

Adult Protective Services

Legal Responsibility

Statutory References

- Federal: Title XX, Social Security Act
- State: Chapter 48, Human Resources Code

Major Provisions:

- Mandatory reporting of reports of abuse, neglect, and exploitation of elderly persons and adults who are disabled.
- Receipt and investigation of all reports (unless patently false); initiation of investigations within 24 hours of receipt of report.
- Responsibility for investigations in facilities operated by the Texas Department of Mental Health and Mental Retardation (TxMHMR).
- Oversight of investigations conducted by other state agencies in facilities they regulate.
- Responsibility for guardianship of persons with disabilities who age out of CPS conservatorship.
- Assessment of the adult's capacity to understand the situation and the degree of danger it presents.
- Provision or arrangement of the services needed to prevent or alleviate maltreatment.
- Honoring the individual's right to self-determination and using the least restrictive alternative in the provision of protective services.

Adult Protective Services

Legal Responsibility, continued

- Authority to seek court orders when necessary to gain access to the individual, to prevent interference with the provision of voluntary protective services, to provide emergency protective services, to access records or documents, and to initiate emergency protective services (e.g., a removal) after hours and on holidays without a court order.
- Requirement to notify law enforcement of all valid cases of physical abuse and caregiver neglect.
- Confidentiality of case records.

Adult Protective Services

Factors Contributing to Maltreatment and Neglect

- Aging population
- Growing number of younger persons with disabilities
- Alcohol and drug dependency
- Unemployment
- Lack of affordable housing
- Inadequate access to health care
- Pathological family relationships/violence as a coping mechanism in society
- Physical and mental stress of caregiving in traditionally non-violent, caring households
- Lack of alternatives:
 - Need for long-term therapeutic and residential services for aging-out CPS clients who will be maintained under guardianship of TDPRS as adults;
 - Phase-out of ICF II for persons who don't need medical care, but still require assistance or supervision;
 - De-institutionalization of persons who are mentally ill and/or mentally retarded;
 - OBRA/PASARR regulations make placements more difficult;
 - Not enough licensed board and care homes, TxMHMR registered homes, and adult foster homes;
 - Waiting lists for in-home care;
 - Incapacitated persons without legal residential status who need services.

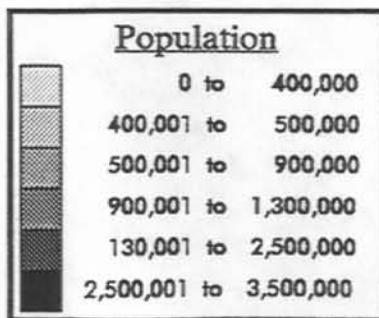
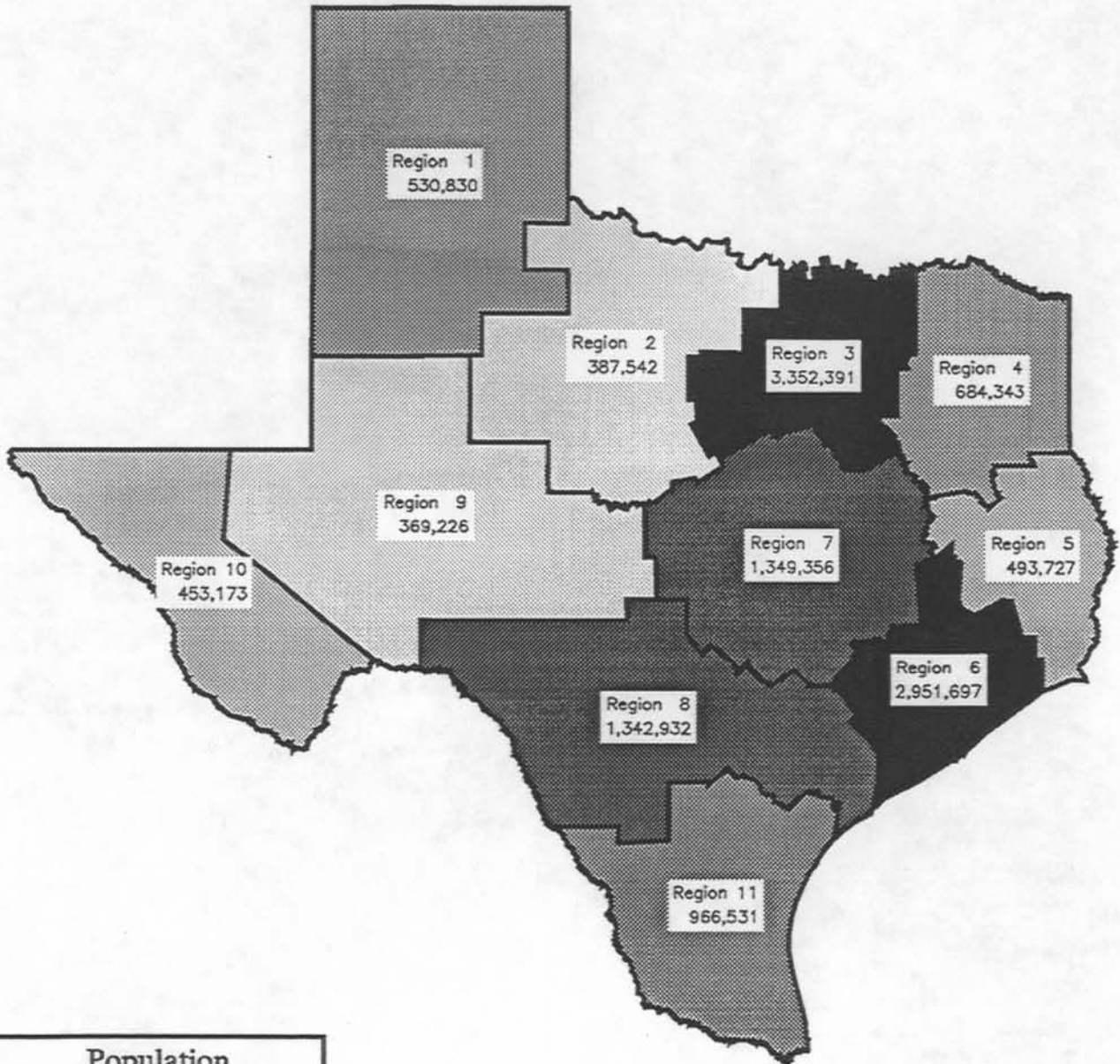
Adult Protective Services

Review and Oversight of Other State Agency Investigations

- Annual memoranda of understanding with other state agencies:
 - Texas Commission on Alcohol and Drug Abuse (TCADA)
 - Texas Commission for the Blind (TCB)
 - Texas Commission for the Deaf (TCD)
 - Texas Department of Health (TDH)
 - Texas Education Agency (TEA)
 - Texas Department of Mental Health Mental Retardation
 - Texas School for the Blind (TSB)
 - Texas School for the Deaf (TSD)
 - Texas Rehabilitation Commission (TRC)
- Review other agency rules to ensure uniformity and compliance with HRC 48
- Review other agency investigations
- Receive and investigate complaints regarding other state agency investigations
- Collect and analyze data
- Prepare annual report with analysis of:
 - trends
 - incidence
 - systemic problems

Total Adult Population by Region (Ages 18 and over)

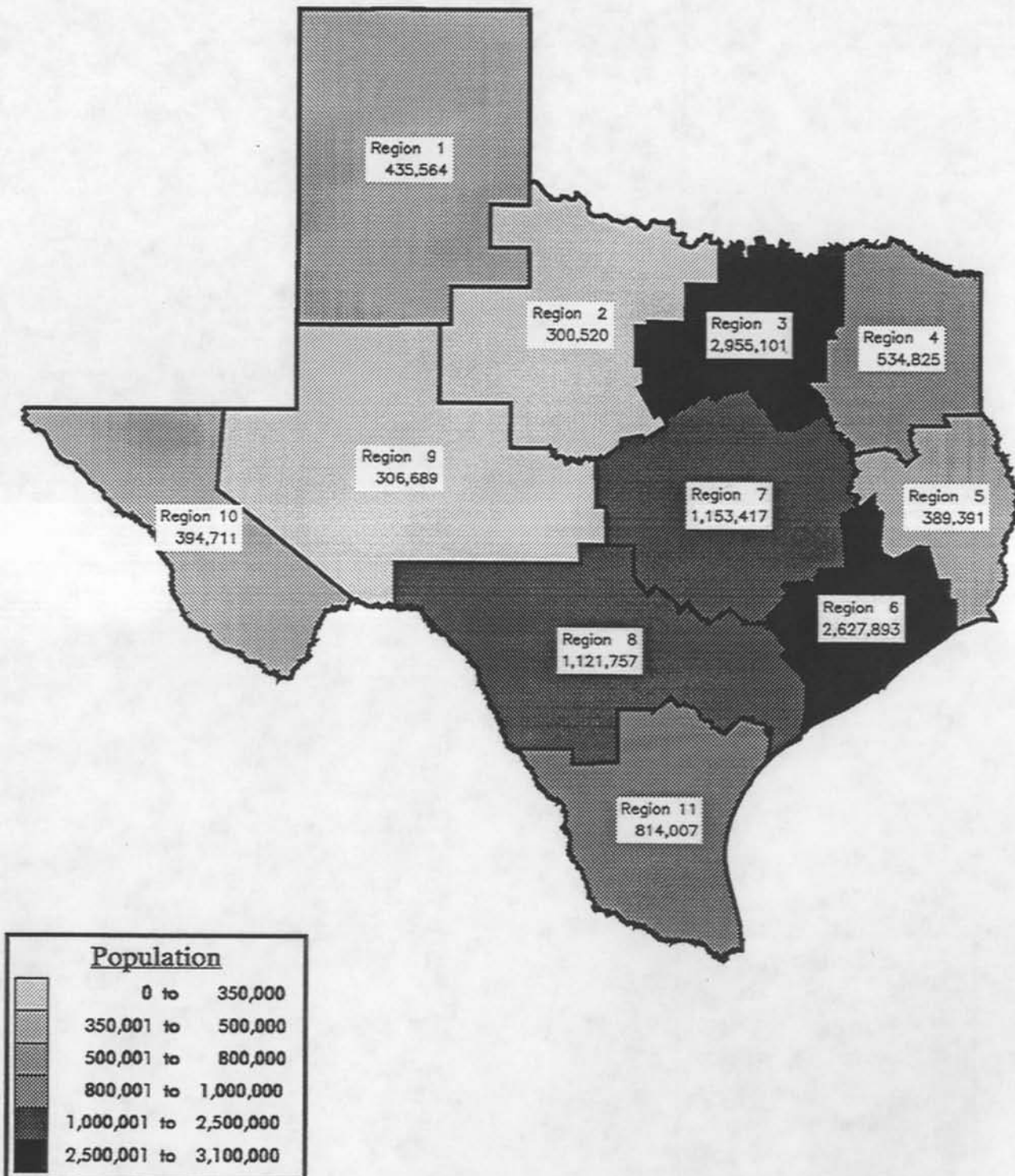
12,881,748



A18PLS_R - Prepared by Prog Stat / DDM on 01/18/94

Adult Population by Region (Ages 18 to 64)

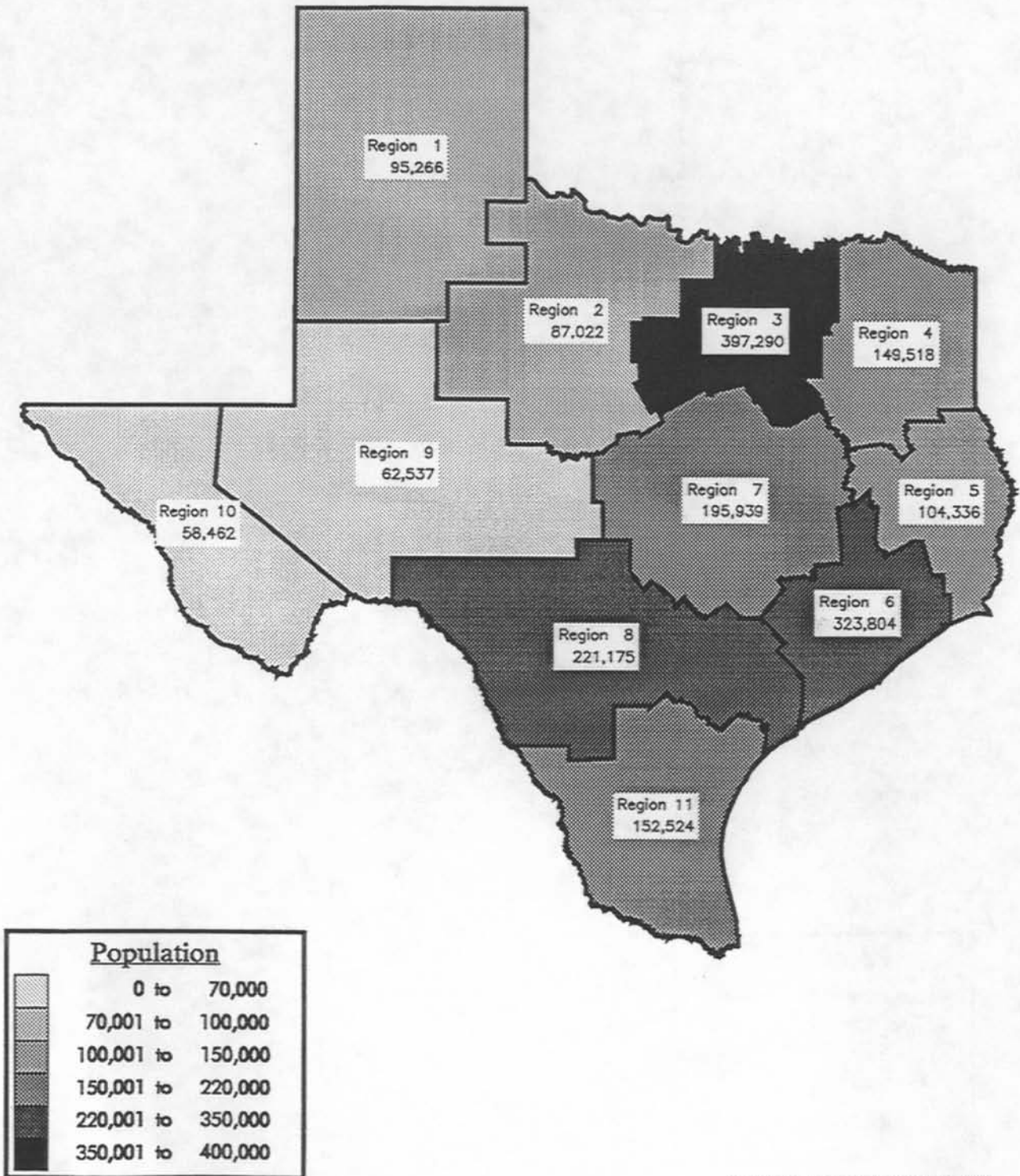
11,033,875



A18-64_S - Prepared by Prog. Stat. / DDW on 02/10/94

Adult Population by Region (Ages 65 and older)

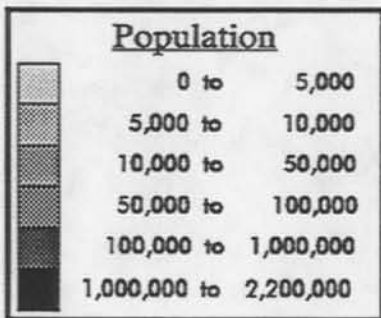
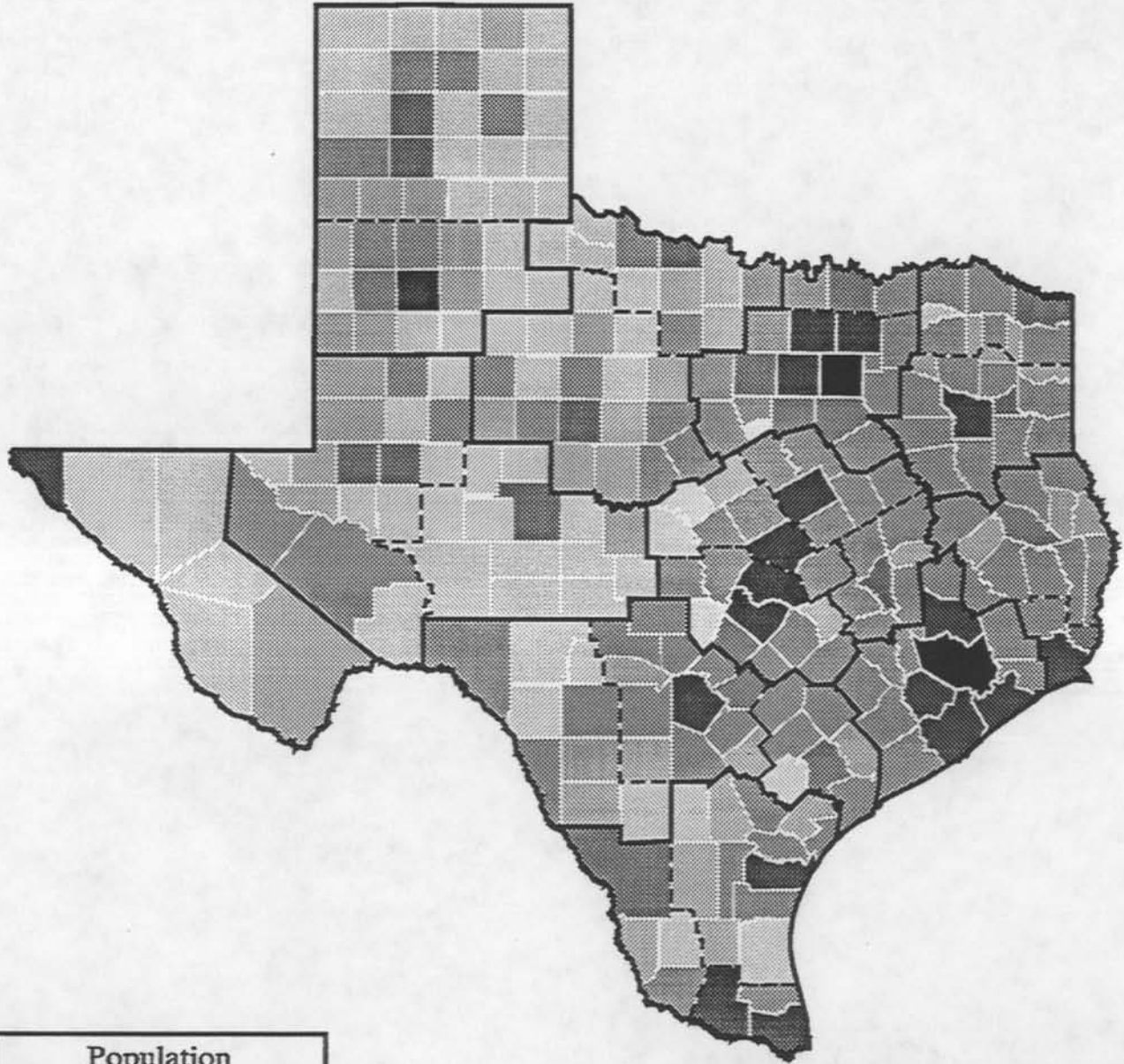
1,847,873



MSPS_R - Prepared by Prog Stat / DOW on 03/10/94

Total Adult Population by County (Ages 18 and over)

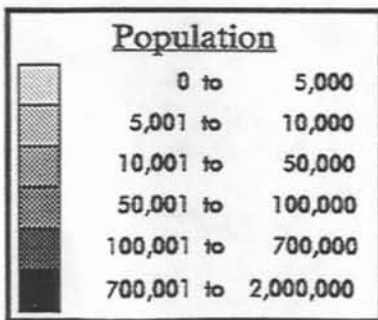
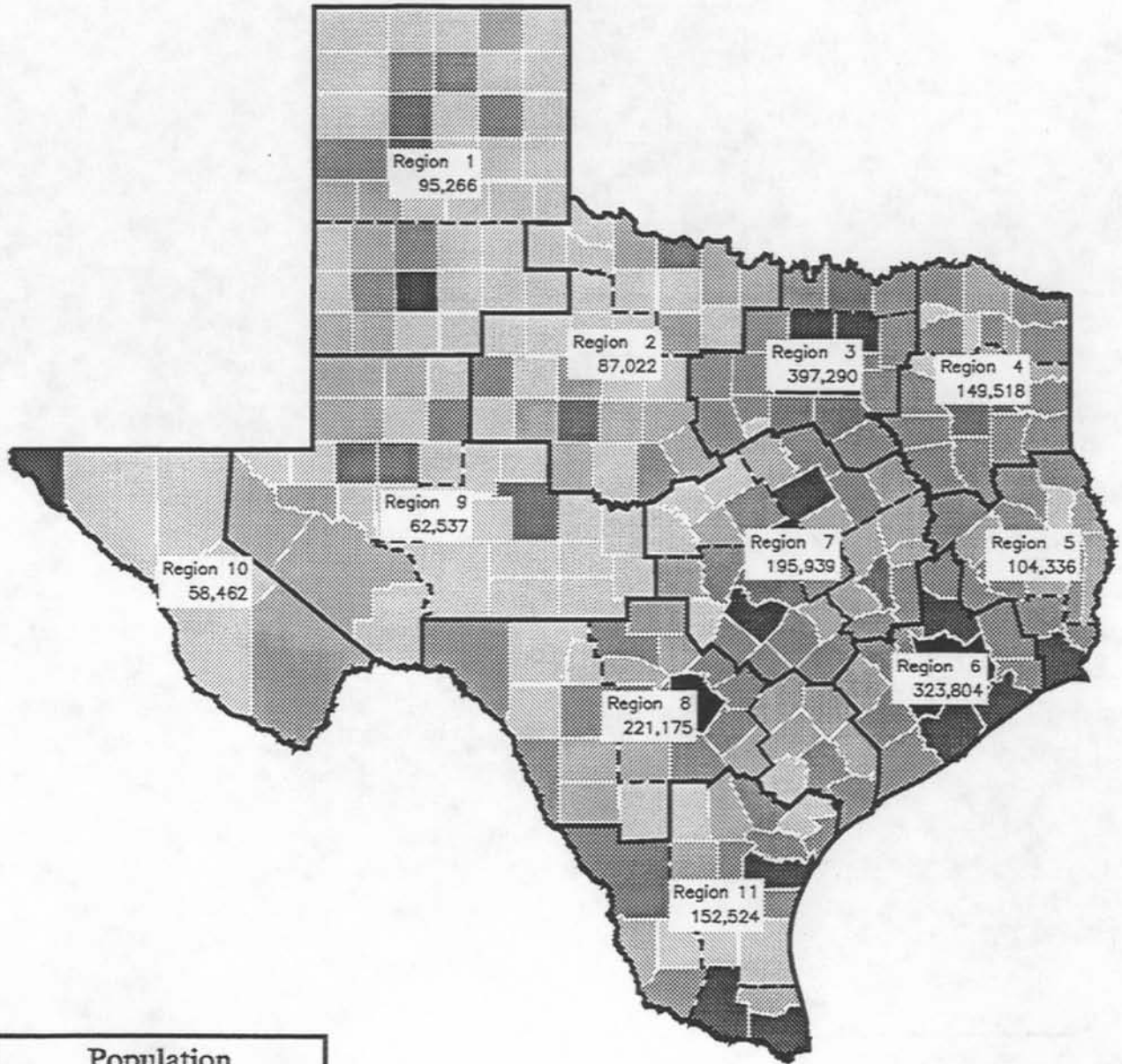
12,881,748



AISPLS - Prepared by Prog. Stat. / DOW on 01/18/84

Adult Population by County (Ages 18 to 64)

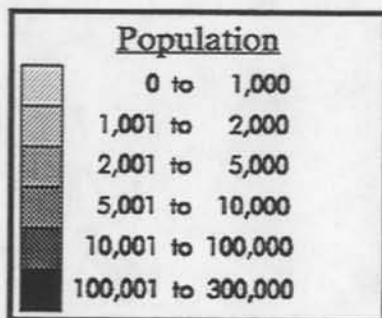
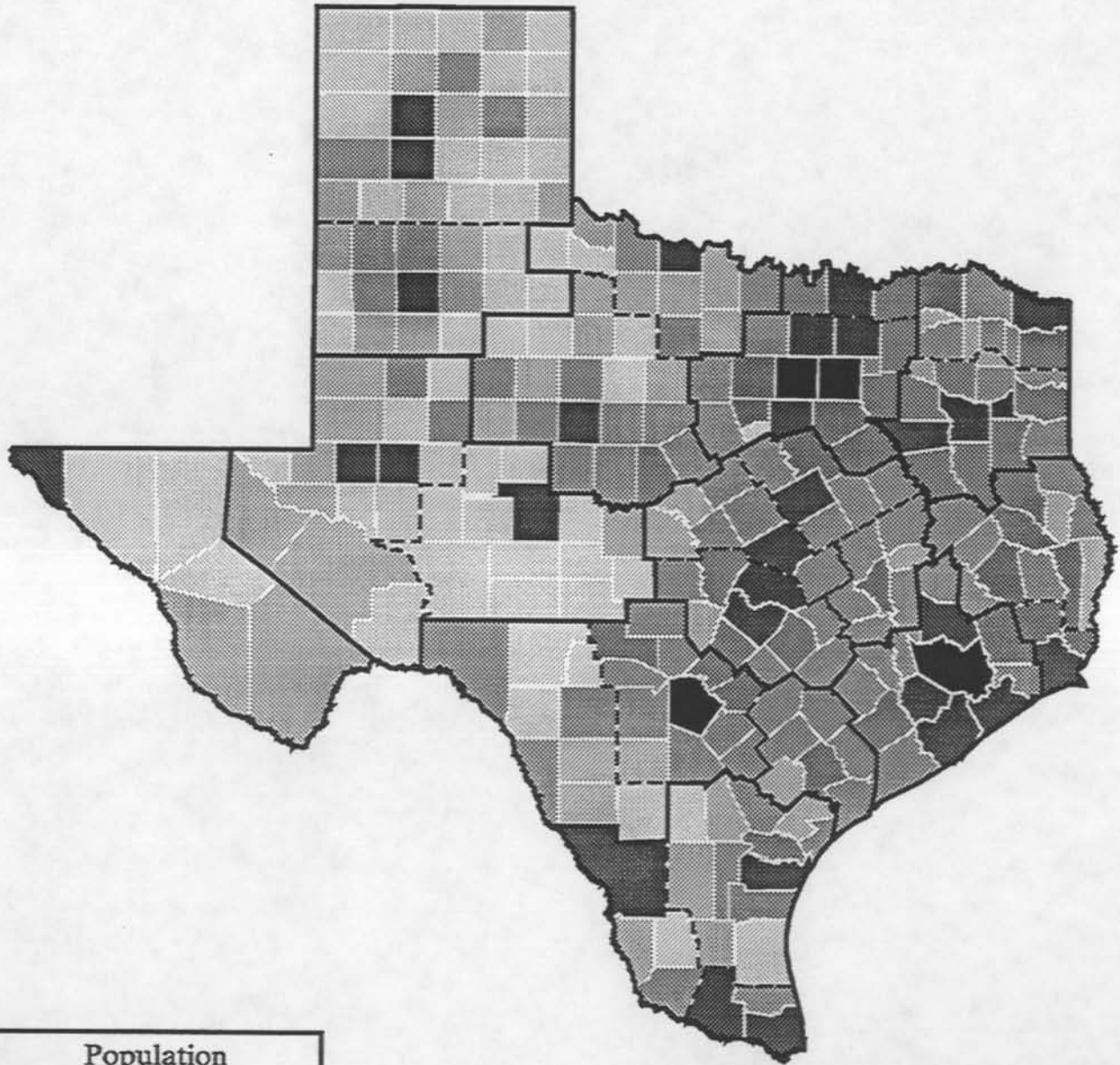
11,033,875



A18-64 - Prepared by: Prog Stat / DOW on 03/10/94

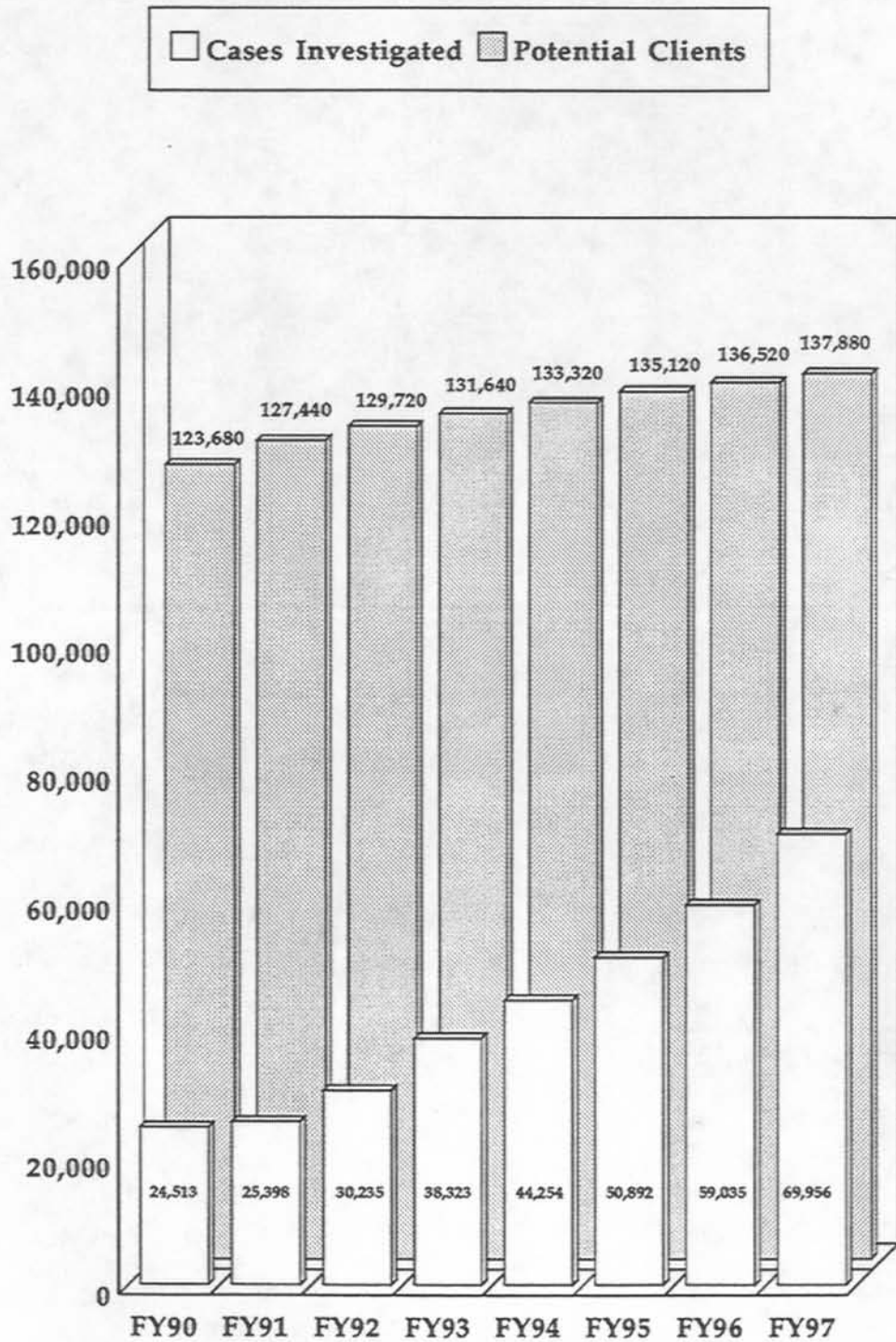
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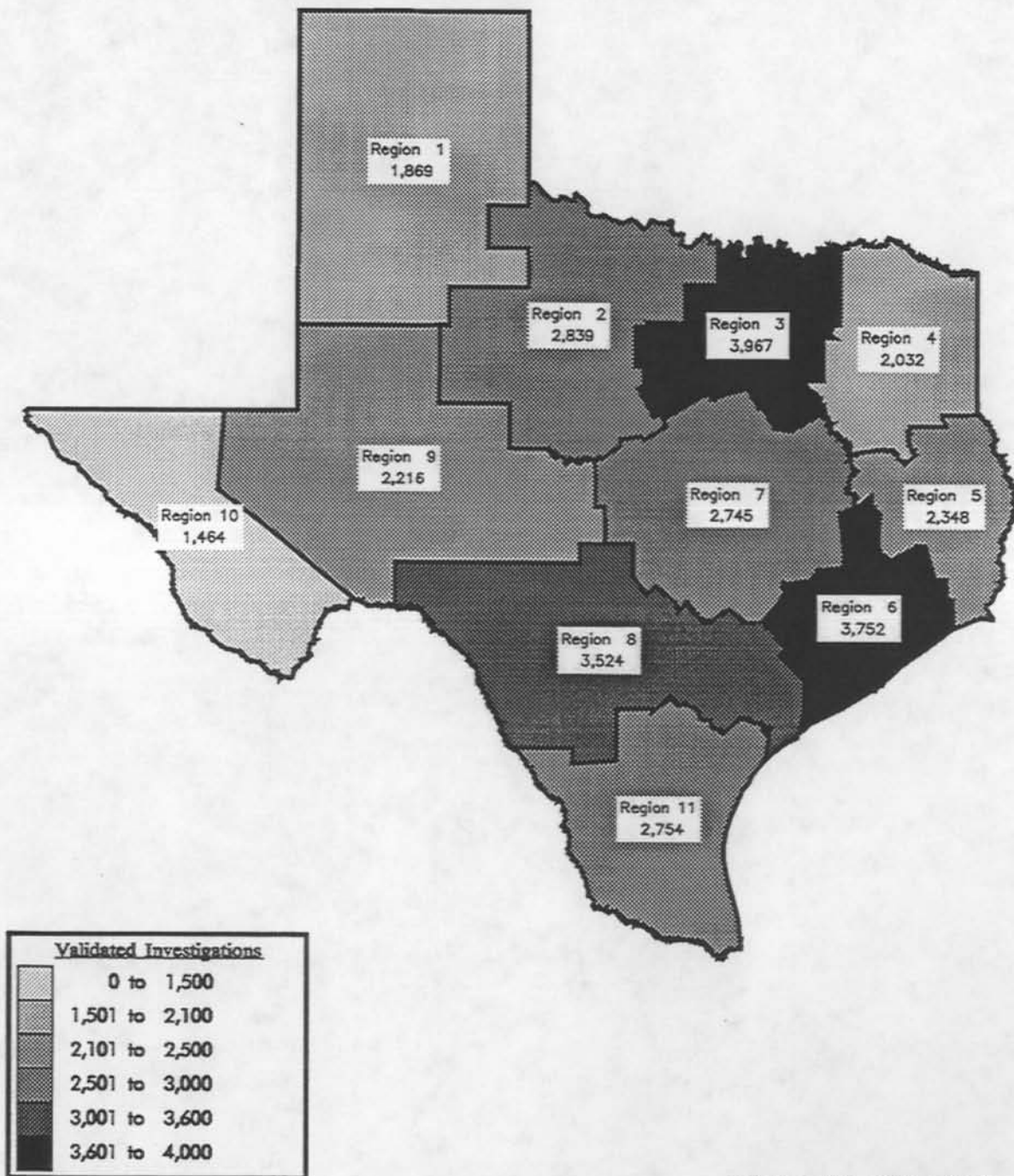
ASPLS - Prepared by Prog Stat / DDW on 02/10/94

Over 131,000 vulnerable adult Texans need protection; only 29% were reported and received an investigation during Fiscal Year 1993



Adult Protective Services Validated Investigations by Region Fiscal Year 1993

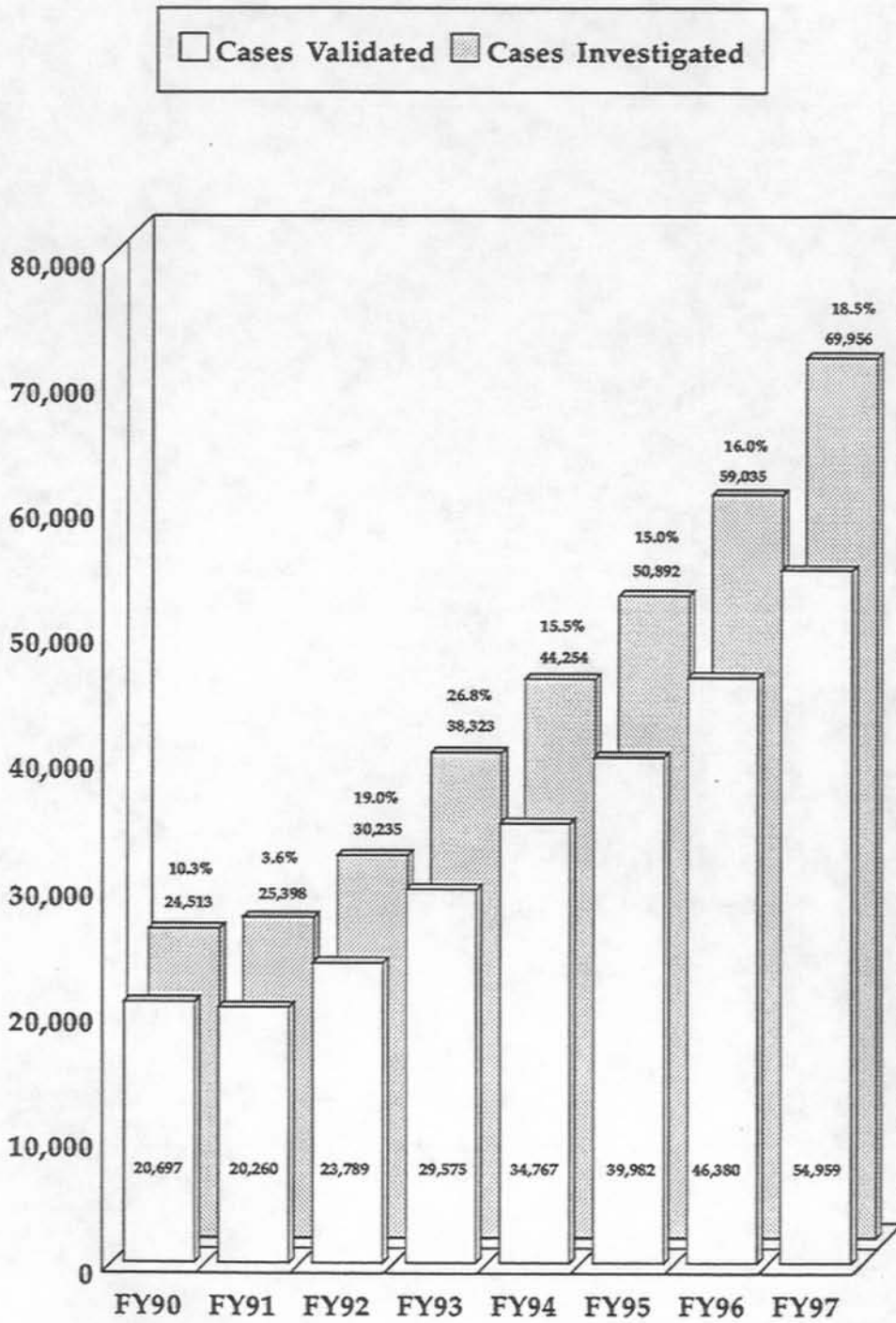
29,575*



MPS_X.R - Prepared by Prog. Stat. / DOR on 02/28/94

*Includes 65 validated investigations where region identifier was invalid.

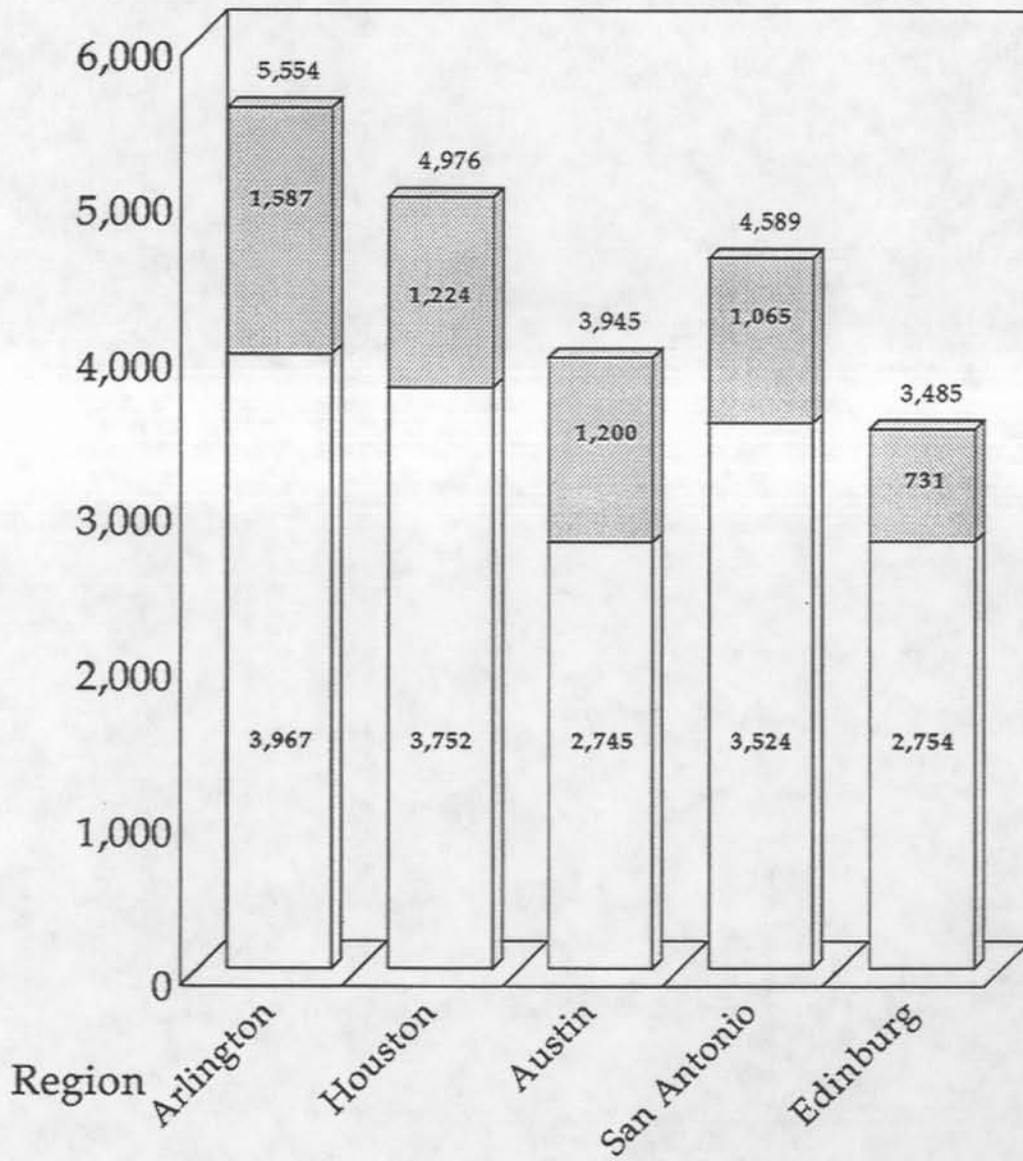
APS Investigations and Validations by Fiscal Year



Percent indicates the percent of increase of APS investigations between fiscal years.

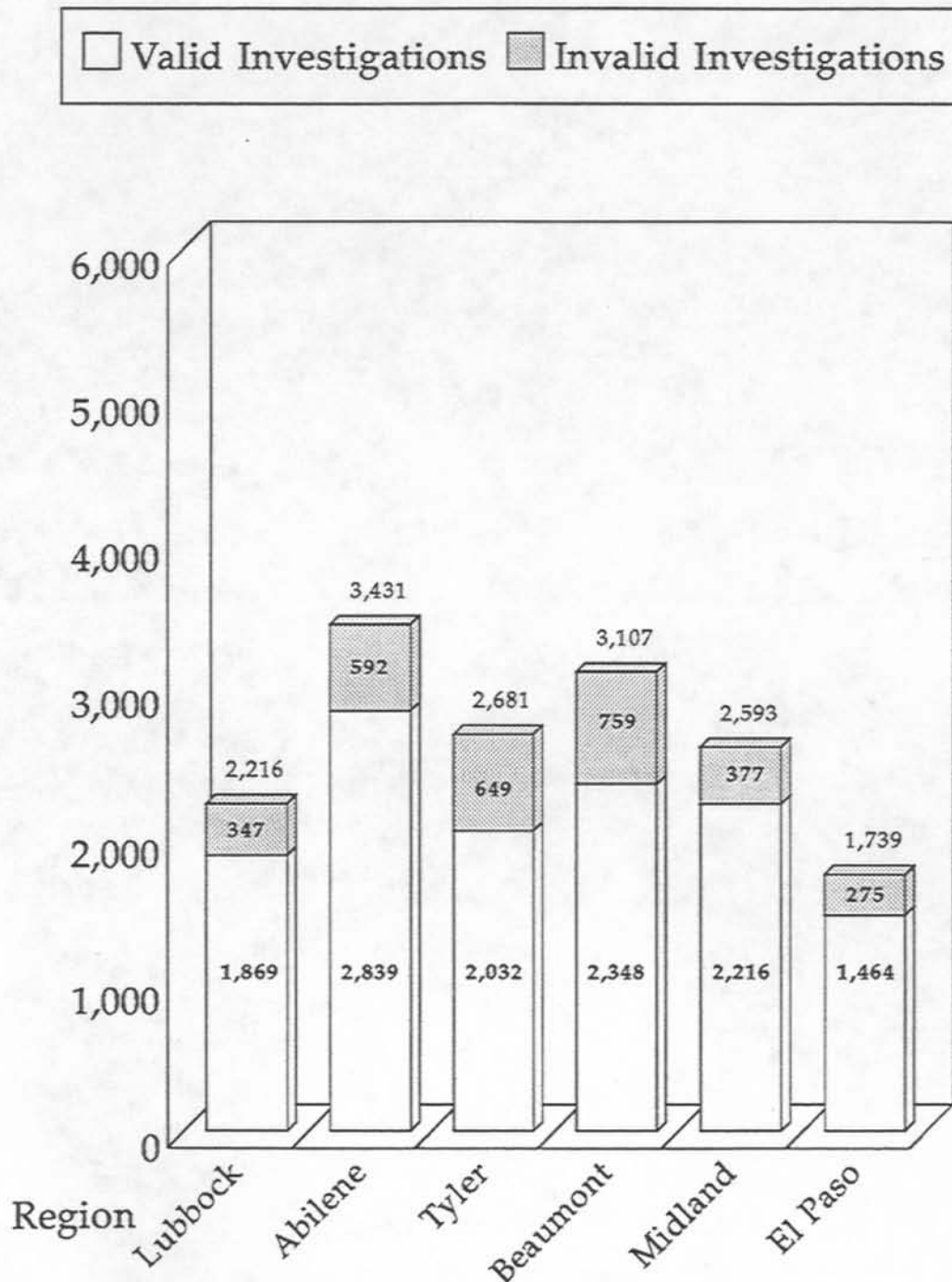
APS Confirmed Investigations to Total Investigations by Region in Fiscal Year 1993

Valid Investigations*
 Invalid Investigations



Note: Does not include 65 valid investigations nor 7 total investigations where region was invalid.

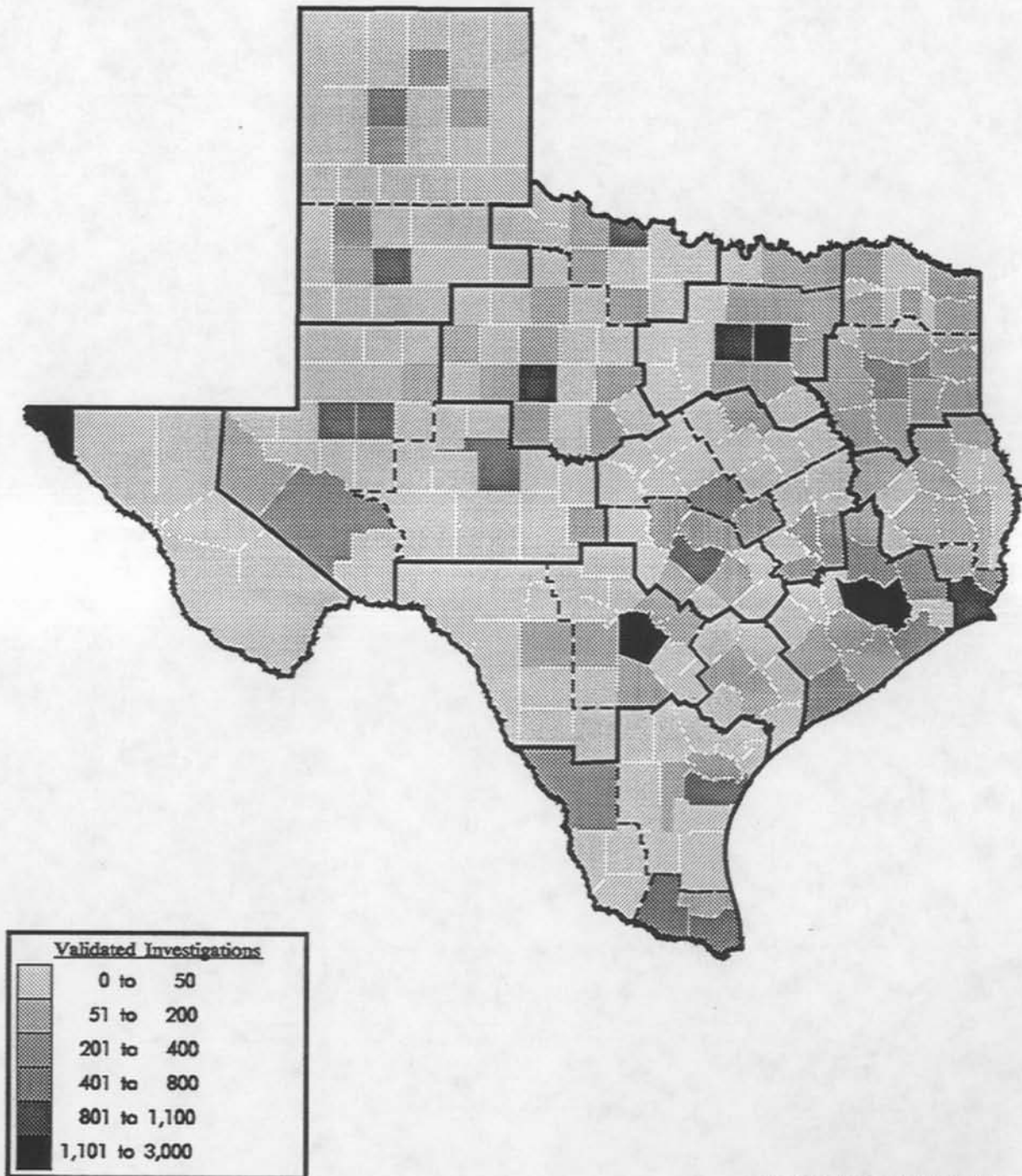
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Adult Protective Services Validated Investigations by County Fiscal Year 1993

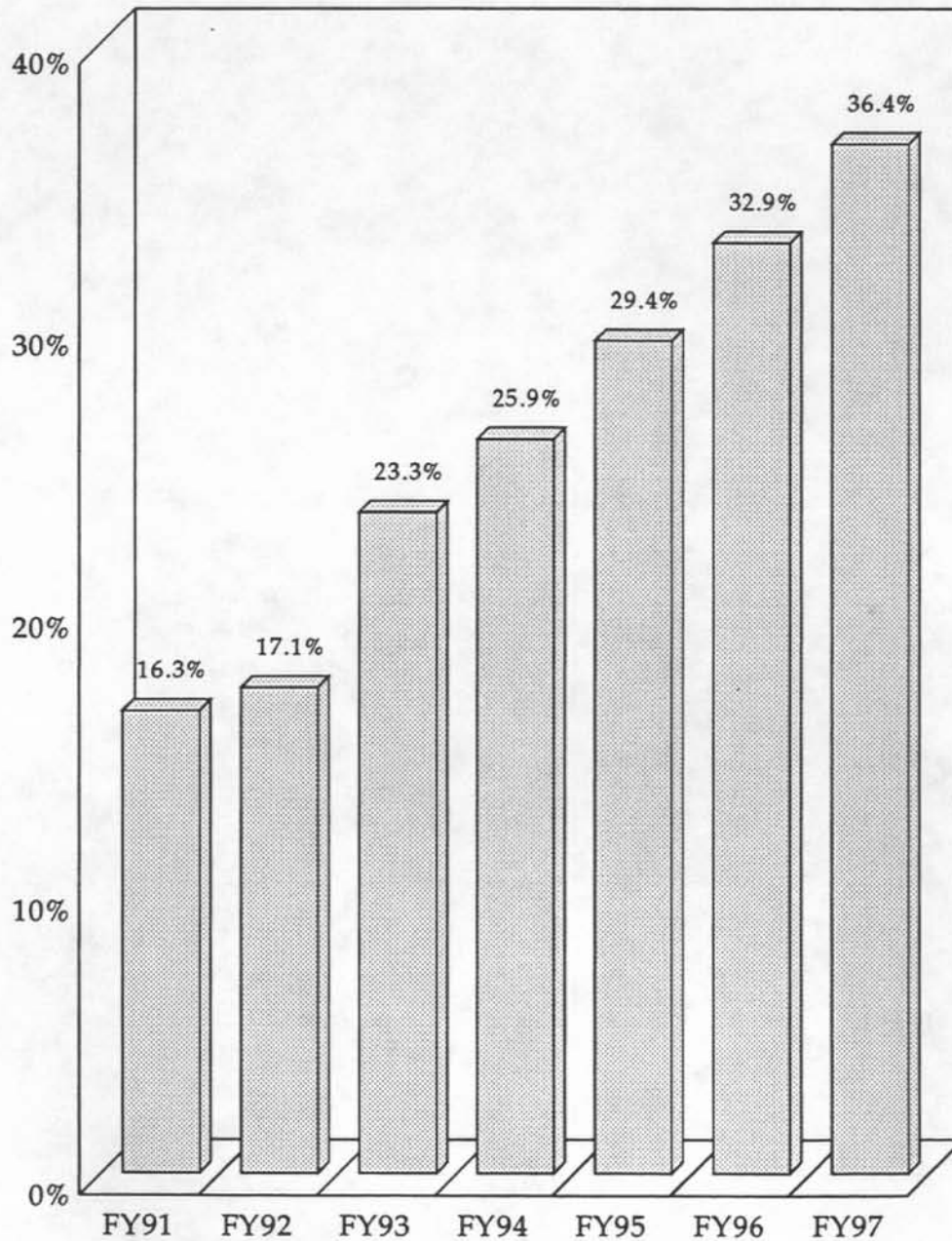
29,575*



MPL_V - Prepared by Prog Stat. / DOW on 02/28/94

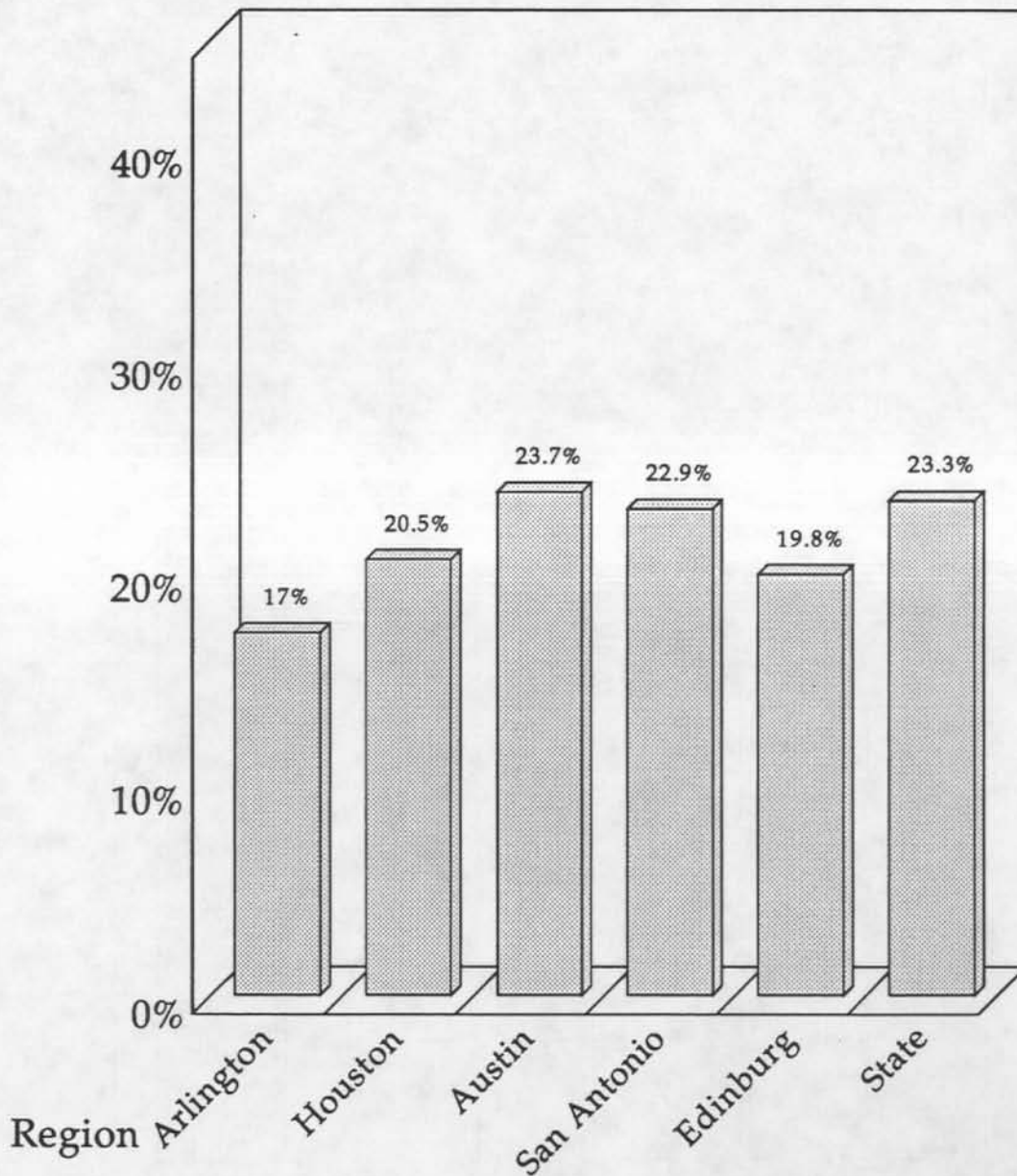
*Includes 65 validated investigations where region identifier was invalid.

Recidivism of Abuse and/or Neglect to Vulnerable Adults by Fiscal Year



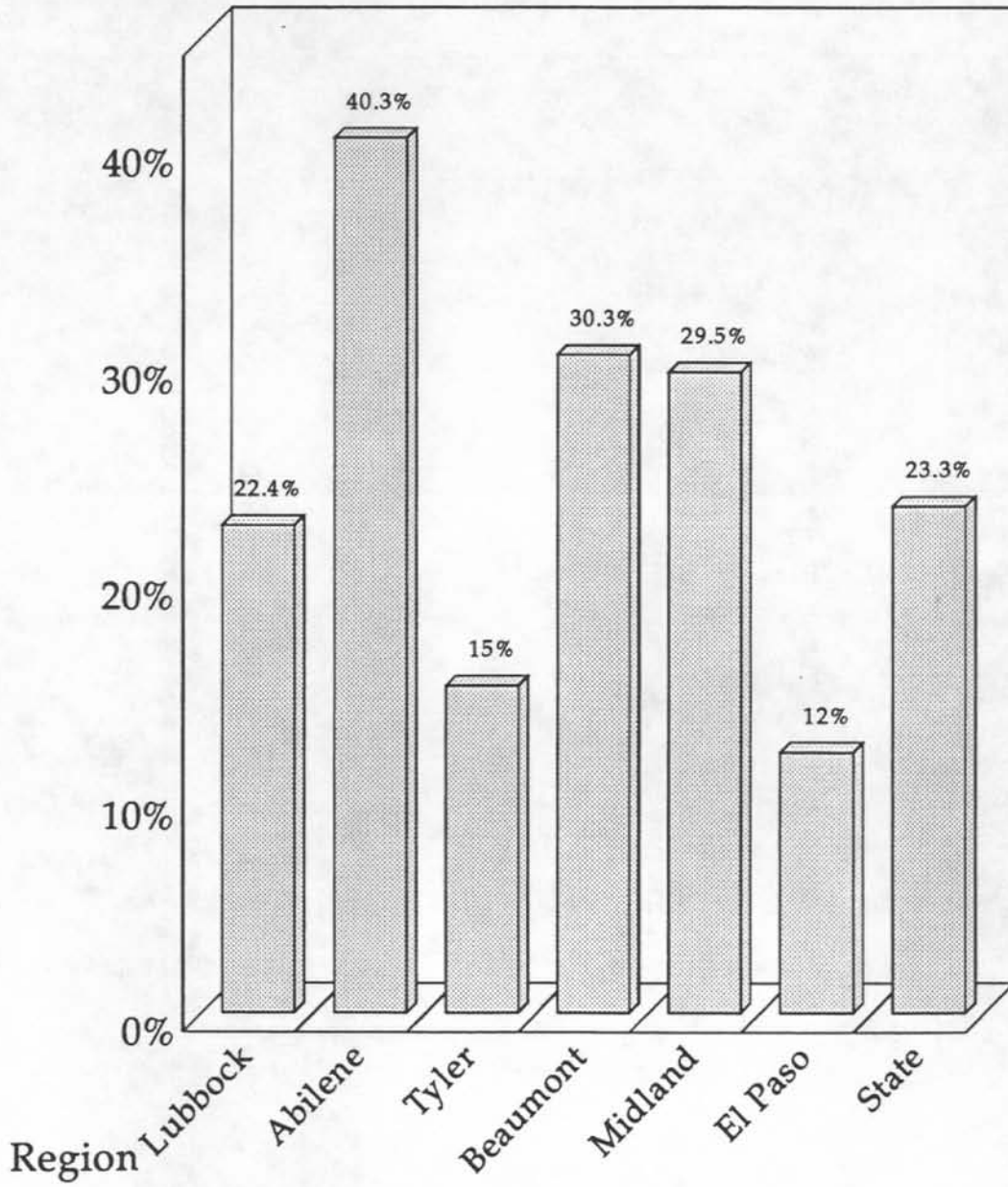
APS clients referred to the APS system more than once during the fiscal year, including those clients who refused services.

Recidivism of Abuse and/or Neglect to Vulnerable Adults by Region in Fiscal Year 1993



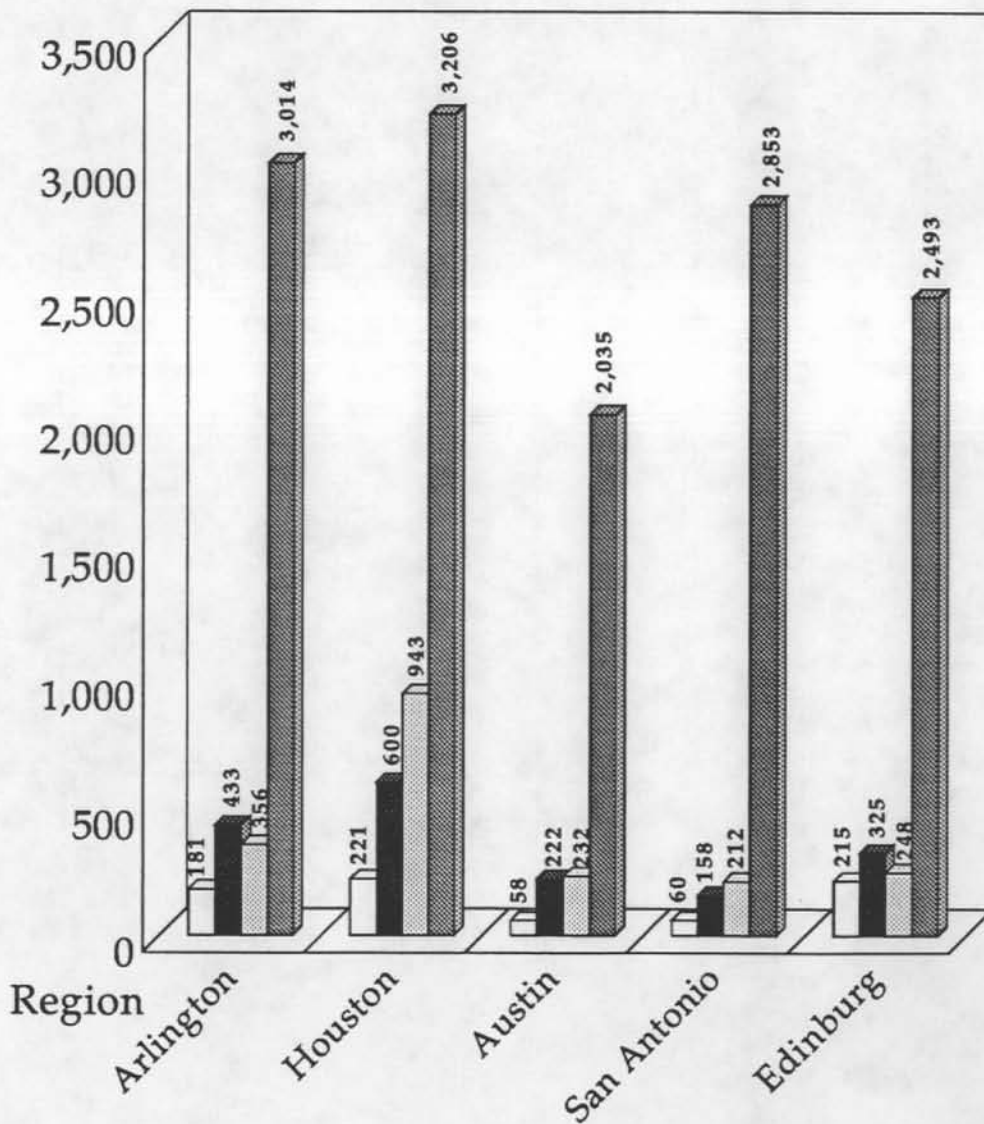
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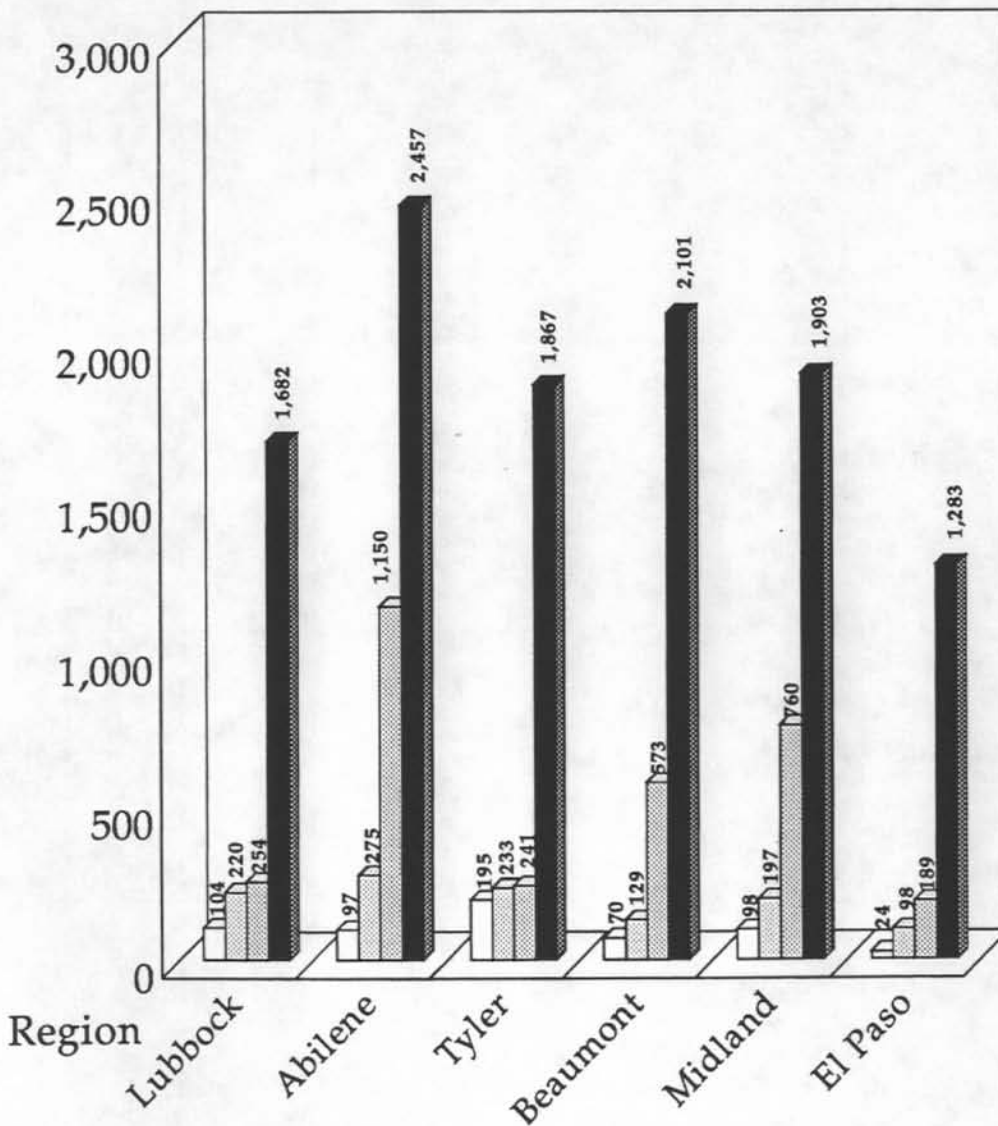
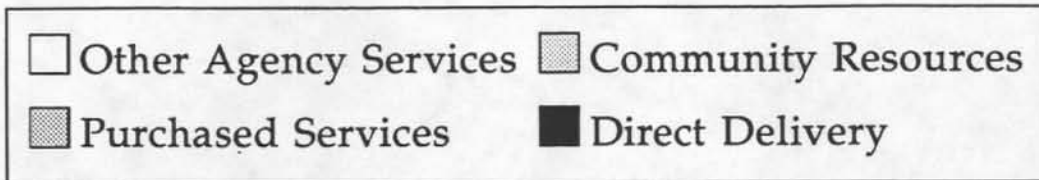


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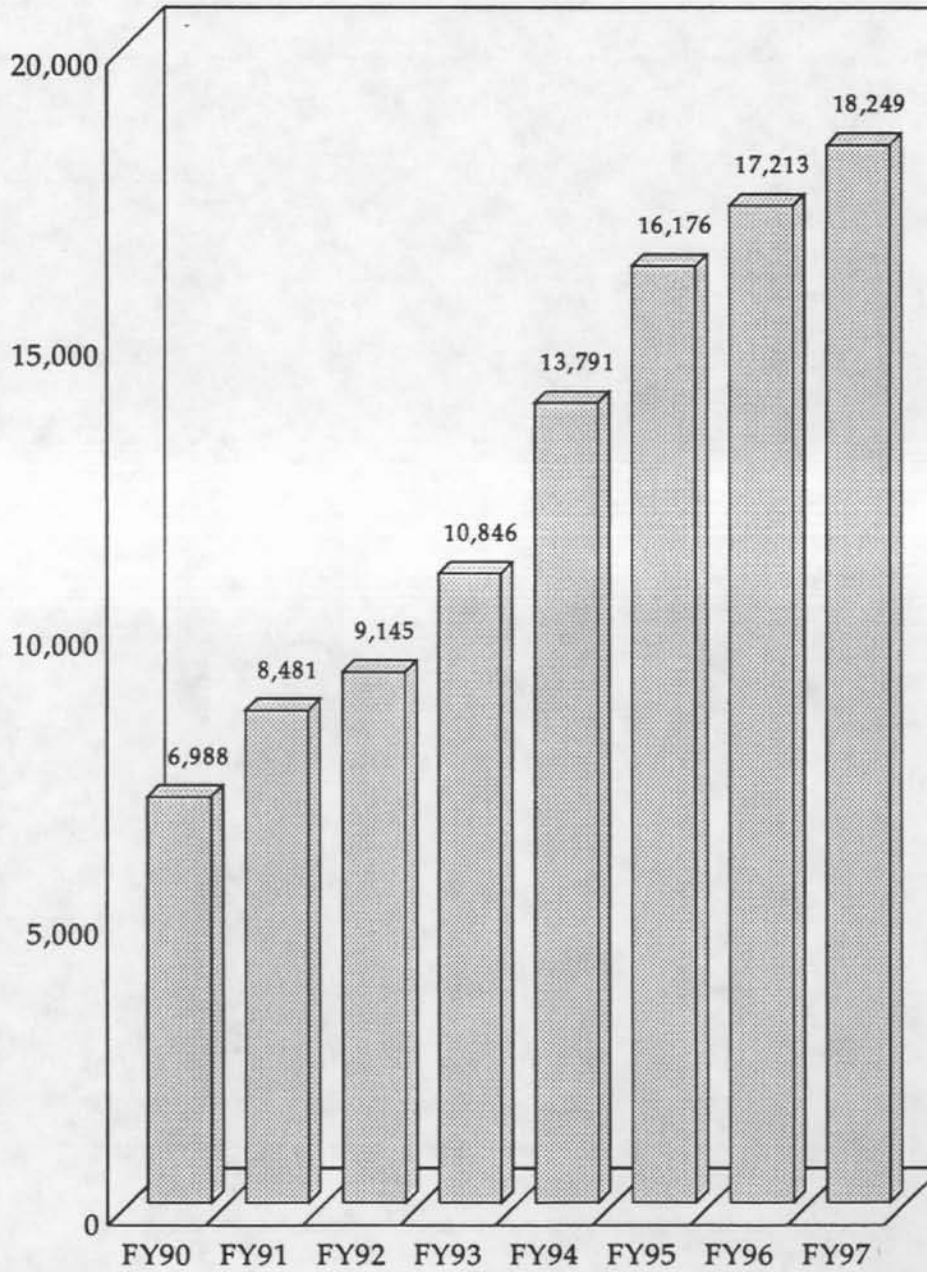
APS Clients Receiving Services Beyond Investigations by Region in Fiscal Year 1993



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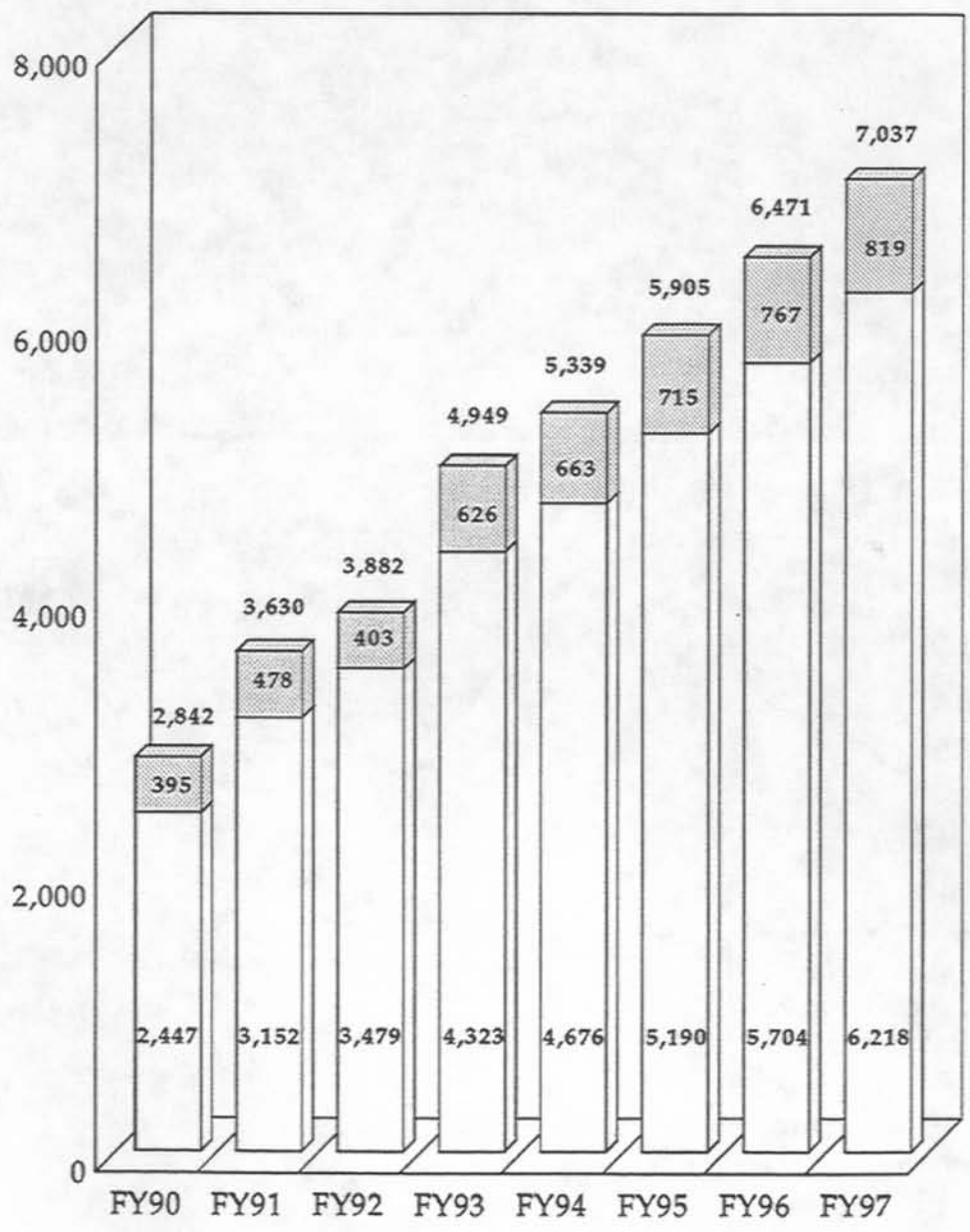


APS Caseload Average per Month by Fiscal Year



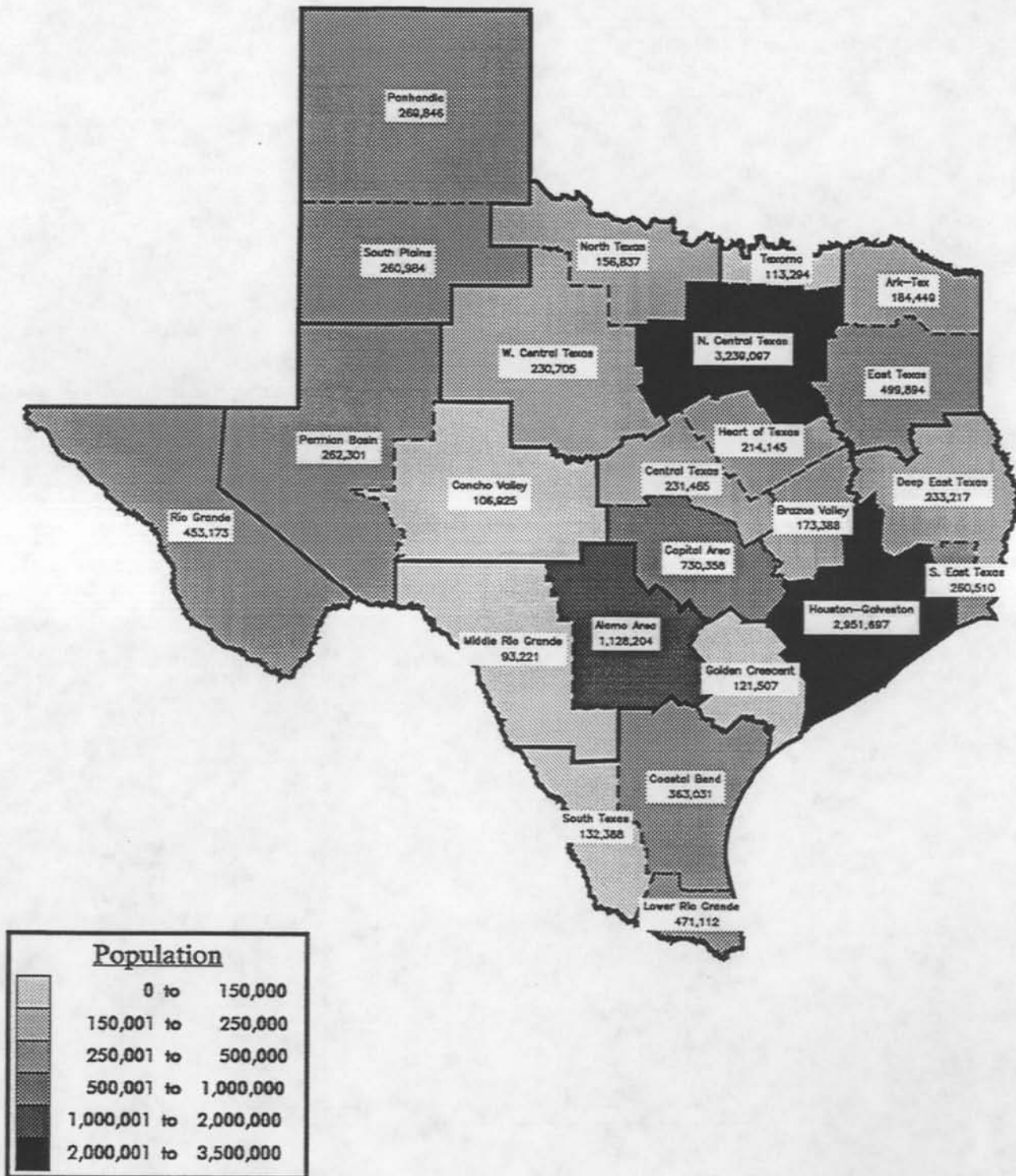
Investigations in MHMR Facilities, Outreach Programs and Community Centers

□ MHMR Facility ▒ Community Center



Total Adult Population by COG (Ages 18 and over)

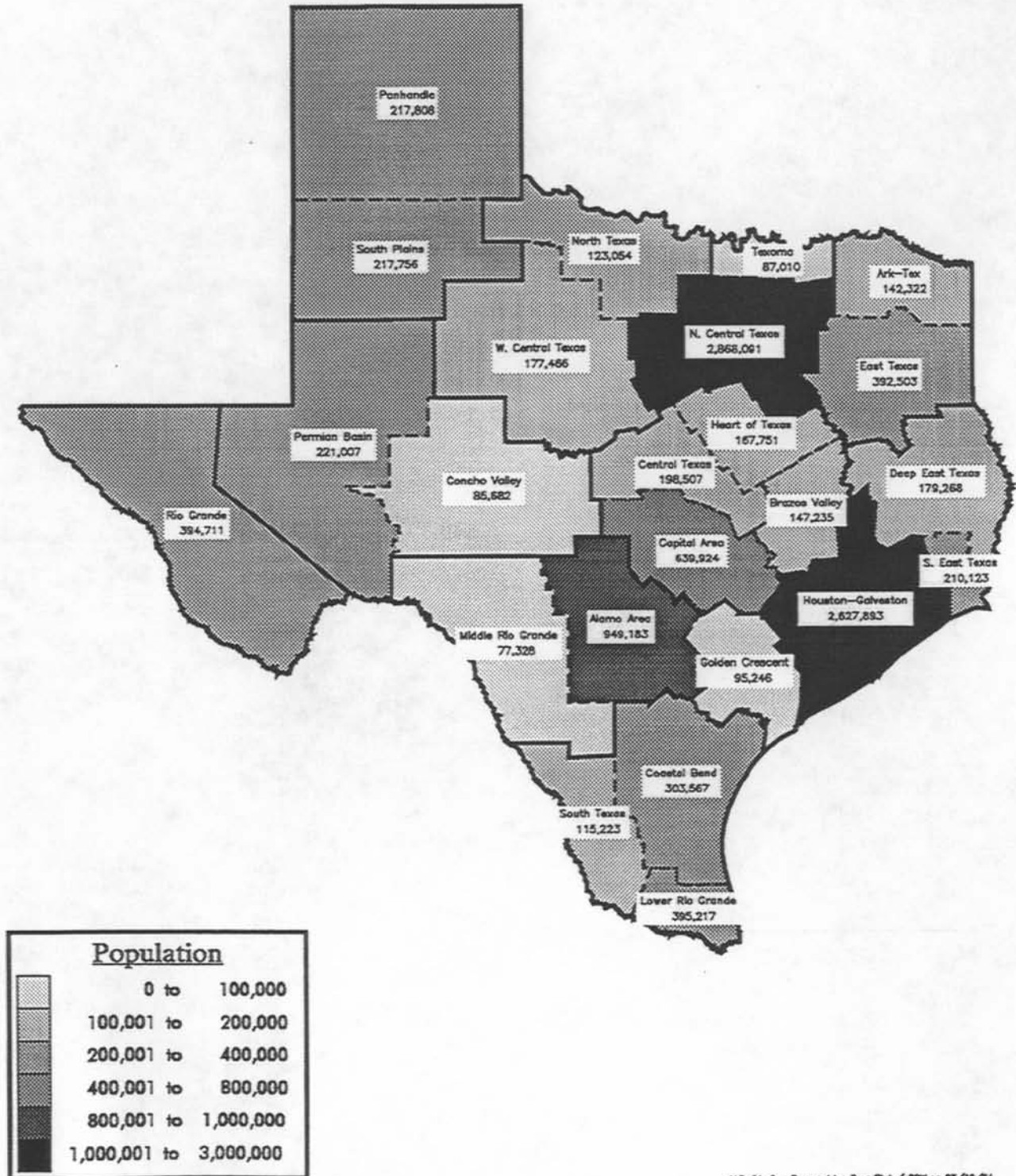
12,881,748



A18PL5_C - Prepared by Prog Syst / DDW on 01/18/04

Adult Population by COG (Ages 18 to 64)

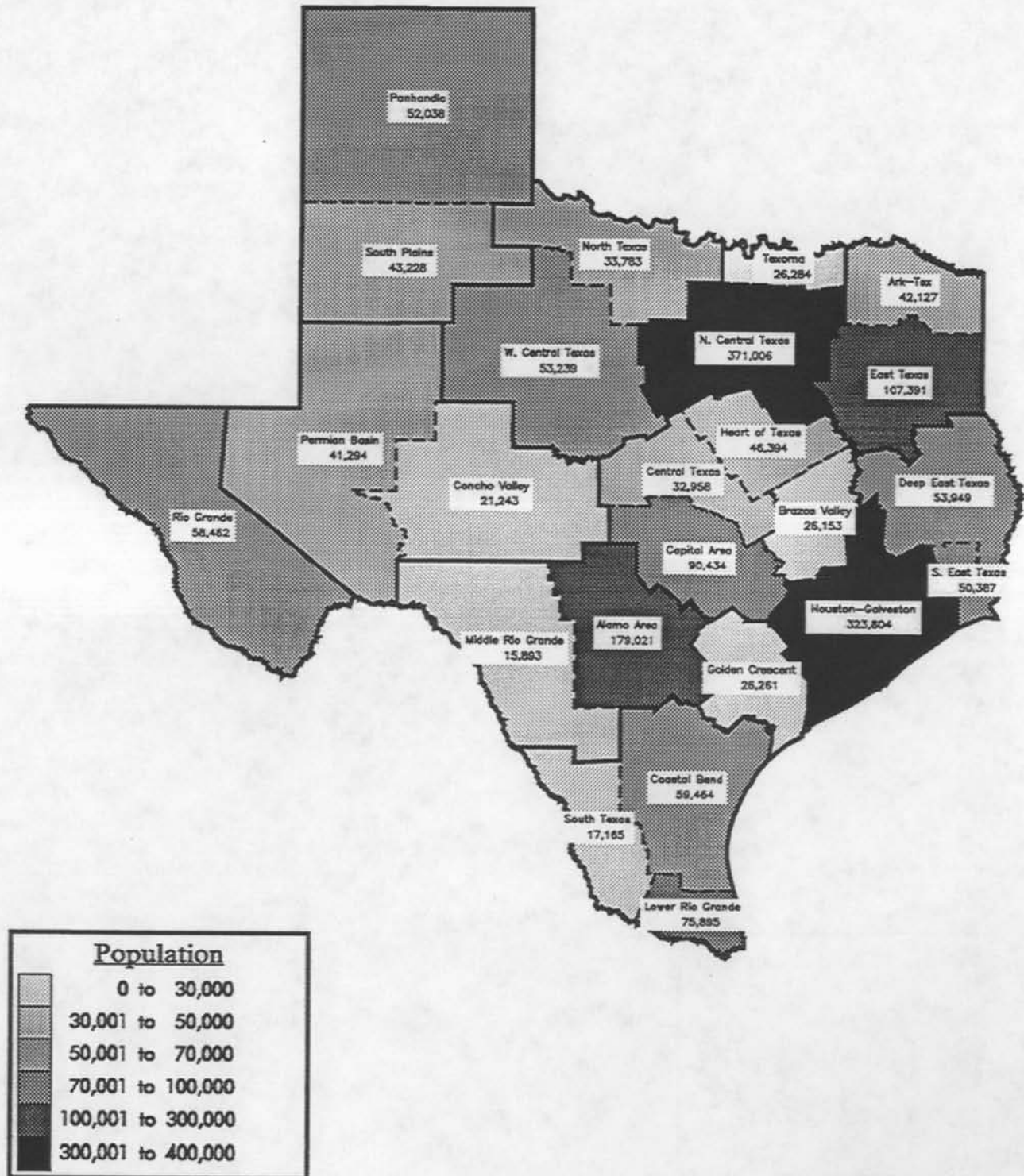
11,033,875



A15-64_C - Prepared by Prog Stat. / DOW on 03/10/94

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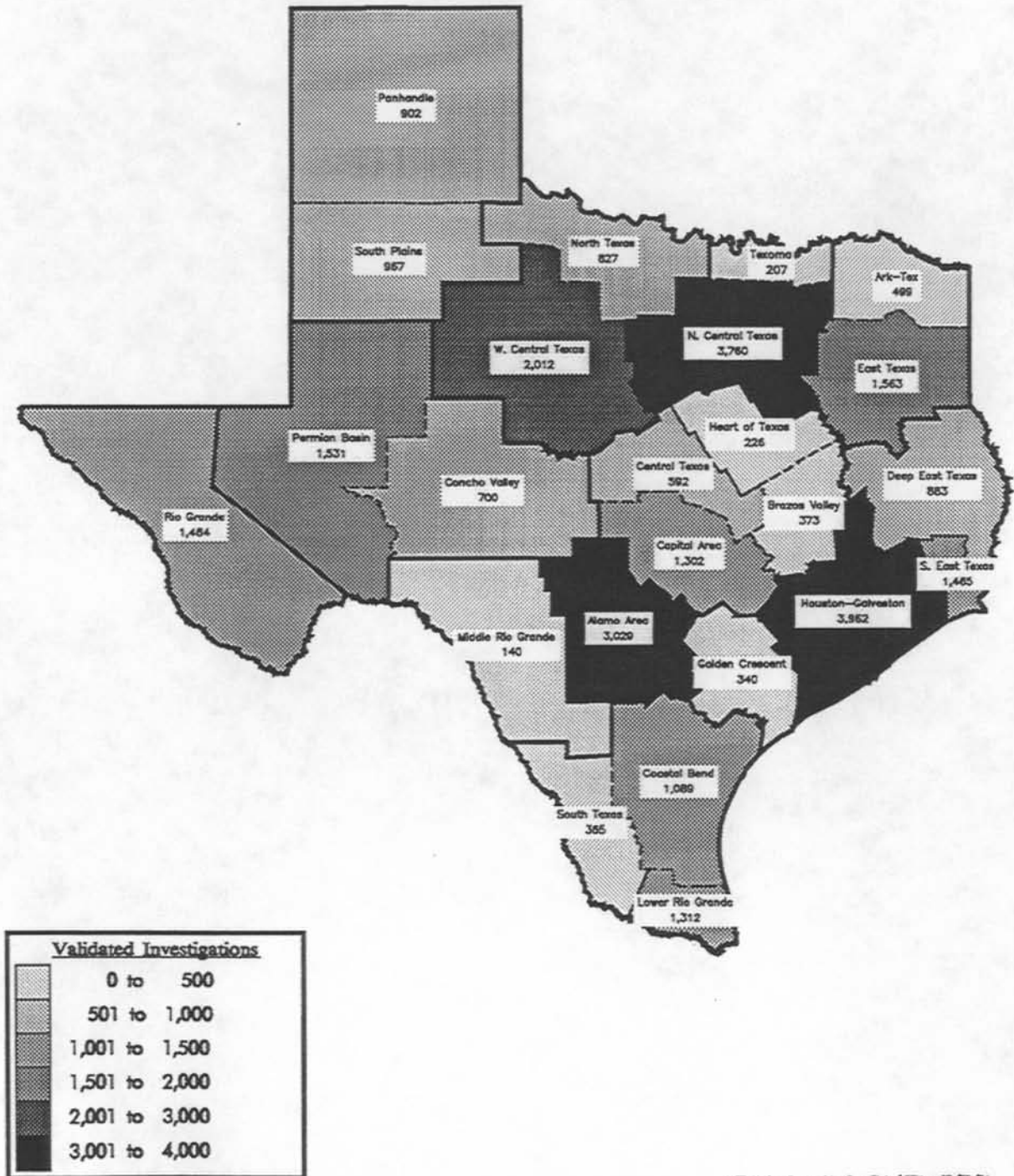
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MSPLS_C - Prepared by Prog Stat. / DOW on 03/10/94

Adult Protective Services Validated Investigations by COG Fiscal Year 1993

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