



**TESTIMONY**

Presented by

**Caryn Resnick  
Deputy Commissioner, External Affairs**

on

**Oversight: Reforming Adult Protective Services in New York City  
Int. No. 802: Senior Emergency Information Card**

before the

**New York City Council  
Committee on Aging & Committee on General Welfare**

on

**Wednesday, June 17, 2015  
10:00 A.M.**

at

**Council Chambers, City Hall  
New York, NY 10007**

Good morning, Chairpersons Chin, Levin, Vallone, and members of the Aging and General Welfare Committees. I am Caryn Resnick, Deputy Commissioner for External Affairs at the New York City Department for the Aging (DFTA). I am joined by Eileen Mullarkey, Assistant Commissioner for Long-Term Care, and Aurora Salamone, Director of DFTA's Elderly Crime Victims Resource Center. On behalf of DFTA Commissioner Donna Corrado, I would like to thank you for this opportunity to testify today and to discuss Int. No. 802, in relation to a senior emergency information card.

As New York City Human Resources Administration (HRA) Chief Special Services Officer Daniel Tietz testified, Adult Protective Services (APS) is mandated to assist those who lack sufficient mental and/or physical capacity to cooperate with efforts to assist them. DFTA generally works with voluntary clients who seek services through the Agency's Elderly Crime Victims Resource Center (Center) or elder abuse service providers that contract with DFTA. HRA's APS program plays an equally vital role in the City's investigation and response to elder abuse. When appropriate, DFTA and APS refer clients to each other, based on their respective program's criteria. Further, DFTA and HRA's APS program are partners as Steering Committee members of the New York City Elder Abuse Center (NYCEAC). As HRA referenced, NYCEAC utilizes a collaborative, multidisciplinary team approach across systems and disciplines to effectively and efficiently respond to complex cases of elder abuse. Also, together with HRA, DFTA participated in outreach events in Police Precincts and Police Service Areas citywide to commemorate World Elder Abuse Awareness Day yesterday. The City remains committed to continuing the fight against elder abuse through various efforts including direct services, research, education, outreach, and community collaboration.

#### **ASSISTING ELDER ABUSE VICTIMS AND VULNERABLE OLDER ADULTS**

Elder abuse is defined as a destructive behavior that is directed toward an older adult, occurs within the context of a relationship denoting trust, and is of sufficient intensity and/or frequency to produce harmful physical, psychological, social, and/or financial effects of unnecessary suffering, injury, pain, and decreased quality of life for the older adult impacted by the abusive behavior. The specificity of laws varies from state to state, but elder abuse includes acts of commission (abuse) and omission (neglect), both intentional and unintentional.

Unfortunately, elder abuse is a crime of opportunity that afflicts a vulnerable population. Recognizing the seriousness of this crime among older New Yorkers, DFTA operates the Elderly Crime Victims Resource Center to provide direct resources and referral services to elder abuse victims and older adult crime victims in general, as well as to coordinate DFTA's education and prevention efforts regarding this important agency mission. The Center can be reached by phone from 9 am to 5 pm Monday through Friday by dialing 311. After hours, callers are instructed to contact Safe Horizon's hotline, which ensures that 24/7 telephone assistance is available. The Center receives daily referrals from community social service agencies, hospitals, physicians, attorneys, the New York City Police Department, and the general public regarding elderly victims. In FY 2014, the Center provided services to approximately 1,470 victims. DFTA also has been training its senior center and case management staff in elder abuse protocol since the passage of Local Law 43 of 2008.

In addition, DFTA contracts with community based organizations to provide direct services to victims of elder abuse, as well as to develop prevention activities that include trainings and outreach. The work of these contracted agencies goes far beyond information and referral. Service providers provide long-term case management services to clients, many of whom present highly complex cases. Providers may assist victims of elder abuse by helping them secure orders of protection; providing long-term counseling; accompanying victims to court; working with police to place victims on high-propensity lists; and working closely with District Attorneys to aid in the prosecution of cases. In FY 2014, elder abuse service agencies contracting with DFTA provided more than 17,920 direct service hours to clients.

The City providers also conduct trainings and workshops on elder abuse for both seniors and staff including District Attorneys, court personnel, police officers, and social workers. In 2014, community based organizations conducted workshops that were attended by approximately 2,840 seniors and 2,650 staffers.

DFTA also requires case management agencies and certain service providers to screen for elder abuse during intake and assessments. Case management agencies that provide services to homebound clients ask screening questions related to elder mistreatment of all clients during the

initial in-home assessment and at the time of each reassessment. DFTA's contracted caregiver programs also pose questions regarding potential abuse. Furthermore, DFTA's web based client data system, known as the Senior Tracking, Analysis and Reporting System or STARS, includes a module comprised of a comprehensive set of questions that DFTA developed in consultation with elder abuse service providers and criminal justice agencies to identify incidences of abuse.

#### **ELDER ABUSE PREVENTION AND INTERVENTION SERVICES SOLICITATION**

In October 2014, DFTA issued a request for proposals for Elder Abuse Prevention and Intervention Services. The elder abuse services program has a dual mission: assisting and ensuring the safety of older adults age 60 and over who have been abused; and preventing further abuse by raising awareness of these issues through outreach and educational presentations to individuals and groups. The selected providers are Neighborhood Self-Help by Older Persons Project for the Bronx; Jewish Association Serving the Aging for Brooklyn and Queens; the Carter Burden Center for the Aging for Manhattan; and the Community Agency for Senior Citizens for Staten Island. These providers will continue to offer services such as case assistance, emergency shelter referrals, safety planning, support groups, medical referrals, financial assistance and educational workshops. The contracts are expected to start this July.

#### **INT. NO. 802: SENIOR EMERGENCY INFORMATION CARD**

The Administration shares the concerns prompting the introduction of Int. No. 802, as ensuring the safety and well-being of older adults is of paramount importance. As part of the Take Care New York initiative, which is the City's strategic plan led by the New York City Department of Health and Mental Hygiene to improve the health of all New Yorkers, Personal Health Records for Healthy Aging have been issued to older New Yorkers citywide. The Personal Health Record is a booklet that includes the individual's contact information, translation needs, advance directives, emergency contact information, health care providers, pharmacies, health insurance, and comprehensive medical information. The booklet is portable and can also be displayed on refrigerators, so that family members, caregivers, emergency responders, and others can access the information during emergencies. Issuing a senior emergency information card and accompanying placard will require resources outside of DFTA's capacity, and the Take Care New York Personal Health Record encompasses the information that Int. No. 802 requires. The

Personal Health Record can be updated by the individual or an individual's caregiver as needed, whereas DFTA does not have the capability to collect, manage and maintain the information mandated by the legislation.

Thank you again for this opportunity to testify today. I am pleased to answer any questions you may have.

**Testimony Of Daniel Tietz, Chief Special Services Officer**  
**The New York City Human Resources Administration**

**Before the New York City Council General Welfare Committee and Aging Committee**

**June 17, 2015**

Good morning Chairpersons Levin, Chin, Vallone, and members of the Committees on General Welfare and Aging. On behalf of Commissioner Steven Banks, thank you for inviting us to participate in today's hearing concerning Adult Protective Services and the legislation before you. I am Daniel Tietz, Chief Special Services Officer at the New York City Human Resources Administration. I am joined by Deborah Holt-Knight, Acting Deputy Commissioner for APS.

As you know – every day in all five boroughs – the City's Human Resources Administration (HRA) is focused on carrying out the Mayor's priority of fighting poverty and income inequity and preventing homelessness. With an annual budget of \$9.9 billion and a staff of 14,000, HRA provides assistance and services to some three million low-income children and adults, including:

- economic support and social services for families and individuals through the administration of major benefit programs (Cash Assistance, Supplemental Nutritional Assistance Program benefits (food stamps), Medicaid, and Child Support Services);
- homelessness prevention assistance, educational, vocational, and employment services, assistance for persons with disabilities, services for immigrants, civil legal aid, and disaster relief;
- and for the most vulnerable New Yorkers: HIV/AIDS Services, programs for survivors of domestic violence, Home Care and Adult Protective Services.

New York City's Adult Protective Services (APS) is the largest municipal adult protective services program in the country. Mandated by New York State Social Services Law Section 473, APS assists individuals 18 years of age or older without regard to income who:

- are mentally and/or physically impaired;
- due to these impairments are unable to manage their own resources, carry out the activities of daily living, or protect themselves from abuse, neglect and exploitation or other hazardous situations without assistance from others; and
- have no one available who is willing and able to assist them responsibly.

The APS mission is to enable our clients to live safely in the community with the greatest level of independence possible. While APS has a wide range of services available, the legislative mandate in every case is to assist the client using the least intrusive measures, which is critical to understanding APS interventions and services. Society carefully protects the rights of adults to make their own decisions and – with very limited exceptions – this right extends to APS clients.

Adults are permitted to make decisions that some may view as ill-advised, so long as the individual can appreciate the risk involved and is not a danger to self or others.

APS clients are among the most debilitated and neglected members of the community – New Yorkers who are frail and elderly, mentally and/or medically ill, have developmental disabilities and/or have been abused and exploited. They lack the ability to independently meet their essential needs for food, clothing, health care or shelter, are isolated and have often refused services from others. Here is some key data on current APS clients:

- 62 percent are age 60 or older
- Clients younger than age 60 are likely to have severe mental illness and/or a substance use disorder and often aggressively resist APS assistance
- 58 percent are female
- 71% receive Medicaid benefits
- 68% receive SNAP/food stamps benefits
- 38% receive SSI benefits and
- 13% receive Cash Assistance benefits (primarily in the form of back rent grants).

The total APS caseload over the past twelve months averaged 7,500 clients at any given time; this is an increase of 82% since January 2002, when the caseload was 4,100. As of the Executive FY16 Plan, the APS FY15 budget is \$46,457,000, which includes \$26,796,000 for PS and \$19,661,000 for OTPS (contracted programs).

The majority of APS staff members work in seven field offices across the city, with offices in each borough. APS staff consists primarily of caseworkers (225) and their direct supervisors. Additionally, a portion of APS work is provided through contracts with three vendors: the Jewish Association for the Aging (JASA), Village Care and Transitional Services for New York, which jointly serve 2,010 clients (in all boroughs except Staten Island), with a combined staff of approximately 100.

APS is also home to two additional programs, the Division of Voluntary and Proprietary Homes for Adults (DVPHA) that oversees residential placement services in Family-Type Homes for Adults (FTHA) for single adults 18 years or older who have physical or mental impairments. The licensed providers receive an enhanced level of the residents' Social Security benefits as compensation for their services. The other program is the Division of Post-Institutional Services (DOPIS), which provides follow-up services to patients discharged from New York State Office of Mental Health (OMH) psychiatric facilities after a minimum stay of five years. These two programs are supported by 25 staff members.

APS staff members have a difficult and sensitive job, requiring collaboration with referral sources, community organizations, government agencies and other HRA programs in order to accurately assess the risks facing a client, determine the client's capacity to appreciate and resolve those risks, and the most appropriate manner and level of APS assistance.

As with all program areas within HRA, during the past year we have been determining and implementing reforms within Adult Protective Services to better serve our clients and ensure the best use of our staff and resources.

### **APSNet – Reforming the APS Case Management System to Enhance Services**

For example, during 2014 we implemented Phase 1 of APSNet – a new automated case management system. APSNet was jointly developed by HRA’s Management Information Systems (MIS) and the APS Central Office, with participation from line staff in focus groups. APSNet assists staff in determining APS eligibility, identifying risks, completing service plans, tracking the implementation of services and scheduling visits to meet mandated timeframes. It also provides more detailed client information and generates more extensive statistical reports to assist the managers of the APS program. Prior to August 2014, APS used an outdated, customized, off-the-shelf software system that was limited in its case management functionality and did not offer the extensive report library needed by staff to manage and monitor cases and address outcome measures. The deficits of this system required the continued use of paper case records.

Additional development beyond Phase 1 includes:

- electronic, pre-populated versions of the many detailed applications and forms used by APS so that they are rendered automatically and without the duplicative manual data entry currently required by caseworkers;
- electronic transmission of applications for services to make the process both more secure and more efficient;
- mobile computing to allow for data entry in the field while in transit on subways and buses;
- scanning, indexing and storing of external documents in an imaging repository to eliminate paper files; and
- integration with other APS and HRA software systems, in particular HRA’s Customized Assistance Services/Visiting Psychiatric Service and the Office of Legal Affairs

These improvements are part of Phase 2 of APSNet and are currently under development. We expect implementation in the summer of 2016. Full implementation of APSNet will substantially enhance our operations and client services and address staff workload needs.

### **Reforming the Financial Management System**

During 2014, we also expanded the use of the automated accounting system, *Financial Focus*, which we use to manage our role as the Representative Payee for the federal Social Security benefits of over 2,300 clients. Our new APS contracted provider, Transitional Services for New York, Inc., is the first of our three APS contracted providers to have their financial management work done by HRA/APS. The other two providers will be transitioned over the next year. This will provide more accountability and uniformity to the management of client funds, a very important aspect of our work given the increasing frequency of financial exploitation. Financial management is one of the strongest weapons APS has in the fight against elder abuse.



## **Multi-Disciplinary Initiatives to Enhance Efforts to Stop Abuse**

The use of multidisciplinary teams is a critical component of APS' efforts to stop the abuse of clients. During 2015, APS has worked in partnership with the Domestic Violence Unit of the NYPD to strengthen collaboration. Just yesterday, in celebration of International Elder Abuse Awareness Day, APS staff were present at 18 different precincts to present information to the police and the public on APS and our role in investigating and preventing elder abuse.

Elder abuse cases are extremely complex, due to the involvement of multiple response systems, victims who typically deny the abuse, and the difficulty of developing an effective service plan. APS, as a Steering Committee member of the New York City Elder Abuse Center (NYCEAC), has worked in partnership since 2009 with the Weill Cornell Medical Center, the NYC Department for the Aging, law enforcement agencies and multiple not-for-profit organizations to address adult and elder abuse.

NYCEAC has established an elder abuse Multi-Disciplinary Team (MDT) in Brooklyn and two MDTs in Manhattan. These MDTs, which consist of members from the various disciplines and organizations noted above, meet to discuss and develop case plans and conduct comprehensive case reviews for these high risk cases. NYCEAC is working to expand this model in additional boroughs. In conjunction with the development of the MDTs, APS has also focused on building elder abuse expertise in-house. Designated staff members have received targeted training to develop specialized skills for assisting victims of abuse.

## **APS Case Management Study to Advance Reform Efforts**

As part of the reform process, we have recently released a Request for Proposals for a Case Management Study of the APS program. We are seeking an evaluation of our service delivery systems, our staffing patterns, and our workload processes. As the needs of our clients, and those referred to us who may not be eligible for our services under New York State law, have been affected by changed circumstances in our City over the past 20 years, we want to make sure that our systems, services, and staffing patterns are responsive to those changes. The Case Management Study will include:

- Review of work flow and the resulting workload
- Clarifying roles of supervisors, caseworkers and liaisons
- Identifying special training and educational needs
- Identifying needs for specialization and/or restructuring within APS
- Utilization of technology within case management to address workload and enhance client services

As we proceed with this evaluation, we will be seeking input from interested stakeholders, including members of your Committees. When the process has concluded, we will be happy to share any additional reforms with you just as we have been reporting to the Council on our other reforms.

## **Proposed Legislation**

In regards to the legislation before the Committees today, HRA appreciates the Council's continued focus on vulnerable populations, specifically those that fall under the purview of Adult Protective Services, as well as seniors across the City.

### **Int. No. 89 - In relation to requiring the department of social services to provide semiannual reports to the council regarding referrals to adult protective services.**

HRA supports the concepts in Int. 89 and is committed to providing reports concerning referrals to adult protective services. The bill as written requires reporting on the number of referrals as well as reasons for ineligibility disaggregated by the reason such individual was determined ineligible. The bill further requires reporting on a general description of the source of the referrals, the council district, and community board and zip code for the referred individual. The information required in the bill can be obtained through APSNet as of the beginning on 2015.

### **Int. No. 830 - In relation to training for certain employees of the city of New York and city-contracted agencies on adult protective services.**

HRA supports Int. No. 830 with regard to providing biennial trainings in accordance with article 9-s of the social services law and any applicable rules and regulation thereunder on best practices in identifying persons who may be eligible for adult protective services and how to refer such persons to adult protective services. We also support the concept that such trainings should be made available to partner agencies and employees of any entity under contract with such agencies, such as the Department for the Aging, the New York City Police Department, the Department of Parks and Recreation, the Department of Housing Preservation and Development, the Department of Homeless Services, and other agencies as the Mayor may assign.

At present, HRA provides training to some of the agencies listed in the bill and maintains strong relationships with those agencies. This bill would expand the training services HRA currently offers to agencies. With respect to HRA's APS staff and APS vendors, HRA currently provides a full range of training programs, including various mandatory trainings.

For example, the New Worker Institute (NWI) through Brookdale Center for Healthy Aging provides New York State Office of Children and Family Services-mandated training for all new APS caseworkers. The training is an eight-day interactive learning experience that provides caseworkers with a comprehensive understanding of the core fundamentals of protective services for adults case work. Participants focus on knowledge- and skill-building.

The NWI curriculum includes a focus on:

- Assessment & Interviewing
- Legal Aspects
- Aging, Dementia and Developmental Disability
- Mental Health Addiction and Dual Diagnosis Assessment
- Investigating Adult Abuse and Financial Exploitation

- Hoarding

The Brookdale Center for Healthy Aging also provides a special training program, The Fundamentals of Supervision, for APS supervisors. The training focuses on case work and personnel issues as they relate to the fundamental competencies of supervision and leadership.

All HRA APS staff members are trained on APSNet, which consists of a four-day training program with one additional day for supervisors. Staff and vendor staff are also required to participate in a training program on specific skills such as de-escalation, communication, and engagement skills. The training is continuous and all new staff members are required to participate.

In addition, HRA's Office of Legal Affairs' attorneys train APS caseworkers and supervisors on the legal aspects of APS work in which the following components are covered:

- Article 81 guardianship
- Orders to gain access
- Requests for GALs
- Testimony skills
- Documentation
- Court decorum

Further training areas cover a range of topics to ensure APS staff and vendors are appropriately trained for the circumstances and situations they encounter in the day-to-day aspects of their work including:

- Assessment
- Emergency intervention
- Indicators of mental illness
- Documentation skills
- Suicide intervention
- Referral process
- Field safety

Future trainings for APS (HRA and Vendors) include:

- Mental Health First Aid – Internal training
- Engagement training – Brookdale training
- Alzheimer's training – Alzheimer's Association
- Abuse training – Brooklyn District Attorney

While not mandated, we have also provided various trainings for external stakeholders. In these trainings, HRA uses a standard PowerPoint presentation that we adapt based on the agency being

trained. The training covers APS eligibility criteria (which are often the most important part of the training), the intake process, field office processes, and service delivery.

HRA has conducted trainings for:

- Managed care programs – social workers/nurses
- Multidisciplinary teams – social workers/prosecutors/DFTA/physicians/aging organizations
- NYPD – police officers
- Senior Centers – aging community
- Health Care Facilities – social workers, doctors, nurses
- NYCHA – social workers
- Nursing homes – social workers
- Court personnel – judges, landlords, GALs
- Community-based organizations – social workers
- Faith-Based – clergy and lay people

Thank you again for including us in this hearing. Following DFTA's testimony, we welcome your questions.



OFFICE OF THE PRESIDENT  
BOROUGH OF MANHATTAN  
THE CITY OF NEW YORK

1 Centre Street, 19th floor, New York, NY 10007  
(212) 669-8300 p (212) 669-4306 f  
163 West 125th Street, 5th floor, New York, NY 10027  
(212) 531-1609 p (212) 531-4615 f  
[www.manhattanbp.nyc.gov](http://www.manhattanbp.nyc.gov)

Gale A. Brewer, Borough President

**Gale A. Brewer, Manhattan Borough President  
Testimony for the Committee on General Welfare  
June 17, 2015**

---

Good morning. My name is Gale A. Brewer and I am the Manhattan Borough President. Thank you to Chair Williams and the members of the Housing and Buildings Committee for the

My name is Gale A. Brewer and I am the Manhattan Borough President. I'd like to thank Chair Levin and the Councilmembers on the Committee on General Welfare for the opportunity to testify today.

With Chair Levin, I am proud to have introduced Int. 89-2014, which would require the Department of Social Services to provide semiannual reports to the Council setting forth certain specific information.

I believe it is government's responsibility to address the needs of everyone, especially our most vulnerable populations. Adult Protective Services is a crucial part of the system designed to provide such protection. This bill is designed to provide this body the information necessary to make sure that it is fulfilling its role. Specifically, Intro. 89 would require that the Commissioner of the Department of Social Services/Human Resources Administration send the Council semi-annual reports regarding the status of applicants who were denied eligibility for APS services. These reports would include total referral numbers, the source of each referral, the number of referrals deemed ineligible for service, and the reasons why each case was deemed ineligible, as well as other important tracking information. This information would enable the Council to identify where, geographically and otherwise, where the most vulnerable populations are growing, and what problems stand between those New Yorkers and the assistance they need.

These adults, many of whom are older, with a range of disabilities, are an especially vulnerable and often overlooked part of our neighborhoods and communities. Susceptible to both mental and physical health problems, they are often the target of unfair business practices, abuse and harassment, and their condition often makes it difficult for them to fight back.

The right to live safely and independently in one's home provides stability without the risk of eviction. Over the years, my City Council and Manhattan Borough President staffs have worked collaboratively with APS to help many constituents stay in their homes; otherwise they may have become dependent on the shelter system. For example, three days before he was to be evicted from his apartment, a man I'll call "Vincent" was referred to my office by P'ALANTE Harlem, a nonprofit neighborhood housing assistance organization. Vincent had previously

sought assistance from Palladia and One Shot, two alternative HRA emergency aid services, and had been denied assistance by both.

Within a day, Rosalba Rodriguez of my office reached out to the Human Resources Administration and APS on his behalf. With the financial management and assistance that Vincent received from APS, he was able to avoid eviction and is still living in the same apartment today.

Vincent's story is a great example of the critical services APS can provide to our most vulnerable New Yorkers. It also highlights the fact that, without the collaborative efforts of APS, my office and P'ALANTE Harlem, Vincent would almost certainly have been evicted after having been denied assistance by two other HRA programs. I recommend that Intro. 89 be amended to include reporting on referrals to these programs and outcomes.

This bill provides data necessary to the Council's oversight role in assessing how effectively our city's programs are working together under the same agency umbrella. By reviewing the Commissioner's report, the City Council can ensure that APS receives the funding that it needs, and that it is providing the services those funds were allocated for.

As I stated earlier, by gathering the tracking data related to each case, we would garner important information that could reveal at-risk neighborhoods or trends that may necessitate a broader policy review.

The reporting required by this bill would go a long way to help improve the lives of one of New York's most vulnerable populations.

Thank you again for the opportunity to testify. I am honored to have introduced Int. 89 with Chair Levin and I urge the Committee to vote in favor of the bill.

**New York City Council**

Joint Committee Hearing  
Committee on Aging, Hon. Margaret S. Chin, Chair  
Committee on General Welfare, Hon. Stephen T. Levin, Chair

*Oversight - Reforming Adult Protective Services in New York City*

June 17, 2015

LiveOn NY is dedicated to making New York a better place to age. Founded in 1979, with a membership base of more than 100 organizations ranging from individual community-based centers to large multi-service organizations, LiveOn NY is recognized as a leader in aging. LiveOn NY's membership serves over 300,000 older New Yorkers annually and is comprised of organizations providing an array of community based services including elder abuse prevention and victims' services, case management for homebound seniors, multi-service senior centers, congregate and home-delivered meals, affordable senior housing with services, transportation, NORCs and other services intended to support older New Yorkers. LiveOn NY connects resources, advocates for positive change, and builds, supports and fosters innovation. Our goal is to help all New Yorkers age with confidence, grace and vitality.

New York City is in the middle of an "Aging Tsunami." By 2030, New York City's 60+ population will exponentially increase to a projected 1.84 million, a 47% increase from 2000. This age sector will represent 20% of the total population compared with 15.6% in 2000. Further, the population of older adults living with financial insecurity is growing. Because income for older adults remains fixed, or worse, declines, many adults live on a fiscal cliff in a city that already has an extreme need for community based services. Investment in Adult Protective Services (APS) as well as services across the entire aging network for our city's most vulnerable residents is vital to ensuring the health of our city. An investment in vital services for the aging network, and specifically for the most vulnerable elderly, will also help prevent isolation, and more costly services such as hospitalization and delay nursing home placement.

LiveOn NY thanks Aging Committee Chairwoman Chin, Subcommittee on Senior Centers Chairman Vallone and Committee on General Welfare Chairman Levin for their leadership and the Aging and General Welfare Committees for holding a hearing on these important issues that affect older adults, their families, caregivers and the entire city.

LiveOn NY respectfully offers the following recommendations:

**Res. No. 748**

**Background on the Prevalence and Cost of Financial Elder Abuse**

Last week on June 10, City Council leaders, Administration officials, NYPD leaders and community based organizations stood together on the steps of City Hall to recognize World Elder Abuse Awareness Day (WEAAD) and to advocate for funding for elder abuse prevention

and victims' services. This was LiveOn NY's 5<sup>th</sup> annual WEAAD Press Conference. Sadly and shockingly, all forms of elder abuse, and specifically financial abuse and exploitation, continue to grow at an unprecedented rate.

The 2011 *Under the Radar: New York State Elder Abuse Prevalence Study* found that over 260,000 older adults in the state of New York experienced some form of abuse in the year prior to the study. It is estimated that 9%, or 120,000, older New York City residents are suffering from some form of abuse. Only 1 out of 24 overall cases are reported to law enforcement, APS, medical or social services and that number rises to 1 out of 44 when the case involves financial elder abuse.

While many forms of elder abuse exist, including physical, mental, emotional, sexual and neglect, the *Under the Radar* study found major financial exploitation (theft of money or property, using items without permission, impersonation to get access, forcing or misleading to get items such as money, bank cards, accounts, power of attorney) was the leading form of elder abuse, with a prevalence of 41 per 1,000 surveyed. Most victims of financial exploitation are between the ages of 70 and 89, live alone and experience cognitive deficits which affect their decision-making capacity leaving them more susceptible to victimization. A study published in the *Journal of American Medical Association* in 2013, found that victims of elder financial exploitation have higher rates of hospitalizations, which nearly triples the rates of non-abused elders.

To provide more context to the prevalence and cost of this crime, in September 2014 the New York State Office of Children & Family Services (OCFS) presented preliminary findings on their study titled *New York State Cost of Financial Exploitation* at the New York State Adult Abuse Training Institute (AATI) in Albany. While the final report has not yet been released, the preliminary findings are shocking, and show that the cost of financial elder abuse is far greater than previously estimated.

The study looked at 928 cases from 31 districts and extrapolated data from those cases to provide statewide estimates, looking at three factors to determine the cost of financial elder abuse to the state: 1) cost of funds and other property stolen; 2) staffing and other costs incurred by the agencies and districts as a result of the financial exploitation (such as APS, law enforcement, etc.); and 3) costs incurred in providing **new** government benefits and services for the victim as a result of the exploitation (such as Medicaid and food stamps). The cases included all adults, however the majority of the cases appeared to be older adults.

The preliminary findings are that financial exploitation of adults results in an estimated **\$1.7 billion in annual costs to NY**. Also, as we well know, this crime is underreported so this number is likely a conservative estimate. These cases are notoriously also difficult to pursue, and recovery of funds is difficult. To give some additional perspective, the common report often referenced when estimating the cost of about financial exploitation is a 2008 MetLife study that estimated the cost of these crimes at \$2.9 billion *nationally*.



## Challenges in Reporting Financial Exploitation in NY

Presently in New York State, there is no standard protocol for the reporting of elder financial exploitation by banking institutions to APS. APS workers are mandated reporters, but have reported that they are often unable to get the information that they need to confirm or negate abuse allegations .

To reduce the prevalence of financial exploitation, the Legislature must clarify the roles and responsibilities of banking institutions. Banks are in an ideal position to detect and prevent financial exploitation because of the nature of the client/banker relationship. Bank personnel are often familiar with their customers' banking habits and can identify when a person or entity is perpetuating an illicit activity against their vulnerable customers. Currently, New York State does not have a standard protocol for banking institutions to follow when reporting and disclosing financial exploitation incidents to APS and law enforcement. For this reason, financial exploitation remains an underreported, under-investigated and under prosecuted crime. To their credit, some banks have voluntarily increased their efforts to identify and report financial exploitation to APS and law enforcement; however a standardized procedure for the reporting and disclosure of financial exploitation would put in place a seamless protocol for all banks to follow. Even those banks that have made the appropriate business decision to report to APS still feel that they are unable to disclose financial documentation that will substantiate their claims.

APS currently uses the New York Social Service Law §144a & §443a and Section 4 of the Banking Law as justification for why financial institutions can disclose documents that are necessary for its investigation of financial exploitation allegations. Consequently, banks contend that those statutes are only relevant to the investigation of Medicaid and public assistance fraud and cannot be used for other purposes.

Due to the ambiguity and limitations of current law, legislation is necessary that formalizes the reporting and disclosing of elder abuse by banking institutions to APS and law enforcement. Legislation must also provide banking institutions a mechanism to “stop the bleeding” of the account. This is important because often the account can be depleted before the case is even referred to APS and a mechanism to temporarily refuse a questionable transaction with a subsequent referral to APS could be vital to protecting the older adults' finances. 20+ states already have similar legislation to protect against financial exploitation.

### S. 639/A.5336-A

LiveOn NY supports the general intent and spirit of Res. No. 748. However due to the complexity and layers to financial exploitation cases as noted above, LiveOn NY respectfully advocates that City Council consider supporting a broader Resolution that would address both the barriers APS faces in obtaining meaningful financial records, as well as allowing for financial institutions to temporarily refuse processing a transaction if financial exploitation is suspected.

For the past three years, LiveOn NY has supported legislation that would address both these issues. The current bills this session are S. 639 (Valesky) and A.5336-A (Cymbrowitz). S. 639 passed the Senate unanimously on June 15, 2015 and has also passed the Senate the past 2 sessions.

This legislation addresses the hidden crisis of financial elder abuse and aims to increase collaboration between banks, adult protective service (APS) and law enforcement to protect the financial security of vulnerable adults. S. 639/A.5336-A has three major components:

- Amends New York Social Service Law §144a & §443a and Section 4 of the Banking Law to require financial institutions to provide access to or copies of records relevant to investigating suspected financial exploitation or attempted financial exploitation of existing APS clients and those clients who are referred to APS.
- Creates a mechanism that *stops the bleeding* by creating a seamless communication between banks and mandated reporters. If a bank should decide to refuse to disburse funds because it is reasonable to believe that financial exploitation of a vulnerable adult may have occurred, the bank **must** report the incident to APS and disclose relevant information that could assist APS in its investigation.
- Offers banking institutions and their staff liability protection for helping APS and law enforcement combat financial exploitation. This protection is only given for reports and disclosures made in good faith.

LiveOn NY thanks City Council for looking closely at financial exploitation of older adults, and respectfully asks City Council to support a Resolution that looks at the issue more broadly as outlined in S. 639/A.5336-A. We look forward to working closely with City Council to address this issue.

### **Intro No. 89**

LiveOn NY supports Intro No. 89 which would require the department of social services to provide semiannual reports to City Council regarding referrals to APS. Providing referral information on the city's most vulnerable residents, particularly older adults, is important for a number of reasons.

### **Providing a Safety Net for Vulnerable Adults and their Families**

While some vulnerable adults may be eligible for APS services, there are many other vulnerable older adults who are in serious need of help and services that the City offers to ensure their health and safety, such as Case Management, Home Delivered Meals, Elder Abuse Victims' services, transportation and others. It is vital for the City to ensure there is safety net for these vulnerable adults and a streamlined protocol to connect them to other services, even if not eligible for APS.

Collecting data on the number of referrals and those ineligible for APS services will help City Council understand what happens to those vulnerable adults so that they do not fall off the radar for other vital services. LiveOn NY also agrees that it is very important to protect the privacy of the older adults who are referred, as well as the individuals who made the referrals, as these issues can be very sensitive, such as case involving elder abuse.

### Budgeting for Services for Vulnerable Adults

Tracking the number of ineligible referrals will also be vital to providing information for budgeting for other city services for older vulnerable adults. For example, both the number of referrals, as well as the reason for ineligibility will provide aggregate information that can help the City and City Council allocate funding for other services that the vulnerable adult requires.

The tracking can also help ensure better efficiency in the use of city resources. For example, while APS has more specific information on the statistics, it has been reported that a large number of referrals to APS, are referred from Department of Investigation (DOI) at the last possible moment through the eviction process. This is a costly and time consuming process, and most importantly, extremely difficult and dangerous for the vulnerable older adult. Understanding these statistics, and how many of those referrals are eligible for APS, or for other services, will provide the city with information to prevent the referral at this last possible moment, and to develop procedures and policies to reach these vulnerable adults at a much earlier stage so that they are protected.

### Intro. No. 830

LiveOn NY supports training for agency city of NY and city-contracted agencies on best practices in identifying persons who may be eligible for APS services and how to refer to APS, with the following specific recommended additions to Intro. No. 830:

- Add the Department of Health and Mental Hygiene and the New York City Police Department (NYPD) to be included as an agency to receive training in § 21-136. We are pleased that the NYPD has requested LiveOn NY to develop material and content for a training video on elder abuse;
- Given that City's recent investments and focus in Mental Health, and given that they City did not allocate a substantive amount to the Department for the Aging (DFTA) as compared to other departments, all training must include information about recognizing signs of elder abuse and information for referrals on elder abuse cases;
- Training should be easily accessible and targeted to appropriate staff levels to ensure it is reaching the relevant audience. The Department should consider different options for training, such as live and recorded webinars, live trainings and other ways to make training easily accessible and the training should be culturally sensitive; and
- The City must allocate funding for this training, so that it is not an unfunded mandate.

## **Intro. No. 802**

While LiveOn NY supports the concept of providing older adults and their caregivers and families easy accessible ways to record vital contact and medical information, such that it could provide first responders and others immediate access in the case of an emergency, LiveOn NY believes the legislation as written calls for some further exploration.

### Concerns with the Administration and Application Process as Outlined in § c

- There is a concern with the application process as detailed in § c, and whether the process would be lengthy and burdensome to obtain a card, particularly with the numerous other registration requirements and forms older adults are required to fill out regularly for other benefits and programs.
- There is also a concern that the burden to assist seniors with the application process could be placed on understaffed community based agencies such as senior centers, NORCs, case management agencies and others, without additional funding allocated to assist with these services.
- Further, because the required application information noted in § c is not yet specifically defined, LiveOn NY believes it is important for privacy concerns to understand what information will be required, where this information would be stored and how it would be used.
- Finally, because information can change regularly, such as address, medication, and physician contacts, there is a concern about how this information would be updated in order to ensure it is current.

### Emergency Placard

LiveOn NY supports providing seniors a placard free of charge that a senior could choose to display in their home with information they choose to provide and offers the following recommendations:

- The placard should be available regardless of whether the senior applies for a senior emergency information card as described in § c;
- The placard should be printed on a material that allows for changes to be easily made;
- The Department should consider suggesting a consistent place for the placard to be displayed in the home (such as on the refrigerator) and advise first responders as to where the placards may be displayed; and
- The Department should widely distribute the placards to places that seniors, caregivers and families frequent, including but not limited to senior centers, pharmacies, medical offices, libraries, among others.

LiveOn NY thanks City Council for the opportunity to testify on these initiatives aimed at protecting our city's most vulnerable older adults and residents.



## FOR THE RECORD

### MEMORANDUM OF SUPPORT

Res. No. 656 – June 17, 2015

*Calling upon New York State to amend the Social Services law  
in order to raise the income eligibility for child care subsidies*

President  
**Ernest A. Logan**

Executive Vice President  
**Mark Cannizzaro**

First Vice President  
**Randi Herman, Ed.D.**

Secretary  
**Sandy DiTrapani**

Treasurer  
**Henry Rubio**

Vice Presidents  
**Debra Handler**  
**Rajinder Kaur**  
**Lois Lee**  
**Christopher Ogno**  
**Ronald Williams**

Special Vice President-Retirees  
**Nancy Russo**

Executive Director Operations  
**Erminia Claudio**

Executive Director Field Services  
**Sana Q. Nasser**

40 Rector Street, 12th Floor  
New York, NY 10006-1729

212/ 823-2020 Tel  
212/ 962-6130 Fax

[www.csa-nyc.org](http://www.csa-nyc.org)

The Council of School Supervisors and Administrators (CSA), Local 1 of the American Federation of School Administrators (AFSA), representing 16,000 members, strongly supports Res. No. 656 calling upon the State of New York to amend the Social Services law in order to raise income eligibility for child care subsidies. Council Member Wills and other elected officials recognize that increasing the State's income eligibility for subsidized child care would help more children of working families to gain access to early childhood education.

Given the fact that New York City has one of the highest costs of living in the nation, and the majority of families in New York State who depend on child care subsidies live in New York City, it clearly makes sense to amend and update this law. Low income working families in New York City pay an estimated 35% of their income for child care subsidies, which adds up to \$6,836 annually per child, according to the Empire Justice Center study. Also, according to a report by the New York State Assembly Child Care Workgroup, many low to moderate income families who are not eligible for child care subsidies struggle with the cost of child care.

Therefore, CSA joins more than half of the New York City Council body who support Res. No. 656 urging the NYS Legislature to raise the income eligibility for child care subsidies. It is imperative that this increase in income eligibility be balanced with financial support from funding sources as well. Children of working families must have access to early childhood education services because it is crucial for every child to have the opportunity to reach their educational potential without barriers.

---

**Committee on General Welfare  
New York City Committee on Aging  
Hearing: Wednesday, June 17, 2015**

**Oversight: Reforming Adult Protective Services in New York City**

**Presentation: Integrity Senior Services  
2381 Hylan Blvd, Suite 13A  
Staten Island, NY 10306  
Claudette Duff, Director  
Danielle V. Johnsen  
Raymond M. Kozma**

**CITY COUNCIL**  
**OVERSIGHT: REFORMING ADULT PROTECTIVE SERVICES IN NEW YORK CITY**  
**06/17/15**

**Good morning! I begin by thanking the city council for inviting us here today and for bringing these important issues to the floor.**

I also acknowledge and thank the brave men and women who work for APS, who go out into the field each day, at times encountering dangerous and unhealthy conditions, and who try to help our seniors the best they can with what many have described as “their hands tied behind their backs”.

Our agency, Integrity Senior Services, was founded in 2004 to meet the needs of the then emerging homebound population’s need for in-home mental health services. We started in Staten Island and in recent years have grown to include all five boroughs of New York City and its outer counties.

From the beginning, it did not take long for us to realize that we had our job cut out for us, because mental health was only part of the problem. We frequently encountered seniors living in deplorable and unhealthy conditions, elders who were being exploited by family members, friends, neighbors, and mail/phone scams.

What was even more surprising was that almost all of these elders had a history with APS and were deemed to have capacity and therefore not eligible for assistance. It didn’t take long before I started taking on many of these issues myself, first hording counseling and clean-up, later case management, and then Article 81 guardianship.

Ms. Danielle Johnsen will give an example of a case in which I ended up sacrificing my liberty to rescue a senior. Yes I was arrested and spent one night in jail.

This client was diagnosed with vascular dementia and was engaging in risky behaviors and being financially exploited for over a year. The weeks leading up to Ms. Duff's arrest by the police were the most frightening to everyone concerned about the client's well-being. This included two social workers making weekly visits, Adult Protective Services, longtime friends, her landlord and her neighbors. The client was hospitalized 4 weeks prior and Ms. Duff was contacted by the hospital social worker who expressed concerns about sending the client back into the community to live on her own. However, the client was discharged back into the community on her own without a discharge plan. Ms. Duff had received a call from one of her social workers stating that the client was discharged home with a young woman that she met in the hospital waiting room. A few days later, Ms. Duff was informed by a social worker that the client's car was stolen 3 days prior by the same young woman who was staying at the apartment. Realizing that the client was at risk, Ms. Duff immediately went to the client's apartment. When she arrived she was told that Adult Protective Services was there the day before. She contacted the APS worker who came to the house. The APS worker stated that the client was already evaluated by them and was deemed to have capacity and therefore not eligible for Adult Protective Services.

Following this, Ms. Duff contacted the police who came to the house and took a report. However, because the client was "deemed to have capacity" when she gave the young woman her car keys 3 days prior to go and buy a cup of coffee, the charge was for unauthorized use of the vehicle instead of theft. That night Ms. Duff had received several calls from the client stating that she did not feel safe at home, that she was afraid that the young lady and her male friend would return and hurt her in some way. Ms. Duff got in her car and drove the client to a safe house, where she stayed for 2 nights. Two days later, the young woman contacted the client on her cell phone and promised to return the client's car if she returned to her apartment. The client returned



to the apartment on her own, and waited all day for her car. The car was not returned. The client received a call at 2:30am instructing her to take a cab from Staten Island to Brooklyn. When she arrived in Brooklyn, she was robbed of all the cash she had before the car was returned to her and had to drive back to Staten Island on her own at 4:30am.

During the two days the client spent in the safe house, Ms. Duff had petitioned the court to appoint an emergency temporary guardian for the client. The court agreed that the client had in fact lacked capacity and appointed a guardian. This guardian then requested that Ms. Duff call 911 and have the client taken to the hospital.

When the client returned home with her car, Ms. Duff went to the client's home with the court papers and called 911 to escort the client in the ambulance as per the request of the guardian. When the ambulance and the police officers arrived they immediately became hostile towards Ms. Duff, questioning her legitimacy and immediately decided that they were not going to take the client to the hospital. Ms. Duff presented her business card and explained that she was the client's social worker and that she was sent to the house per the request of the guardian. Ms. Duff tried to explain to the police officers and the EMTs what had been going on but they refused to cooperate despite the request from the guardian.

The police officers continued to question Ms. Duff's legitimacy for several hours, and subsequently arrested her on the scene and she was taken to the precinct's holding cell for a night and the client was left alone and was continued to be abused by individuals in the community for several months until the guardianship was recognized.

# Committee on General Welfare New York City Committee on Aging Hearing: Wednesday, June 17, 2015

## Oversight: Reforming Adult Protective Services in New York City

### Recommendations

Given the growing size of the elderly population and the declining mental and physical functioning that accompanies aging, and

Given the growth in cognitive impairment among the elderly due to Alzheimer's or other dementias, making them even more frail and more limited in functioning, and

Given that the cognitively impaired elderly are at more risk of suffering abuse, neglect and/or exploitation, we recommend that:

1. Protective Services be expanded to include a separate division for those over the age of 65 - a **Senior Protective Services (SPS, if you will)**. Such a separate, specialized division will best provide the needed protection for those elderly who are unable to meet their essential needs or who are in actual or threatened harm.
2. Specialized training be provided to workers so that they will fully understand the difficulties and problems faced by the elderly, especially those elderly suffering any cognitive impairment from Alzheimer's or other dementias. Such training will best ensure a proper sensitivity to the conditions of the person, allow for respectful interaction with each person, and provide the best possibility for the care and protection of any at-risk seniors.
3. Determining the decision-making capacity of the frail elderly should follow the guidelines described in Article 81 of the New York Mental Hygiene Law, namely that:

“The determination of incapacity shall be based on clear and convincing evidence and shall consist of a determination that a person is likely to suffer harm because:

1. the person is unable to provide for personal needs and/or property management and
2. the person cannot adequately understand and appreciate the nature and consequences of such inability.”

We thank the Council for giving us this opportunity to make this presentation and for allowing us to add our voices to this important discussion. We see this topic of today's Council Hearing as a wonderful opportunity to enlarge and refine the workings of Protective Services for all in need, especially the vulnerable senior population of our city.

Thank you.

**New York City Council  
General Welfare Committee Hearing  
Regarding Res. No. 656**

**Testimony of G.L. Tyler  
Political Director  
District Council 1707 AFSCME**

**June 17, 2015**

On behalf of the Executive Board of District Council 1707 AFSCME and its Executive Director, Victoria Mitchell. I thank the City Council and this Committee on continuing its enlightened stance on expanding early childhood education of our children.

District Council 1707 also thanks the Council on its stance to expand the number of working families eligible to have safe, quality and affordable child care for New Yorkers who keep our neighborhoods thriving and our economy growing.

These parents are proud New Yorkers, who do not look for handouts by habit, but we know they need assistance to keep their children properly fed, clothed and housed in one of the most expensive cities in the nation.

District Council 1707 supports Resolution 656 to amend the social service law in New York State to raise in the income eligibility for child care subsidies.

In order for New York City early childhood education to grow and reach more children, we believe that parents of limited means should not be penalized because artificial barriers are in place that would have them pay excessive monies to private and for-profit child care while the public centers offers, in many cases, superior education and care at prices that should allow parents to redirect the savings toward other family expenses.

Increasing the State Income Standard for subsidized care will have a tremendous affect on the number of children served in communities across the city; more eligible parents spending their income in areas both necessary and discretionary and keeping some centers open in communities that public centers need assistance in recruitment.

Early childhood education is being acclaimed across the globe because more people understand the necessity of shaping young minds early, particularly children who live in communities of need. It has been proven broadly that early childhood education provides greater tools and skills to children who will be most likely to graduate from high school, avoid being arrested and less likely to repeat grades in school.

In 2003, a study by the Federal Reserve Bank, Early Childhood Development: Economic Development with a High Public Return, said that the economy receives a twelve percent return on investment in early childhood education after inflation.

“Investment in human capital breeds economic success not only for those being educated, but also for the overall economy. Clearly today, the market return to education is sending a strong signal. Prior to 1983, the wages of a worker with an undergraduate degree exceeded a worker with a high school degree by roughly 40 percent. Currently, that difference is close to 60 percent. The wage premium for an advanced degree has grown even more. Prior to 1985, the wages of a worker with a graduate degree exceeded those of a worker with a high school degree by roughly 60 percent. Today, that difference is over 100 percent,” the report stated.

It makes sense to provide early childhood education to our children who live in a city which twenty years from now will look much different than it looks today. We are engaged in the world economy and we should be preparing our children, even in this early stage, to be prepared to face a new world even as the world gets smaller yet more challenging by the day.

Thank you.

**New York City Council  
General Welfare Committee Hearing  
Regarding Res. No. 656**

**Testimony of Victoria Mitchell  
Executive Director  
District Council 1707 AFSCME**

**June 17, 2015**

Good morning Chairman Levin and members of the Committees on General Welfare and Aging, and thank you for continuing your stance on the expansion of early childhood education of our children. My name is Victoria Mitchell, and I am the Executive Director of DC 1707 AFSCME, which represents day care workers across the City. I'm speaking today in support of Resolution 656.

On behalf of DC 1707, we thank the Council for its stance on expanding the number of working families eligible for safe, quality, and affordable childcare. This expansion will help New Yorkers whose work keeps our neighborhoods thriving and our economy growing.

These parents are proud New Yorkers, who do not look for handouts by habit. We know they need assistance to keep their children properly fed, clothed and housed in one of the most expensive cities in the nation.

District Council 1707 supports Resolution 656 to amend the social service law in New York State to raise in the income eligibility for child care subsidies, because that is the fix these parents need.

In order for New York City early childhood education to grow and reach more children, parents of limited means should not be penalized because of artificial barriers in place, which limit access and increase the cost of private and for-profit child care while public centers offer, in many cases, superior education and affordable childcare. The savings from childcare will allow parents to redirect this excess expense other family expenses.

Increasing the State Income Standard for subsidized care will have a tremendous affect on the number of children served in communities across the city. More eligible parents will spend their income in areas both necessary and discretionary. This will ultimately keep some centers open in communities that public centers need assistance in recruitment.

The importance of early childhood education is noted across the globe. Now, more people understand the necessity of shaping young minds early – particularly children who live in communities of need. Studies confirm that early childhood education provides greater tools and skills to children who will go on to graduate from high school, avoid

incarceration, and are less likely to repeat grades in school.

As the City continues to innovate and grow, we must continue to provide early childhood education to our children. They will live in a city, which will look very different than twenty years from now. As we engaged in the world economy, we should prepare our children, even in this early stage, to face a more interconnected, innovative, and intriguing world. This starts with safe, quality, and affordable early childhood education.

Thank you.



**Committee on General Welfare and the Committee on Aging  
New York City Council**

**June 17, 2015**

Remarks by Florian Edwards, Senior APS Director, JASA

Good Morning, my name is Florian Edwards. I am JASA's Senior Adult Protective Services Program Director. For over 45 years, JASA has provided programs and services to improve the lives of older adults throughout New York City. I would like to thank the New York City Council, the Committee on General Welfare, and the Committee on Aging for providing the opportunity to present testimony on Reforming Adult Protective Services in New York City.

JASA is a publicly funded, not for profit agency serving the needs of older adults in the greater New York area. Its mission is to sustain and enrich the lives of the aging in the New York metropolitan area so that they can remain in the community with dignity and autonomy. JASA has developed a comprehensive, integrated network of services that provides a continuum of community care including case management, housing, licensed mental health services, legal services, adult protective services, home care, senior centers, social adult day care, and special services for caregivers and victims of elder abuse. An integral component in its continuum of community based programs is JASA's Adult Protective Services (APS), which was initiated in 1989 through a contract with NYC Human Resources Administration. Today, JASA provides adult protective services throughout Manhattan, Brooklyn, Queens and the Bronx, and serves approximately 2400 vulnerable New York City residents every year.

Comments on Training

JASA supports the proposed amendment to the administrative code of the City of New York to provide training for New York City employees and city-contracted agencies on Adult Protective Services. The proposed trainings will raise awareness of the needs of vulnerable adults and as a



result lead to increased identification of individuals at risk in the community. It has been JASA's experience that many community service providers are neither aware of APS eligibility criteria nor of the program's scope of services. This can lead to frustration for the referral source when ineligible individuals are rejected for protective services.

JASA provides a comprehensive continuum of community based services, including Adult Protective Services, and we provide training about protective services to our non APS JASA staff. Training has included eligibility criteria, definition and examples of risk factors, procedures for submitting referrals to APS, overview of involuntary interventions, and the scope of services provided by Adult Protective Services. Participants have reported a clearer understanding of eligibility criteria, referral procedures, and the role of APS. This has resulted in enhanced collaboration and coordination of care, as well as more stable home and community life for individuals formerly at risk.

#### Comments on Resolution to New York State Legislature

As noted, JASA provides Adult Protective Services to an average of 2,400 individuals every year. Approximately 25% of the APS referrals sent to JASA include an allegation of financial exploitation. Financial records play a key role during the investigation of these situations. Unfortunately, JASA APS staff are frequently unable to access a client's financial records, and their efforts to successfully resolve the exploitation are severely hampered. JASA commends the New York City Council for introducing a resolution to the New York State Legislature requiring banking organizations to provide six months of financial documents to help fight the financial exploitation of older adult. We support this resolution and anticipate that it will contribute to the protection of vulnerable older adults.

Thank you again for the opportunity to testify today.



TESTIMONY BEFORE THE NEW YORK CITY COUNCIL'S COMMITTEE HEARING ON  
GENERAL WELFARE

RESOLUTION NUMBER 656

WEDNESDAY, JUNE 17, 2015

My name is Monica L. Pringle, Montessori/ Educational Director of St. Albans Montessori Day Care Center and my Daughter, Vanessa Pringle, who was one of the many students who attended the day care center and school is now the Executive Director. I would like to thank the Chair, The Honorable Stephen Levin and the General Welfare Committee members for giving me the opportunity to voice my gratitude on behalf of the working parents who are not able to attend. The sponsors of Resolution Number 656 truly understand the dilemma the new "Working Poor" are facing. You have called upon the State of New York to amend the Social Service Law in order to raise the income eligibility for child care subsidies, so more families would have access to early childhood education services. It is refreshing to see that this Committee truly understands the significance and reasons why New York City has the ONLY Child Care Agency in the Country.

The saying goes: In order to achieve your future, you must know your past. I guess this is why I am still around after more than 40 years to share with you just a bit of your destiny in the future Timeline of NYC Child Care History. You have and will have the opportunity to right so many errors for the people that need you the most, our young scholars. In 2012, you took a giant leap of faith in your commitment for your districts to maintain funding of those programs that were only able to continue operations through access to Discretionary Funds. People were still able to continue services, afford child care service, go to work, or still had a place to work. You kept your communities intact and stable. You are true representatives of the people you serve. You did what 46 young day care boards and two NY State Legislators have had to do on their own in 1976 through protests and rallies. But your innate understanding of the need for child care goes back further than that.

In NYC Administration for Children Services (ACS) Child Care Reform Plan of March 15, 2001, "Child Care and Head Start in New York City: A Brief History" it states that in "1941, Mayor LaGuardia established the Mayor's Committee on Wartime Care of Children to meet the

needs of working families.” However, in the 1995 Sponsoring Board Guide by the Division of Programs and Operations for the Agency for Child Development (ACD) it states in “A Brief History of Day Care in New York City - During World War II, the scope of day care in New York City was expanded as women joined the work force in increasing numbers... During the 1960’s the nature and scope of publicly-funded day care programs changed significantly. In addition, Federal funding became available for child care programs, reflecting growing public recognition of the importance of providing employment-related services including child care to reduce public assistance rolls. With these changes the number of publicly-funded programs in New York City increased and the total number of children served increased as well.”

This Committee understands that the word family as referred to in March 2001 also symbolizes a family of a mother and child (ren) as referred to in 1995. I applaud you for understanding the true meaning of family and that working single mothers as well as some fathers are among a large population of parents that are just above the present City’s Eligibility Fee Scale. The list of professionals that are paying above Market Rate rent (\$1,481), the regular month to month bills as well as student loans are long, but I’ll just name the Median salary of a few: Licensed Practical Nurse - \$51,293, College Academic Support Coordinator - \$49,537, Benefit Administrator - \$47,003, Human Resource Information System Clerk III - \$49,383 ([www.Salaries.com](http://www.Salaries.com)).

The ultimate insult to families that is not eligible for services are lead teachers with four years of experience who are educating and caring for children of others in New York City Funded Centers, Community-Based Early Childhood Center (CBECC) UPK teachers, New York City Department of Education New teachers, (bachelor's degree, no prior teaching experience) and teachers who have a master's degree but no teaching experience. These are the new faces of the “Working Poor.” In New York City it is hard to be a Middle Class single person with children.

I am thankful to be here on behalf of the parents, children, staff and my colleagues who are no longer with us, to proudly witness that you still believe in taking care of our children, neighbors, and neighborhoods. Thank You!

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. Reforming Adult Protective Res. No. Services  
 in favor  in opposition in NYC

Date: 6.17.2015

(PLEASE PRINT)

Name: Danielle V. Johnson

Address: \_\_\_\_\_

I represent: Integrity Senior Services

Address: 281 Hylan Blvd Suite B SINY  
10306

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: MONICA L. Pringle

Address: 118-49 Montauk St

I represent: St Albans Montessori Day Care Center

Address: 118-49 MONTAUK ST

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Florian Edwards, LMSW

Address: 247 West 37th Street 9th Floor, NY 10018

I represent: JASA - Adult Protective Services

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6-17-15

(PLEASE PRINT)

Name: Claudette Off

Address: 2381 Hylan Blvd St NY 10306

I represent: 3

Address: Integrity Senior Services

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Victoria Mitchell

Address: 420 W 45 Street

I represent: District Council 1707

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6-17-15

(PLEASE PRINT)

Name: RAYMOND KOZMA

Address: 585 N. RR Ave ST, NY 10305

I represent: Integrity Senior Services

Address: 2381 Hylan Blvd ST, NY 10306

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 17 June 15

Name: Daniel Tietz (PLEASE PRINT)

Address: HRA

I represent: HRA

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/17/2015

Name: Justin Lim (PLEASE PRINT)

Address: 1400 Fifth Ave Apt 5D NY NY 10026

I represent: The Legal Aid Society Brooklyn Office for the Aging

Address: 111 Livingston Street, 7th Floor Brooklyn NY 11201

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

*General Welfare Committee*

Name: Victoria Mitchell (PLEASE PRINT)

Address: executive director

I represent: DC 1707

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: 6-17-15

(PLEASE PRINT)

Name: Andrea Cianfrani

Address: \_\_\_\_\_

I represent: LiveOn NY

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: 6-17-15

(PLEASE PRINT)

Name: Caryn Ruschick

Address: Deputy Commissioner, External Affairs

I represent: DFTA

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: 6-17-15

(PLEASE PRINT)

Name: Eileen Mullarkey

Address: Assistant Commissioner, Long Term Care

I represent: DFTA

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 84 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/17

(PLEASE PRINT)

Name: Benjamin Shipley

Address: 130 W 95th

I represent: Gale A. Brewer, MBPO

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. 656

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: G. L. TYLER

Address: 420 WEST 45th ST

I represent: DC 1707 AFSCME

Address: 420 WEST 45th ST

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. 656

in favor  in opposition

Date: 6/17/2015

(PLEASE PRINT)

Name: Beverly Campbell

Address: 105-24 Flatlands 2nd St

I represent: Afio American Parents Educator

Address: 112-06 Sutphin Blvd. J.A. 11435

Please complete this card and return to the Sergeant-at-Arms