

APS

Adult Protective Services Facility Investigations Overview

The Adult Protective Services Facility Investigations Program investigates reports of abuse, neglect, and exploitation of persons with disabilities (children and adults) receiving services in state operated and/or contracted settings that serve adults and children with mental illness, intellectual disabilities, or developmental disabilities. Investigation results are sent to the facility or program administrator for appropriate action.

Total Average Filled Full Time Equivalent (FTE) Staff

Caseworkers	123.3
Supervisors	22.4
Other Staff	24.2
Total APS Facility Staff	169.9

Worker Demographics

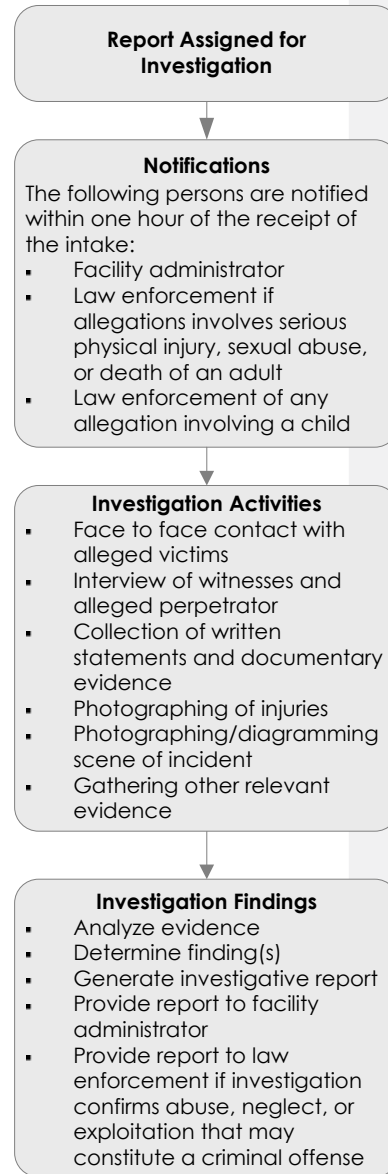
Turnover Rate	11.5%
Agency Tenure:	
Less Than 1 Year	20.9%
1 - 3 Years	12.7%
Greater than 3 Years	66.4%
Entry Salary	\$29,932.92
Average Age	40.8
Race/Ethnicity:	
African-American	14.2%
Anglo	57.5%
Hispanic	28.4%
Other	0.0%

Supervisor Demographics

Turnover Rate	8.6%
Tenure as Supervisor:	
Less Than 1 Year	13.6%
1 - 3 Years	22.7%
Greater than 3 Years	63.6%
Entry Salary	\$38,145.96
Average Age	43.3
Race/Ethnicity:	
African-American	9.1%
Anglo	77.3%
Hispanic	13.6%
Other	0.0%

APS Facility Expenditures

APS Facility Staff	\$9,255,232
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Note: This chart is for reference only and does not necessarily represent the flow of a case.

Statistics FY 2013

Completed MH&ID Investigations	10,818
Confirmed MH&ID Investigations	1,373

Most Common...

- **Person reporting abuse/neglect/exploitation**
Institutional Personnel (27.9%)
- **Allegation confirmed**
Neglect (63.0%)
- **MH&ID setting investigated**
State Supported Living Centers (31.5%)

Legal Responsibility for Adult Protective Services

Statutory References:

Federal: Title XX, Social Security Act

State: Human Resources Code, Chapters 40 and 48

Texas Family Code, Title V

Health and Safety Code, Chapter 532 and Chapters 591-595

Major Provisions:

- Mandatory reporting of abuse, neglect, and exploitation of persons receiving services in state-operated mental health and intellectual and developmental disability facilities (State Hospitals, State Supported Living Centers, and Rio Grande State Center) and/or state contracted settings (Community Centers, Home and Community-based Services programs, Texas Home Living Waiver Program, and privately-operated Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF-IID))
- After an allegation is reported to the DFPS Abuse Hotline, APS initiates investigations by notifying the facility or provider agency within one hour
- APS notifies law enforcement and the Health and Human Services Commission Office of the Inspector General (OIG) within one hour, in certain settings
- Refer reports to other state agencies when DFPS is not the appropriate investigating agency
- Notify OIG (Office of Inspector General) and local law enforcement if APS has cause to believe a crime may have been committed
- Report findings to the facility or provider
- Make referrals to the Employee Misconduct Registry of certain confirmed perpetrators
- Confidentiality of case records

Other Programmatic Information:

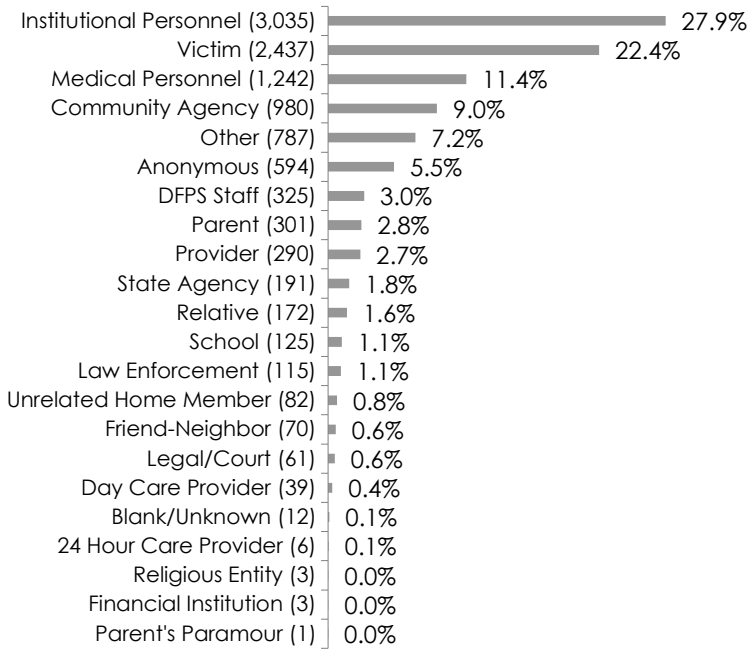
Factors Contributing to Abuse, Neglect, and Exploitation:

- Physical Conditions/Quality of Care
- Lack of facility provider training, policy or procedures
- Staff burnout
- Staff shortages that lead to staff stress
- Inadequate case manager planning for behavioral concerns or plans of care
- Physical and mental stress of familial care giving in foster care settings

Challenges:

- Meeting Department of Justice requirements including commencement of investigations, prior case history searches, and 10 day investigation timeframes in State Supported Living Centers and Rio Grande State Center
- Requests by law enforcement or OIG that APS stop its investigation until they have finished
- Staff shortages in facilities affecting access to staff for interviews
- Lack of training and policy in place for community providers
- Inability to find private space to conduct interviews
- Increase in number of intakes with fewer investigators to conduct investigations

**Source of Report for Completed Facility Investigations
Fiscal Year 2013**



Statewide 10,871

Note: A report of abuse/neglect/exploitation may come from multiple sources.

**Average Length of Completed Facility Investigations by Region
Fiscal Year 2013**

Region	Investigations	Average Days
1 Lubbock	417	13.6
2 Abilene	1,299	7.7
3 Arlington	1,366	11.9
4 Tyler	656	10.0
5 Beaumont	326	12.1
6 Houston	875	25.6
7 Austin	2,251	14.7
8 San Antonio	1,270	14.9
9 Midland	1,134	9.1
10 El Paso	324	9.4
11 Edinburg	900	10.5
Statewide	10,818	12.9

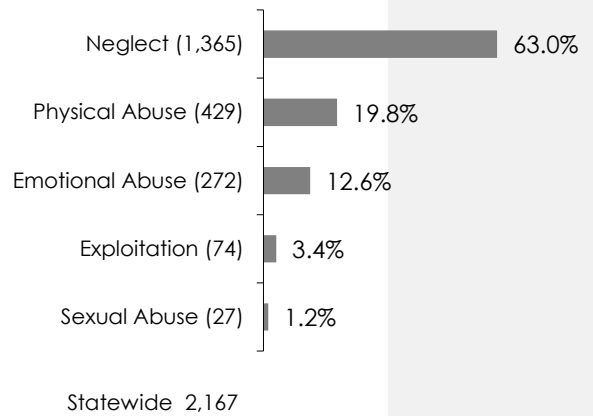
**Number of Facility Investigations Referred to Law Enforcement by Setting
Fiscal Year 2013**

Setting	Law Enforcement Provided	
	Notification* of Investigation	Investigation Report**
State Supported Living Centers	2,208	1,882
State Hospitals	1,548	883
HCS	1,521	867
Private ICF-IID	507	293
Community Centers	231	123
State Center	99	76
Other	11	1
Total	6,125	4,125

* Notification sent on investigations which involve a child or serious physical injury, sexual abuse, or death of an adult person served.

** This data includes all cases in which a final investigation report was sent regardless of investigation disposition.

**Types of Confirmed Allegations in Facility Investigations
Fiscal Year 2013**



Characteristics of Victims in Confirmed Facility Investigations Fiscal Year 2013

	Female		Male		Unknown		Subtotal	
	Count	% of Total	Count	% of Total	Count	% of Total	Count	% of Total
Race/Ethnicity*								
Anglo	354	19.7%	655	36.5%	1	0.1%	1,010	56.2%
African American	88	4.9%	191	10.6%	0	0.0%	279	15.5%
Hispanic	135	7.5%	310	17.3%	2	0.1%	447	24.9%
Native American	2	0.1%	2	0.1%	0	0.0%	4	0.2%
Asian	9	0.5%	9	0.5%	0	0.0%	18	1.0%
Other	14	0.8%	21	1.2%	3	0.2%	38	2.1%
Total Victims	602	33.5%	1,188	66.1%	6	0.3%	1,796	100.0%

Note: A completed investigation may have more than one victim.

Characteristics of Perpetrators in Confirmed Facility Investigations Fiscal Year 2013

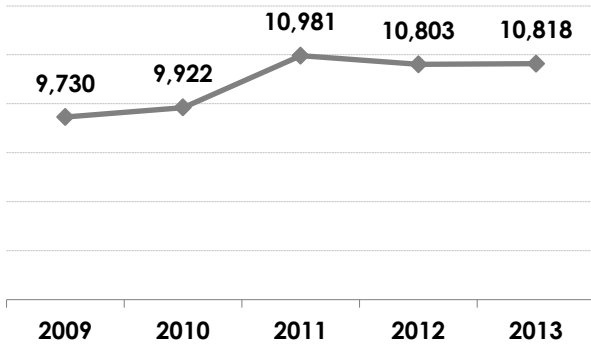
	Female		Male		Unknown		Subtotal	
	Count	% of Total	Count	% of Total	Count	% of Total	Count	% of Total
Race/Ethnicity*								
Anglo	183	13.1%	108	7.7%	4	0.3%	295	21.1%
African American	364	26.1%	256	18.4%	6	0.4%	626	44.9%
Hispanic	161	11.5%	135	9.7%	2	0.1%	298	21.4%
Native American	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Asian	1	0.1%	1	0.1%	0	0.0%	2	0.1%
Other	47	3.4%	34	2.4%	96	6.9%	177	12.7%
Age								
Under 18	0	0.0%	1	0.1%	1	0.1%	2	0.1%
18-25	164	11.8%	178	12.8%	7	0.5%	349	25.0%
26-35	213	15.3%	168	12.0%	34	2.4%	415	29.7%
36-45	137	9.8%	93	6.7%	15	1.1%	245	17.6%
Over45	239	17.1%	93	6.7%	21	1.5%	353	25.3%
Unknown	3	0.2%	1	0.1%	27	1.9%	31	2.2%
Total	756	54.2%	534	38.3%	105	7.5%	1,395	100.0%

* As recommended by the Health and Human Services Commission (HHSC) to ensure consistency across all HHSC agencies, in 2012, the Department of Family and Protective Services (DFPS) adopted the HHSC methodology on how to categorize race and ethnicity. As a result, data broken down by race/ethnicity in 2012 and after is not directly comparable to race/ethnicity data in 2011 and before.

Note: Each victim may have more than one perpetrator.

Each perpetrator may have more than one victim.

Completed Facility Investigations by Fiscal Year



Completed Facility Investigations by Setting Fiscal Year 2013

Setting	Completed Investigations
State Supported Living Centers	3,411
HCS	3,114
State Hospitals	2,531
Private ICF-IID	1,066
Community Centers	543
State Center	153
Total	10,818

Disposition of Completed Facility Investigations by Setting Fiscal Year 2013

Setting	Confirmed		Unconfirmed		Inconclusive		Unfounded		Other		Blank		Subtotal	
	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%
Community Centers	84	0.8%	201	1.9%	84	0.8%	3	0.0%	91	0.8%	80	0.7%	543	5.0%
HCS	518	4.8%	1,386	12.8%	478	4.4%	19	0.2%	429	4.0%	284	2.6%	3,114	28.8%
Private ICF-IID	187	1.7%	436	4.0%	125	1.2%	6	0.1%	167	1.5%	145	1.3%	1,066	9.9%
State Center	5	0.0%	110	1.0%	7	0.1%	0	0.0%	21	0.2%	10	0.1%	153	1.4%
State Hospitals	159	1.5%	1,249	11.5%	156	1.4%	128	1.2%	480	4.4%	359	3.3%	2,531	23.4%
SSLCs	420	3.9%	1,776	16.4%	190	1.8%	497	4.6%	325	3.0%	203	1.9%	3,411	31.5%
State Total	1,373	12.7%	5,158	47.7%	1,040	9.6%	653	6.0%	1,513	14.0%	1,081	10.0%	10,818	100.0%

Region	Confirmed		Unconfirmed		Inconclusive		Unfounded		Other		Blank		Subtotal	
	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%
1 Lubbock	100	0.9%	173	1.6%	63	0.6%	10	0.1%	69	0.6%	2	0.0%	417	3.9%
2 Abilene	122	1.1%	605	5.6%	77	0.7%	144	1.3%	244	2.3%	107	1.0%	1,299	12.0%
3 Arlington	173	1.6%	653	6.0%	143	1.3%	8	0.1%	131	1.2%	257	2.4%	1,365	12.6%
4 Tyler	64	0.6%	297	2.7%	39	0.4%	9	0.1%	7	0.1%	240	2.2%	656	6.1%
5 Beaumont	77	0.7%	147	1.4%	49	0.5%	3	0.0%	12	0.1%	38	0.4%	326	3.0%
6 Houston	131	1.2%	356	3.3%	135	1.2%	5	0.0%	54	0.5%	194	1.8%	875	8.1%
7 Austin	254	2.3%	1,125	10.4%	224	2.1%	312	2.9%	247	2.3%	89	0.8%	2,251	20.8%
8 San Antonio	165	1.5%	606	5.6%	141	1.3%	0	0.0%	280	2.6%	77	0.7%	1,269	11.7%
9 Midland	127	1.2%	570	5.3%	84	0.8%	44	0.4%	303	2.8%	6	0.1%	1,134	10.5%
10 El Paso	67	0.6%	174	1.6%	27	0.2%	8	0.1%	48	0.4%	0	0.0%	324	3.0%
11 Edinburg	93	0.9%	450	4.2%	58	0.5%	110	1.0%	118	1.1%	71	0.7%	900	8.3%
Unknown	0		2		0		0		0		0		2	
State Total	1,373	12.7%	5,158	47.7%	1,040	9.6%	653	6.0%	1,513	14.0%	1,081	10.0%	10,818	100.0%

Note: "Other" and "Blank" include cases referred back to the provider or closed at intake because they do not meet the definitions of abuse, neglect, or exploitation and therefore are not investigated.

