protective services are provided by the counties, mostly by the local Departments of Job and Family Services.

Across the country, such programs are overextended and underfunded, experts agree.

"Workers are undertrained, overwhelmed and can barely keep up with the mounting caseloads," said Bob Blancato, national coordinator of the Elder Justice Coalition in Washington, D.C.

Historically, few federal resources have been available to fight elder abuse, resulting in a patchwork of state and county programs with little oversight, he said.

And while the concept of protecting the elderly from abuse is similar to that of protecting children from abuse, Blancato said, there is a "huge imbalance" in funding between the two. In 2010, when the last national comparison was done, the average expenditure per individual for child protective services was \$45.03 compared with \$3.90 for adults, he said.

Recognizing the need to address elder abuse, the Obama administration requested \$25 million for the Elder Justice Act for fiscal year 2015, but Congress approved just \$4 million, Blancato said. Obama has included another \$25 million in his 2016 budget proposal, to be used to develop a national data system and for research.

Ohio has never adequately funded programs for adult protective services, according to advocates for the

She has applied for a \$25,000 grant from the state to hire a part-time social worker, but she worries that Ashland County won't get the money because she can't prove the agency has enough to pay for the position in the future.

"It's a real dilemma: The state wants us to build up our foundation, but they're not willing to pay for it long term," she said.

The number of caseworkers available for adult protective services in the state has shrunk substantially, from 630 at its height in the early 1990s to about 250 today, according to state figures.

The Center for Community Solutions found in 2013 that 39 Ohio counties lacked a full-time staff person devoted to elder abuse, leaving child-welfare caseworkers or local police to handle the investigations.

The realities of child- and adult-welfare cases are different, said Wendy Patton, a senior project director for Policy Matters Ohio, a policy research institute.

For example, caseworkers can't remove adults from their homes simply because of their suspicions about abuse. And, if faced with a backlog, many counties place the priority on cases involving children.

The skills are different, too, Patton said.

"Having specific training for adult protective service is essential, and people shouldn't assume that children-services workers can do the job well without training," she said.

Child-abuse caseworkers are required to attend 102 hours of training their first year, followed by 36 hours of ongoing training annually and 12 hours of domestic-violence training within two years, said Bobbie Boyer, program manager for the Institute for Human Services.

Right now, training for elder-abuse workers is voluntary, but that might be changing.

The Ohio Department of Job and Family Services hired Boyer's institute last summer to create a basic curriculum for workers in adult protective services. The curriculum, based on a national model that includes in-person and online sessions, consists of nine training modules that take about 18 days to complete.

The plan is to roll out the curriculum this year, Boyer said. Lawmakers are considering making the training mandatory.

A lack of financial and other resources has resulted in inconsistent services from county to county.

Ohio law requires that reports made to adult-protective-services agencies and programs be investigated within 24 hours in emergency situations, and three working days for non-emergencies. After the initial investigation, the process can vary dramatically, depending on a county's resources.

Some counties simply investigate as required by law because that's all they can afford. Others also connect seniors to social services such as transportation or home care and do follow-up visits to make sure the person is safe and unlikely to be mistreated again.

"Often, what you get depends on what side of the county border you happen to live on, which is unfortunate," said Richard Browdie, president and CEO of the Cleveland-based Benjamin Rose Institute on Aging.

Browdie said the state should beef up its mandate for the programs, set minimum standards, provide adequate funding so the requirements can be met, and hold them accountable.

"Right now, we basically have a big unfunded mandate that isn't much of a mandate, because there are no consequences," he said.

Any additional support would help, advocates say, because cases are becoming increasingly complex and harder to resolve. A lack of training of law-enforcement officers, inadequate criminal investigations, low rates of prosecution and unwillingness by some courts to deal with elder-abuse issues can also be stumbling blocks.

In Emma Rosenbaum's case, Franklin County Adult Protective Services petitioned Probate Court to appoint a guardian to help find new living arrangements. The agency also worked with law-enforcement officers and the prosecutor's office to hold Mr. Lane accountable.

Now, though, the agency no longer works with people in long-term-care centers, as Rosenbaum was, leaving that to the state ombudsman's office, said Sally Smith, a supervisor with Adult Protective Services, part of the Franklin County Office on Aging.

Mr. Lane knew what he did was wrong but felt he had little choice, said his attorney, Kyle Stoller. He and his wife were both dealing with health problems, and their daughter had been in a car crash and wasn't insured, court records show.

"He was not using the money for drugs or gambling or fancy cars or a house," Stoller wrote in court documents. "He was simply trying to take care of his family and stay afloat."

Mr. Lane told authorities that "Aunt Emma" wanted him to have the money and that Rosenbaum already had made arrangements for him and his wife to receive it after she died.

Michael Juhola, a Worthington lawyer who is Rosenbaum's guardian, thinks Mr. Lane always intended to pay back the money but that what he did was still wrong.

"I think it was a situation of a good person making a bad decision," he said.

Mr. Lane pleaded guilty to a felony count of theft last May and was sentenced to four years in prison. In January, he asked to be released early so he can work to repair the lives of everyone he has harmed. He has a hearing on Wednesday.

In a letter to the judge, Mr. Lane wrote, "When I clear away all of my defenses, rationalizations and justifications for my actions, I'm left only with guilt, shame and humiliation."

Juhola supports Mr. Lane's early release as long as it benefits Rosenbaum, he said. "I'm all for him getting out on the condition that he find a job and start making restitution."

Dispatch Reporter Encarnacion Pyle wrote this story with support from the Journalists in Aging Fellows Program of the Gerontological Society of America and New America Media, sponsored by the Silver Century Foundation.

Dispatch Librarians Linda Deitch, Julie Fulton and Susan Stonick contributed research for this series.

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COMMENTS

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GREGORI STEINWAY (PAXCHRISTI)

Please see my comment in the companion piece to this article by Dispatch reporter Pyle, about the benefits of using a bank trust department to assist not only the elderly, but all people, in the proper management of their assets. By the way, kudos to the reporter for an excellent job of reporting the serious financial abuse of seniors that has previously occurred and the potential for future abuse when the wrong people have uncontrolled and unregulated access to the assets of the elderly.

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LINDA PECK (LINDAP617)

Thank you for bringing attention to this ongoing issue. Shame on those who would take advantage of an elderly person. Just as children are important, so are our older citizens who have spent their lives taking care of and working for others. Those who cannot take care of themselves deserve to be taken care of by honest and caring people who have their best interests at heart. They also deserve to be protected from predators by the law.

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FREDERICK SHEEMAN (FREELoader)

There are more predators out there than we might believe. Check your SPAM telephone and eMail messages. There are a lot of people out there that want to do you financial and physical harm. Look at animal abuse - even workers in your favorite pet store or veterinarian. It isn't limited to humans. Some of this abuse was learned from adults that are senior to these predators. Some was learned from local bullies. The important things are to detect them early and punish them quickly. We not only need to let predators know that we won't stand for their activities, but we also need to press forward with permanent corrective action!

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SHEILA MARTINEZ (SHEILAMARTINEZ)

I don't know how can some people take advantage of those who are old and weak. Elderly abuse is rampant nowadays which is very alarming and disturbing at the same time. These people are putting their 100% trust on people who will take care of them while they are inside facilities and who have the power of attorney in order to cover their affairs. Instead of helping them, there are some people who chose to take advantage of older adults. I feel bad for Rosenbaum because she can afford to pay for her long term care expenses through her pension and long-term care insurance but the person she trusted abused her financially. Long term care insurance comes handy in times like this since www.ltcoptions.com/learn-the-basics/how-can-you-pay-for-long-term-care/long-term-care-insurance and www.longtermcare.gov/costs-how-to-pay/what-is-long-term-care-insurance describe it as an efficient tool when paying for long term care facilities like nursing homes, assisted living facilities, home care and adult day care. I just hope the number of elderly abuse will decrease and older adults will receive the proper care they deserve.

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