

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, mental retardation, or other types of developmental disabilities. Investigation results are sent to the facility or program administrator for appropriate action.

Total Average Filled Full Time Equivalent (FTE) Staff

Caseworkers	128.6
Supervisors	23.6
Other Staff	26.5
Total APS Facility Staff	178.7

Worker Demographics

Turnover Rate	14.1%
Agency Tenure:	
Less Than 1 Year	15.4%
1 - 3 Years	37.7%
Greater than 3 Years	46.9%
Entry Salary	\$30,481.44
Average Age	40.3
Race/Ethnicity:	
African-American	16.9%
Anglo	56.9%
Hispanic	25.4%
Other	0.8%

Supervisor Demographics

Turnover Rate	12.1%
Agency Tenure:	
Less Than 1 Year	0.0%
1 - 3 Years	4.2%
Greater than 3 Years	95.8%
Entry Salary	\$39,117.96
Average Age	43.6
Race/Ethnicity:	
African-American	8.3%
Anglo	75.06%
Hispanic	16.7%
Other	0.0%

APS Facility Expenditures

APS Facility Staff	\$9,012,846
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Note: This chart is for reference only and does not necessarily represent the flow of a case.

Statistics FY 2011

Completed Facility Investigations	10,981
Confirmed Facility Investigations	1,355

Most Common...

- **Person reporting abuse/neglect/exploitation**
Institutional Personnel (29.4%)
- **Allegation confirmed**
Neglect (56.9%)
- **Facility setting investigated**
State Supported Living Centers (39.3%)

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 mental retardation facilities (State Hospitals, State Supported Living Centers, and Rio Grande State Center) and/or state contracted settings (Community MH and MR Centers, Home and Community-based Services programs, Texas Home Living Waiver Program, and privately-operated Intermediate Care Facilities for Persons with Mental Retardation (ICFs/MR))
- After an allegation is reported to the DFPS Abuse Hotline, APS initiates investigations by notifying the facility or provider agency within one hour. APS also notifies law enforcement and the Health and Human Services Commission Office of Inspector General (OIG) within one hour, if necessary. .
- 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:

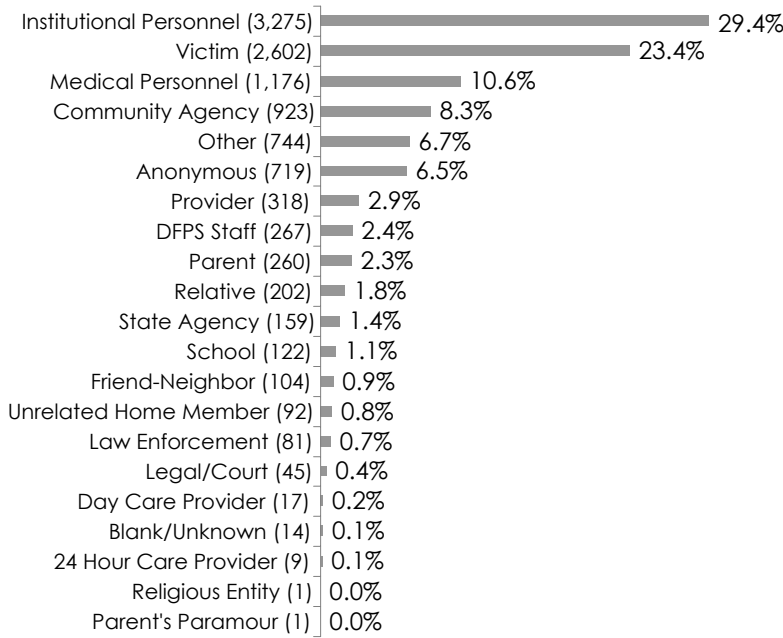
Factors Contributing to Abuse, Neglect, and Exploitation:

- 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

Completed Facility Investigations by Source of Report Fiscal Year 2011



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

Average Length of Completed Facility Investigations by Region Fiscal Year 2011

Region	Investigations	Average Days
1 Lubbock	463	12.2
2 Abilene	1,362	8.3
3 Arlington	1,236	9.9
4 Tyler	646	10.6
5 Beaumont	420	10.5
6 Houston	867	14.5
7 Austin	2,468	10.8
8 San Antonio	1,062	17.0
9 Midland	1,270	8.7
10 El Paso	242	9.0
11 Edinburg	945	9.9
State	10,981	10.9

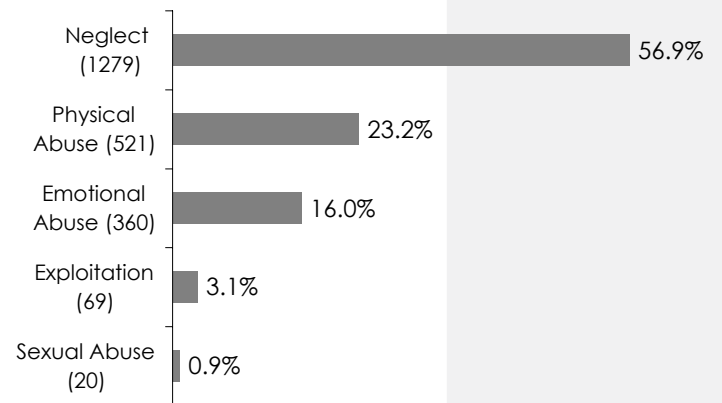
Number of Facility Investigations Referred to Law Enforcement by Setting for Fiscal Year 2011

Setting	Law Enforcement Provided	
	Notification of Investigation*	Investigation Report**
State Supported Living Centers	2643	1750
HCS	1092	421
State Hospitals	1035	376
Private ICFs/MR	423	202
Community MHMR Centers	175	60
State Centers	96	34
Other	27	2
Total	5,491	2,845

* 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 2011



Characteristics of Victims in Confirmed Facility Investigations Fiscal Year 2011

Characteristic	Female		Male		Unknown		Subtotal	
	N	% of Total	N	% of Total	N	% of Total	N	% of Total
Race/Ethnicity								
Anglo	343	20.0%	591	34.4%	5	0.3%	939	54.7%
African American	119	6.9%	194	11.3%	0	0.0%	313	18.2%
Hispanic	136	7.9%	243	14.2%	0	0.0%	379	22.1%
Native American	2	0.1%	0	0.0%	0	0.0%	2	0.1%
Asian	2	0.1%	6	0.3%	0	0.0%	8	0.5%
Other	26	1.5%	47	2.7%	3	0.2%	76	4.4%
Total Victims	628	36.6%	1,081	63.0%	8	0.5%	1,717	100.0%

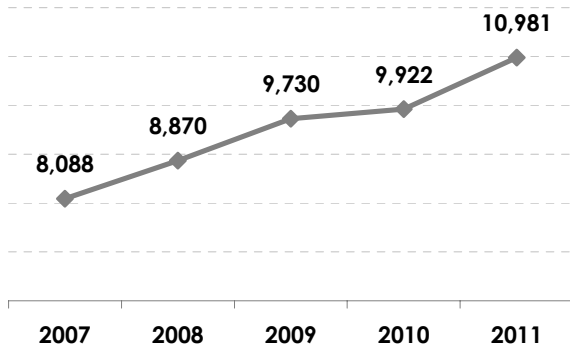
Note: A completed investigation may have more than one victim.

Characteristics of Perpetrators in Confirmed Facility Investigations Fiscal Year 2011

Characteristic	Female		Male		Unknown		Subtotal	
	N	% of Total	N	% of Total	N	% of Total	N	% of Total
Race/Ethnicity								
Anglo	208	12.8%	156	9.6%	5	0.3%	369	22.6%
African American	430	26.4%	226	13.9%	9	0.6%	665	40.8%
Hispanic	175	10.7%	113	6.9%	5	0.3%	293	18.0%
Native American	1	0.1%	1	0.1%	1	0.1%	3	0.2%
Asian	5	0.3%	1	0.1%	0	0.0%	6	0.4%
Other	78	4.8%	40	2.5%	177	10.9%	295	18.1%
Age								
Under 18	1	0.1%	0	0.0%	7	0.4%	8	0.5%
18-25	218	13.4%	200	12.3%	23	1.4%	441	27.0%
26-35	248	15.2%	142	8.7%	41	2.5%	431	26.4%
36-45	170	10.4%	79	4.8%	44	2.7%	293	18.0%
Over45	252	15.5%	113	6.9%	29	1.8%	394	24.2%
Unknown	8	0.5%	3	0.2%	53	3.2%	64	3.9%
Total	897	55.0%	537	32.9%	197	12.1%	1,631	100.0%

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 2011**

Setting	Completed Investigations
State Supported Living Centers	4,318
HCS	2,685
State Hospitals	2,079
Private ICFs/MR	1,104
Community MHMR Centers	551
State Centers	244
Total	10,981

**Disposition of Completed Facility Investigations by Setting
Fiscal Year 2011**

Setting	Confirmed		Unconfirmed		Inconclusive		Unfounded		Other		Blank		Subtotal	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Community MH&MR Center	85	0.8%	221	2.0%	73	0.7%	5	0.0%	93	0.8%	74	0.7%	551	5.0%
HCS	450	4.1%	1,156	10.5%	349	3.2%	21	0.2%	459	4.2%	250	2.3%	2,685	24.5%
Private ICFs/MR	165	1.5%	427	3.9%	133	1.2%	11	0.1%	186	1.7%	182	1.7%	1,104	10.1%
State Center	17	0.2%	151	1.4%	41	0.4%	10	0.1%	8	0.1%	17	0.2%	244	2.2%
State Hospital	103	0.9%	1,040	9.5%	120	1.1%	54	0.5%	353	3.2%	409	3.7%	2,079	18.9%
SSLC	535	4.9%	2,013	18.3%	210	1.9%	513	4.7%	619	5.6%	428	3.9%	4,318	39.3%
State Total	1,355	12.3%	5,008	45.6%	926	8.4%	614	5.6%	1,718	15.6%	1,360	12.4%	10,981	100.0%

Region	Confirmed		Unconfirmed		Inconclusive		Unfounded		Other		Blank		Subtotal	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
1 Lubbock	112	1.0%	192	1.7%	54	0.5%	15	0.1%	64	0.6%	24	0.2%	461	4.2%
2 Abilene	203	1.8%	699	6.4%	67	0.6%	39	0.4%	135	1.2%	225	2.0%	1,368	12.5%
3 Arlington	176	1.6%	513	4.7%	99	0.9%	30	0.3%	118	1.1%	300	2.7%	1,236	11.3%
4 Tyler	63	0.6%	268	2.4%	29	0.3%	1	0.0%	7	0.1%	262	2.4%	630	5.7%
5 Beaumont	77	0.7%	191	1.7%	68	0.6%	15	0.1%	33	0.3%	36	0.3%	420	3.8%
6 Houston	124	1.1%	427	3.9%	132	1.2%	2	0.0%	53	0.5%	129	1.2%	867	7.9%
7 Austin	234	2.1%	930	8.5%	130	1.2%	391	3.6%	527	4.8%	255	2.3%	2,467	22.5%
8 San Antonio	129	1.2%	475	4.3%	130	1.2%	12	0.1%	263	2.4%	40	0.4%	1,049	9.6%
9 Midland	88	0.8%	623	5.7%	85	0.8%	50	0.5%	410	3.7%	18	0.2%	1,274	11.6%
10 El Paso	39	0.4%	106	1.0%	12	0.1%	3	0.0%	81	0.7%	1	0.0%	242	2.2%
11 Edinburg	110	1.0%	583	5.3%	120	1.1%	56	0.5%	21	0.2%	66	0.6%	956	8.7%
Other	0	0.0%	1	0.0%	0	0.0%	0	0.0%	6	0.1%	4	0.0%	11	0.1%
State Total	1,355	12.3%	5,008	45.6%	926	8.4%	614	5.6%	1,718	15.6%	1,360	12.4%	10,981	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.

