

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



July 30, 2002

ALL-COUNTY INFORMATION NOTICE NO.: I-53-02

TO: ALL COUNTY WELFARE DIRECTORS
ADULT PROTECTIVE SERVICES
PROGRAM MANAGERS
ALL COUNTY PUBLIC GUARDIAN OFFICES

**REASON FOR THIS
TRANSMITTAL**

- State Law Change
- Federal Law or Regulation
Change
- Court Order or Settlement
Agreement
- Clarification Requested
by One or More Counties
- Initiated by CDSS

SUBJECT: APRIL 1, 2001 REPORT TO THE LEGISLATURE: IMPACT OF SENATE
BILL (SB) 1003 ON THE ADULT PROTECTIVE SERVICES PROGRAM

This All-County Information Notice (ACIN) transmits to the counties the 2001 Report to the Legislature regarding the impact on the Adult Protective Services (APS) program of implementation of the provisions of Senate Bill (SB) 1003 (Chapter 670, Statutes of 1999). SB 1003 amended Welfare & Institutions Code Section 15763 by permitting county APS agencies not to conduct an immediate or 10-day in person response on APS referrals that met certain criteria. Section 15763, which was implemented again in Assembly Bill 429, requires the Department to make this report to the Legislature on or before April 1st of each year.

As the report shows, provisions of SB 1003 were adopted by 33 of California's 58 counties. During calendar year 2000, a total of 2,561 referrals were reported under those provisions. The total APS caseload for calendar year 2000 was 83,671 cases. Thus, the total number of referrals handled under the provisions of SB 1003 constituted 3% of the total statewide APS caseload.

If there are any questions regarding this ACIN or the APS program in general, please contact your assigned APS analyst at (916) 229-0323.

Sincerely,

Original Document Signed By

DONNA L. MANDELSTAM
Deputy Director
Disability and Adult Programs Division

Attachment

REPORT TO THE LEGISLATURE
IMPACT OF SENATE BILL 1003 ON THE
ADULT PROTECTIVE SERVICES PROGRAM



Prepared by
California Department of Social Services
Disability and Adult Programs Division
Adult Programs Branch

April 2001

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REPORT MANDATE

This report is mandated by the passage of Senate Bill (SB) 1003 (Chapter 670, Statutes of 1999), authored by Senator John Vasconcellos.

Welfare and Institutions Code Section 15763 (b) (4) requires that, on or before April 1, 2001, the California Department of Social Services (CDSS) provide a report to the Legislature regarding the number of elder and dependent adult abuse cases, by county, that were determined to not require an immediate or 10-day in-person response under the provisions of SB 1003.

EXECUTIVE SUMMARY

SB 1003, (Chapter 670, Statutes of 1999), allowed county APS agencies the option to not conduct an immediate or 10-day in-person investigation on APS referrals under certain circumstances. Prior to the enactment of SB 1003, counties had no statutory authority to not conduct an in-person investigation, even if it was determined that services were not needed. The provisions of SB 1003 were not mandatory.

The California Department of Social Services' APS Bureau met with representatives from various county APS agencies and developed the following disposition criteria, which was used to determine when an in-person response was not required under the provisions of SB 1003.

- The individual was receiving intervention from another agency that was addressing the allegations of abuse.
- The protection issues were resolved.
- The individual was placed in a permanent facility and allegations of abuse were addressed.
- The report was received from a non-credible source and/or from a non-mandated reporter.
- An in-person response was not required for reasons other than the ones listed above. An explanation in these cases was provided in the comment section of the data collection form.

SB 1003 information was reported monthly by each of the counties that implemented the provisions of the bill on the State of California (SOC), *Adult Protective Services and County Services Block Grant Monthly Statistical Report (SOC 242)*, which was modified for this purpose. Counties that did not implement the provisions of the bill marked the appropriate box on the SOC 242, the rest of the counties provided information under the disposition criteria listed above.

FINDINGS

The data collected during calendar year 2000 showed that a total of 2,561 cases were reported under the provisions of SB 1003. The aggregate APS caseload statewide for calendar year 2000 was 83,671 cases. The total number of cases handled under SB 1003 represented the equivalent of 3% of the total APS caseload statewide. Legislation to extend the provisions of SB 1003 was not pursued by either the counties or the California Department of Social Services.

BACKGROUND

SB 2199, (Chapter 946, Statutes of 1998), established an enhanced statewide APS Program with minimum standards for all counties. Welfare and Institutions Code (WIC) Section 15763 requires each county to establish an emergency response APS program to provide 24 hours per day, 7 days per week, in-person response to reports of abuse of an elder or dependent adult. In addition, the program must provide immediate intake and/or intervention to new reports involving immediate life threats or to crises in existing cases.

SB 1003 (Chapter 670, Statutes of 1999) amended WIC Section 15763 to allow county APS agencies the option to not conduct an immediate or 10-day in-person investigation on APS referrals under certain circumstances. WIC Section 15763 (b) (2), (3) and (4) was added, requiring the Department to develop the criteria for making this determination, and to submit a report to the Legislature on the number of cases, out of the total number of cases reported, that were determined not to require an immediate or 10-day in-person response.

OVERVIEW

The APS program assists elders and dependent adults who are functionally impaired, unable to meet their own needs, and who are victims of abuse, neglect, or exploitation. Counties must respond to and investigate all reports of physical abuse, neglect, abandonment, isolation, and abduction; provide case management services; establish multidisciplinary personnel teams, and provide emergency shelter care and in-home protection. The statute also requires each county APS agency to conduct an in-person investigation on all reports of abuse within the jurisdiction of the APS agency, even if the elder or dependent adult is not in imminent danger.

SB 2199 authorized CDSS to issue instructions through All-County Letters (ACL) for the statewide APS Program. ACL No. 99-53, dated August 12, 1999, clarified that under the following three circumstances, an in-person response was not possible: 1) the elder or dependent adult could not be located; 2) the elder or dependent adult had moved out of state or out of the county; 3) the elder or dependent adult had died before the investigation could be conducted. In addition, ACL No. 99-53 detailed specific circumstances in which an in-person response was not required. e.g., the report was based on an old incident and no new risks or allegations were present. Counties were concerned that they might not have the necessary resources to provide an in-person response to all reports of abuse. Since the enhanced statewide program was new and sufficient data was not available to determine the number of reports a county APS agency might receive, the County Welfare Directors Association sponsored legislation (SB 1003), that would allow counties to not conduct an immediate or 10-day in-person investigation under certain circumstances.

IMPLEMENTATION

In order to implement and provide specifics to the counties on the provisions of SB 1003, CDSS distributed the following information using the All-County Letter (ACL) process:

- ACL No. 99-98 was issued March 29, 2000, providing instructions for the changes authorized by the passage of SB 1003, along with the data collection form and instructions for its completion.
- ACL No. 00-37 was issued June 6, 2000, providing clarifying instructions and a Question and Answer section responding to questions raised by counties on the completion of the revised SOC 242.
- The Department compiled a summary of counties who had enacted the provisions of SB 1003, detailing the number of reports, by county, where no in-person response was made when a report of elder or dependent adult abuse was received by a county APS agency.
- The Department completed an ACL notifying county APS agencies that SB 1003 is no longer in effect as of January 1, 2001, and revised the reporting form (SOC 242) and instructions. The SOC 242, (Revised 01/2001), deleting Part "I", along with the instructions for completing the form, were attached to the ACL.

DATA

The following is a breakdown of the disposition of the reports of abuse received by the county APS agencies where no in-person response was made under the provisions of SB 1003.

The "*Other*" category accounted for the largest number of reports where no in-person response was made with a total of 972. Of the 972 reports in the "*Other*" category, 515 were reported as "Not an APS Issue," accounting for 53% of the total in that category. Other reasons given for not providing an in-person response in the "*Other*" category include: inappropriate referral (not 65 or a dependent adult), no victim, no abuse issues, old incident, victim deceased, duplicate report, services refused, unknown whereabouts, and report received for another county.

The "*Receiving Intervention From Another Agency*" category was the second largest category of reports, with 827. The "*Protection Issue Resolved*" category accounted for 484 reports, with the combined total of these three categories making up almost 90% of the total reports.

The following is a list of the counties that implemented the provisions of SB 1003:

Alameda	Alpine	Amador	Butte	Calaveras
Colusa	Contra Costa	El Dorado	Humboldt	Inyo
Kings	Marin	Mariposa	Merced	Modoc
Mono	Monterey	Napa	Nevada	Sacramento
San Joaquin	San Luis Obispo	San Mateo	Santa Clara	Santa Cruz
Shasta	Siskiyou	Solano	Stanislaus	Tehama
Tulare	Tuolumne	Yuba		

CONCLUSION

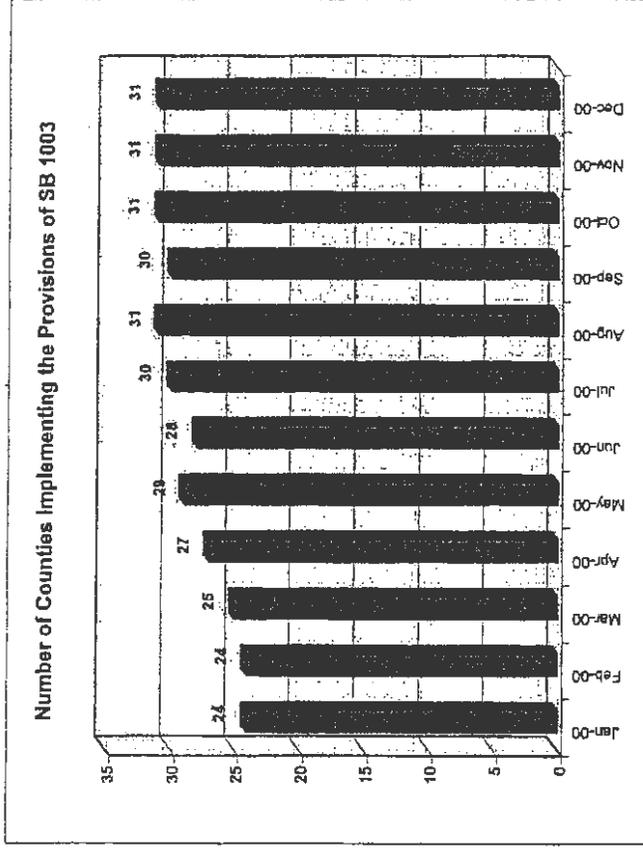
Data collected during calendar year 2000 showed that a total of 2,561 cases were reported under the provisions of SB 1003. The aggregate APS caseload statewide for calendar year 2000 was 83,671 cases. The total number of cases handled under SB 1003 represented the equivalent of 3% of the total APS caseload statewide. Legislation to extend the provisions of SB 1003 was not pursued by either the counties or the California Department of Social Services.

Attachments

Counties Implementing the Provisions of SB 1003 January through December 2000

County	Number of reports evaluated and no in-person investigations was made	Number in which no in-person response was made under the provisions of SB 1003	Percent of no in-person responses made due to provisions of SB 1003
Alameda	515	515	100%
Alpine	12	12	100%
Amador	0	0	
Butte	429	26	6%
Calaveras	37	37	100%
Colusa	4	1	25%
Contra Costa	214	201	94%
El Dorado	157	157	100%
Humboldt	143	143	100%
Inyo	16	15	94%
Kings	14	14	100%
Marin	58	58	100%
Mariposa	12	12	100%
Merced	16	16	100%
Modoc	8	4	50%
Mono	4	4	100%
Monterey	9	6	67%
Napa	33	17	52%
Nevada	73	66	90%
Sacramento	276	276	100%
San Joaquin	175	116	66%
San Luis Obispo	70	70	100%
San Mateo	74	74	100%
Santa Clara	173	127	73%
Santa Cruz	184	184	100%
Shasta	136	104	76%
Siskiyou	4	2	50%
Solano	128	127	99%
Stanislaus	82	82	100%
Tehama	30	12	40%
Tulare	9	9	100%
Tuolumne	43	43	100%
Yuba	15	15	100%

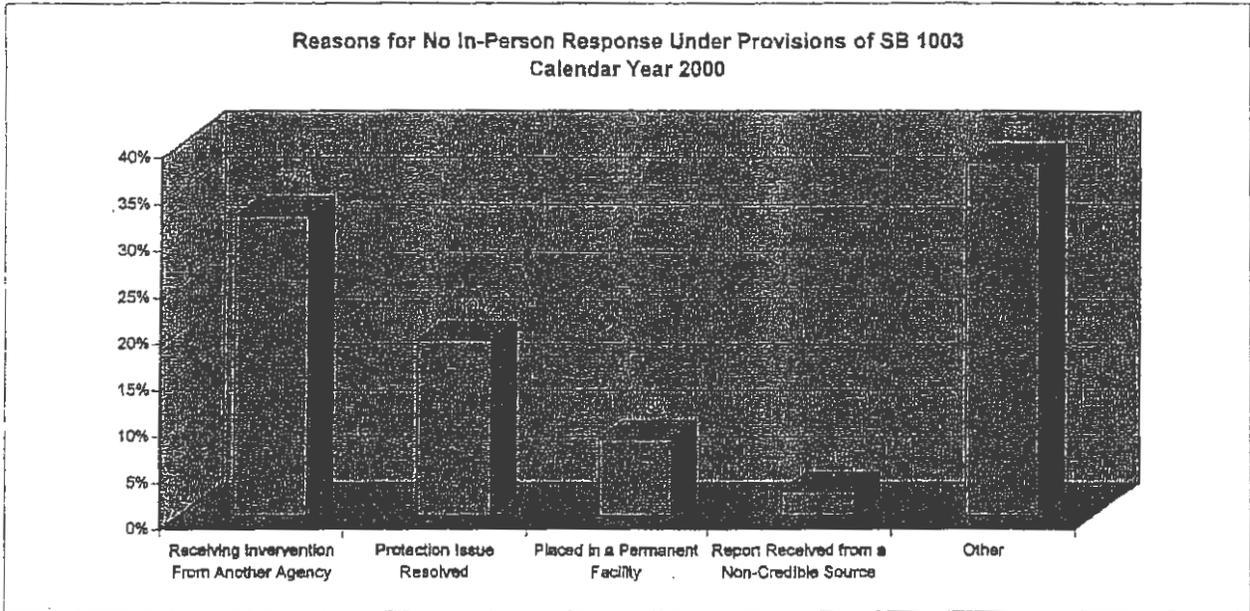
Source: SOC 242, Line 28 and 29



Source: SOC 242, Line 27

All data is for January through December 2000 except the following:

County	Reporting Period
San Joaquin	March-December 2000
Tulare	April-May 2000
Sacramento	April-December 2000
Mariposa	May, July-December 2000
Shasta	May-December 2000
Marin	June-December 2000
Modoc	July-December 2000
Siskiyou	August 2000
Monterey	October-December 2000



SB 1003 Reports: Number of No In-Person.

Receiving Intervention From Another Agency	827
Protection Issue Resolved	484
Placed in a Permanent Facility	211
Report Received from a Non-Credible Source	67
Other	972
	<u>2,561</u>

Source: SOC 242, Line 29 a-e

Attachment III

Summary of Reasons in OTHER category (Line 29e)

	Jan-00	Feb-00	Mar-00	Apr-00	May-00	Jun-00	Jul-00	Aug-00	Sep-00	Oct-00	Nov-00	Dec-00	12- Month Total	Percent to Total
Not an APS Issue (Alameda County reported 502, or 86%, of this category)	50	29	33	33	33	36	83	62	70	66	57	33	585	60%
Client Refused Service	3	0	2	5	3	3	4	2	6	4	3	0	35	4%
Unnecessary to investigate under SB 2199 guidelines:														
1) Cannot Locate/Whereabouts Unknown	5	2	1	6	3	7	10	4	2	3	2	5	50	5%
2) Out-of-State/County	2	1	0	3	4	2	9	3	6	5	1	0	36	4%
3) Victim Deceased	3	2	0	5	5	1	3	1	3	2	4	2	31	3%
4) Duplicate Report on Active Case/Previous Incident	12	9	11	1	3	7	3	6	3	10	9	4	78	8%
Miscellaneous (See attached detail pages)	18	24	23	18	20	7	7	6	8	12	7	10	160	16%
	83	67	70	71	71	63	119	84	98	102	83	54	975	100%

Note: These items were categorized based on interpretations of narrative provided by individual counties in the 'comments' sections of the SOC 242.

Source: SOC 242, Comments