



The Elder Justice Coalition

2018 Annual Report

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Washington Advocacy and Education

Legislative Victories

- The EJC [supported](#) both the House and Senate versions of the Senior Safe Act, and the legislation became law as part of S.2155. The Act is designed to prevent older adult financial abuse by providing immunities for reporting under bank privacy laws. The bills were sponsored by Reps. Kyrsten Sinema and Bruce Poliquin and Sens. Susan Collins and Claire McCaskill.
- The EJC [supported](#) H.R. 1457, the MOBILE Act, which also became law as part of S.2155. It authorizes a national standard for banks to scan and retain information from driver's licenses and identity cards as part of a customer online onboarding process, via smartphone or website. The House version was sponsored by Reps. Scott Tipton and Terri Sewell and the Senate version was sponsored by Senator Tim Scott.
- The EJC supported the RAISE Family Caregiver Act, which became law as PL 115-119, directing the Department of Health and Human Services (HHS) to develop and make publicly available a National Family Caregiving Strategy that identifies recommended actions for recognizing and supporting family caregivers, and creates a Family Caregiving Advisory Council to advise the department on recognizing and supporting family caregivers.
- The EJC supported the Grandparents Raising Grandchildren Act, which became law as PL 115-196, establishing an Advisory Council to Support Grandparents Raising Grandchildren. The council must identify, promote, coordinate, and publicly disseminate information and resources to help older relatives meet the needs of the children in their care and maintain their own health and emotional well-being.
- The EJC supported the BOLD Act, which became law, amending the Public Health Service Act to award cooperative agreements: (1) for the establishment or support of national or regional centers of excellence in public health practice in Alzheimer's disease; (2) to state public health departments, Native American tribes, and other entities to promote cognitive functioning, address cognitive impairment and unique aspects of Alzheimer's disease, and help meet the needs of caregivers; (3) for analysis

and public reporting of data on the state and national levels regarding cognitive decline, caregiving, and health disparities, and monitoring of objectives on dementia and caregiving in the Department of Health and Human Services' Healthy People 2020 report.

Funding for Elder Justice Issues

The ongoing priority of the EJC is to secure adequate funding for elder justice programs, especially those created under the Elder Justice Act. To date, a total of \$46 million in direct funding for Elder Justice Act programs, such as the Elder Justice Initiative, has been secured.

FY 2018

- Wrote to the House and Senate Appropriations leadership [requesting](#) support for elder justice programs in the FY 2018 omnibus appropriations measure.
- EJC [commented](#) in support of the final FY 2018 funding levels for elder justice-related programs.
- Congress gave the Elder Justice Initiative a \$2 million increase, bringing it to a final funding level of \$12 million for Fiscal Year 2018.

FY 2019

- In response to President Trump's Fiscal Year 2019 Budget Proposal, the EJC [released a statement](#) criticizing the proposal for its lack of commitment to promoting elder justice programs.
- Bob Blancato testified in person on behalf of the EJC to the House Appropriations Subcommittee on Labor, Health and Human Services, and Education, and Related Agencies on April 26, 2018. He [discussed](#) the need for a wide range of additional funding for elder justice programs.
 - The EJC also provided support and signers for a Dear Colleague letter sent on March 19, 2018 to Subcommittee Chairman Cole and Ranking Member DeLauro on FY 2019 appropriations.
- The EJC [submitted testimony](#) to the Senate Appropriations Subcommittee on Labor, Health and Human Services, and Education, and Related Agencies on June 1, 2018.
- [Wrote](#) to Senate Appropriations Committee leadership, including Chairman Shelby and Vice Chairman Leahy and the Commerce-Justice-Science Subcommittee Chairman Moran and Ranking Member Shaheen requesting funding for the recently enacted Elder Abuse Prevention and Prosecution Act of 2017 – P.L. 115-70. The Senate Appropriations Commerce-Justice-Science bill was approved by the committee, and [the report language](#) contains multiple references to combating elder abuse and financial fraud. However, the bill has not yet been enacted.
- Secured support of the Leadership Council on Aging Organizations to include elder justice programs in its [appropriations](#) request.

- Federal fiscal year 2019 began on October 1, and a funding bill for the Departments of Labor, Health and Human Services (HHS), and Education was signed into law on time before the fiscal year began today, October 1. This is the first time in 22 years that the Labor-HHS bill has been signed on time. The increases that many elder justice programs saw for FY 2018 were maintained, including:
 - \$12 million for the Elder Justice Initiative
 - \$1.7 billion for the Social Services Block Grant
 - \$21.7 million for the Long-Term Care Ombudsman program
 - \$3.9 million for Elder Rights Support Activities
- The EJC has supported additional funds from the Victims of Crime Fund be provided to victims of elder abuse and exploitation. At the December 6 meeting of the Elder Justice Coordinating Council, the Department of Justice, represented by Antoinette (Toni) Bacon, who serves as the National Elder Justice Coordinator and Associate Deputy Attorney General, announced that the Department is increasing resources to elder abuse victims. Their Office for Victims of Crime will provide nearly \$18 million to help older adults who are victims of crime.
- Funding for which the EJC advocated led to fifteen separate grant awards related to elder justice that were announced in the Fall by the US Administration for Community Living. [One award](#) is for the Orutsararmut Native Council in Bethel, Alaska, for a two-year project that aims to reduce harm and maltreatment among Yup'ik Eskimo elders. Also, [fourteen states](#) received grants to enhance statewide Adult Protective Services systems, evaluate and improve practices, and improve data collection and reporting to ACL's National Adult Maltreatment Reporting System.

Other Legislative Activities

- Developed a project to communicate with Members of Congress about press coverage of elder abuse, neglect, and exploitation cases in their states and districts, and communicated with dozens of offices.
- Provided feedback and consultation to Senate Judiciary Committee staff on elder-justice-related issues in the draft reauthorization of the Violence Against Women Act (VAWA).
 - EJC staff and members also attended the Senate Judiciary Committee hearing on March 20, 2018 on the reauthorization of VAWA, where Bob Blancato was recognized for his leadership by Chairman Grassley.
- Provided [input](#) to Senate Aging Committee staff on guardianship issues and exploitation.

- Provided input and secured elder justice language in the Geriatric Workforce Enhancement Program (GWEP) reauthorization (S.2888, H.R.3713, H.R.3728). The House passed H.R.3728, the bipartisan bill that prioritizes funding primary care geriatric workforce programs that integrate competencies of elder abuse. [H.R. 3728](#), the Educating Medical Professionals and Optimizing Workforce Efficiency Readiness (EMPOWER) Act, sponsored by Reps. Michael Burgess (TX), Jan Schakowsky (IL) and Larry Bucshon (IN), passed the House by voice vote but was not enacted into law.
- Worked with several Members of the Senate and House on all aspects of the introduction of the *Stamp Out Elder Abuse Act*. Bill sponsors included: Senators Susan Collins, Claire McCaskill, and Amy Klobuchar and Representatives Peter King, Carolyn Maloney, Suzanne Bonamici, and Jan Schakowsky. The bill will create a semi-postal stamp to provide additional funding to the federal government for programs to address elder abuse, neglect, and exploitation. The EJC worked closely with Philip C. Marshall, founder of *Beyond Brooke*. The EJC also wrote letters of support and produced an [advocacy alert](#) for the bill. The bill is being re-introduced in the 116th Congress.
- Developed a set of amendments to the Older Americans Act for consideration by the Leadership Council of Aging Organizations and the Hill during the OAA reauthorization process in 2019. The amendments would provide for inclusion of several Elder Justice Act components within the Older Americans Act either through addition to the Act or through authorization in the Act.
- Elder Justice Coalition staff have been providing input on various aspects of guardianship policy to the Senate Special Committee on Aging, and on November 28 the Committee held a hearing on guardianship issues. You can watch the hearing and read statements and testimony [here](#). In conjunction with the hearing, the Committee also released a report on guardianship issues, available [here](#). It focuses on three key areas that should be addressed: oversight of guardians and guardianship arrangements, alternatives to guardianship and restoration of rights, and the need for better data.

Other Elder Justice Legislation – 115th Congress – Actions in 2018

Throughout the 115th Congress (2017-2018), the EJC staff and its members worked with Members of Congress and their staff in the development of policy and legislation to help end elder abuse, neglect, and exploitation. Elder justice bills introduced/voted on but not signed into law include:

- S.Res. 549: A resolution designating June 15, 2018, as “World Elder Abuse Awareness Day”.
 - Sponsor: Sen. Richard Blumenthal (D-CT)
 - No action: Senator Lee (R-UT) withheld his consent

- S. 3522: Senior Scams Prevention Act: This legislation was designed to train retailers, wire transfer companies, and financial institutions to detect, identify, and stop fraud against older adults. The bill would have created a federal advisory council which would develop materials for these companies.
 - Sponsors: Sens. Bob Casey (D-PA) and Jerry Moran (R-KS)
 - No action: Died in committee
- S. 3669: Guardianship Accountability Act of 2018: This Act was designed to help States improve guardianship oversight and data collection by designating a National Online Resource Center on Guardianship, authorizing grants for the purpose of developing State Guardianship Databases, and establishing procedures for sharing background check information related to appointed guardians with other jurisdictions.
 - Sponsors: Sens. Susan Collins (R-ME) and Bob Casey (D-PA)
 - No action: Died in committee

Regulatory and Administrative Activities

- On February 26, 2018, the EJC [wrote](#) to The Honorable Jeff Sessions, Attorney General of the United States, to congratulate him and the Department of Justice for the largest elder fraud enforcement action in American history, the Elder Fraud Sweep, and for the other work of the Consumer Protection Branch. The Attorney General [sent](#) a personal letter in response.
- Bob Blancato [presented testimony](#) for the third time to the Elder Justice Coordinating Council in Washington, DC, on June 5, 2018. EJC member Bill Benson also testified. The focus was on the Elder Fraud Sweep and the growing elder abuse and neglect linked with family, caregiver, and others who are addicted to opioids.
- EJC National Coordinator Bob Blancato [responded](#) to a report by the Centers for Medicare and Medicaid Services (CMS) to the report on nursing home staffing shortages by calling for immediate congressional hearings to determine how staffing shortages went unnoticed and on changes to the nursing home star rating system to prevent this problem in the future.
- [The EJC commended](#) the Federal Trade Commission (FTC)'s official [announcement](#) of its new Elder Justice Coordinator Kathleen Benway and commended the announcement by the Department of Justice that its Elder Justice Coordinator would be Toni Bacon.
- On September 24, the EJC wrote to Alex Azar, Secretary of U.S. Department of Health and Human Services (HHS) to reiterate previous testimony by Bob Blancato to the EJCC. The letter asked that the Secretary designate the Administration for Community Living as an HHS operating division to receive and disseminate opioid funding. EJC has subsequently met with ACL to discuss this and additional follow-up is underway.

- On December 6, EJC staff and members participated in the Elder Justice Coordinating Council meeting in Washington, DC to hear updates on dozens of programs and actions taken by federal agencies to prevent and respond to elder abuse, neglect, and exploitation. The EJC worked for the creation of the EJCC and continues to participate in these meetings.
- As a follow-up to the December 6 EJCC meeting, wrote a letter to Admiral Brett P. Giroir, M.D., who serves as Assistant Secretary for Health and Senior Advisor for Opioid Policy, U.S. Department of Health and Human Services (HHS). The letter requested a meeting to discuss EJC findings regarding the increase in elder abuse, neglect, and exploitation tied to the opioid crisis and how the EJC could work with the Admiral's office to address engagement of and support for the Administration of Community Living/Administration on Aging. A meeting is scheduled for January 22 with Admiral Giroir and his staff.

Other Comments, Research, Presentations and Webinars

- Partnered with Virginia Tech's Center on Gerontology to study the growing rate of elder abuse and exploitation directly related to the opioid crisis. Thus far, focus groups have been conducted with key state and local officials in four states. These officials universally report significant increases in abuse, particularly financial exploitation. The EJC's Federal Policy and Media Coordinator, Meredith Whitmire, presented EJC findings and actions steps in a session titled "The Opioid Epidemic and Older Adults: Pathways to Elder Abuse and Justice" at The Gerontological Society of American's Annual Scientific Meeting in Boston. She was joined on the panel by Pamela B. Teaster and Karen A. Roberto of Virginia Tech. Brian Lindberg moderated the panel.
- Conducted a [webinar](#) co-hosted with the Benjamin Rose Institute on Aging on elder abuse innovation grants in Indian Country, entitled "But Did It Work? Follow-up on Elder Justice Interventions I." The EJC also co-hosted a [webinar](#) with BRIA on a panel discussion about an innovative project developed with BRIA, WellMed and Texas Adult Protective Services to screen for risk factors for self-neglect among older adults and people with disabilities in WellMed clinics in Texas.
- Bob Blancato had a piece [published](#) on the PBS site Next Avenue on WEAAD and elder abuse.
- On May 7, 2018, EJC's Bob Blancato [commented](#) on the Administration for Community Living's release of an updated report showing the national crisis of elder abuse. The report uses the National Adult Maltreatment Reporting System (NAMRS) data which is collected from state and local Adult Protective Services programs on cases of abuse of

older adults and adults with disabilities. The NAMRS data system was authorized and funded under the bipartisan Elder Justice Act.

- The EJC [submitted comments](#) to the US Preventive Services Task Force regarding their recommendation not to encourage screening by physicians for elder abuse at this time. (See draft recommendation [here](#).)
- Participated in elder justice general sessions or on panels or provided elder justice updates at numerous conferences and/or meetings, including:
 - American Society on Aging, CA
 - Center for Urban Future, NY
 - Colorado Elder Rights Coalition
 - Alliance on Aging, FL
 - GA Foods corporate retreat, FL
 - National Silver Haired Congress, DC
 - National Education Association-Retired, IL
 - National Association of Social Workers, SC
 - National Academy of Elder Law Attorneys, LA
 - Barry University, FL
 - Stetson University School of Law, FL
 - National Adult Protective Services Association summit, DC
 - WEAAD event, NY
 - National Indian Council on Aging, Temecula, CA
 - National Senior Corps Convening, DC
 - Title VI National Conference, DC
 - 2018 Aging Well in Arizona conference
- Called for immediate Congressional hearings into a disturbing [report](#) issued that pointing to chronic staff shortages in nursing homes. The Coalition specifically asked the hearings to focus on the response by Centers for Medicare and Medicaid Services (CMS) to the report, specifically on how staffing shortages went unnoticed and on changes to the nursing home star rating system to prevent this problem in the future.
- Showed its strong support of efforts by the Chairman of the Federal Communications Commission to curb the spread of illegal robocalls. The Coalition commented in response to a letter that FCC Chairman Ajit Pai sent in November to major telecommunications CEOs demanding they provide a response on how they plan to curb this problem.
- On November 14, EJC National Coordinator Bob Blancato participated in the first-ever Department of Justice Rural and Tribal Elder Justice Summit. He spoke on a panel entitled “Showcasing the Strength of Tribal Communities.” Also participating in the

conference were key EJC members Bill Benson (NAPSA), Sandy Markwood (n4a) and Pam Teaster (Virginia Tech).

- EJC staff also participated in a Reframing Elder Abuse workshop with the FrameWorks Institute held at the Administration on Aging in Washington, DC. For more resources on Reframing Aging and Elder Abuse, please go to the following websites: [Reframing Aging Resources](#) , [Reframing Elder Abuse Resources](#) , [Reframing the Conversation on Elder Abuse Video Lecture Series](#) (Code: WEAAD2018).
- We [submitted comments](#) on proposed rules that would weaken the current emergency preparedness requirements for various in-patient providers, including nursing homes. EJC member Consumer Voice also [submitted comments](#), and Senator Wyden wrote a [letter on the topic](#) to the Centers for Medicare and Medicaid Services (CMS).
- Meredith Whitmire presented at a congressional briefing on sexual abuse and domestic violence in later life with fellow panelists Karla Vierthaler, Bonnie Brandl, and Koube Ngaaje. The briefing was led by Rep. Ann Kuster, co-chair of the Congressional Bipartisan Task Force to End Sexual Violence.

Media Interviews and Clips

During 2018, the EJC staff responded to and proactively contacted reporters on elder abuse topics.

- VICE featured an [article](#) on the Elder Abuse Prevention and Prosecution Act, “The Actually Great Bill Trump Signed His First Year,” which quotes Bob Blancato and elder justice prosecutor and longtime advocate Paul Greenwood.
- Bob Blancato’s statement on nursing home staff shortages was reported on in the [McKnight’s Long-Term Care News](#), the [Akron Beacon Journal](#), and the [Illinois Nursing Home Abuse Blog](#).
- Bob Blancato was featured in [an article from The Oregonian](#) on abuse of patients in dementia care facilities.
- The [Hudson Valley Spectrum News](#) and the [Times Herald-Record](#) reported on Bob Blancato’s trip to Newburgh, NY for WEAAD.
- The [American Society on Aging’s AgeBlog](#) reported on Bob Blancato’s FY 2019 appropriations testimony.
- Bob Blancato wrote a letter to the editor on behalf of the Elder Justice Coalition to commend the Providence Journal and its team of journalists for skillfully investigating and writing the nine-part series on elder abuse, neglect, and exploitation in Rhode Island.
- Bob Blancato also wrote to the [Portland Press-Herald](#) to commend Sen. Collins on her introduction of the Stamp Out Elder Abuse Act.