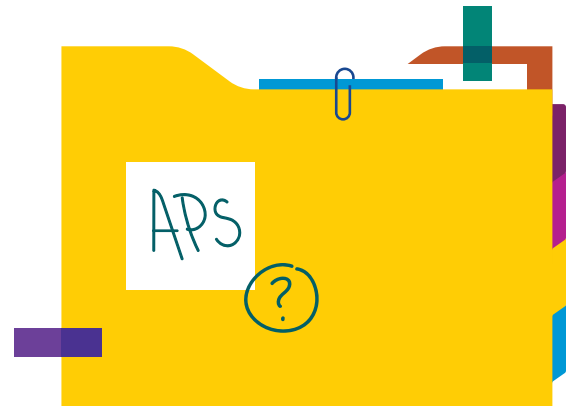


# APS wouldn't take my report. **Why not?**



This fact sheet provides brief insight into what cases APS can accept and why.

APS is a state social services program. Service eligibility differs based on state statutes. A situation that is considered adult abuse in one state may be considered solely a law enforcement matter in another state. The following are some key points that may determine whether your report is eligible.

## Client requirements

- Some states have age requirements for someone to be considered an older adult, starting between 60 to 65.
- A vulnerability or disability that increases the risk of abuse may determine eligibility.
- The scope and services of APS may vary in each state, and persons can be referred to a more appropriate program.

## Definitions of abuse

- Definitions of abuse may differ by state statute. Variable definitions among states may impact whether a specific subtype of abuse is eligible for APS investigation.
- Neglect statutes vary, with some states focused on rights to self-determination and others more concerned with safety.
- Financial abuse/exploitation statutes differ and the alleged perpetrator may be required to be a “person in a position of trust”.
- Emotional or psychological abuse, isolation, abandonment and exploitation are types of abuse that may not be included in the definitions of abuse.

## Jurisdiction

- APS may not investigate facilities in some states; these complaints should be directed to your local long term care ombudsman or licensing entity.
- APS may not be able to open a case involving domestic violence, hate crimes, customer service complaints, landlord tenant disputes, disability rights issues, or general resource inquiries. Referrals are often made to other entities such as civil legal service providers or law enforcement.



We recommend visiting your state's APS webpage or National Adult Protective Services Association (NAPSA)'s website: [www.napsa-now.org/get-help/help-in-your-area](http://www.napsa-now.org/get-help/help-in-your-area).

## APS didn't take my report... Now what?

If APS is not opening an investigation, there are some next steps you should consider:

- ✓ Ask the APS worker to clearly explain why they are unable to intervene.
- ✓ Ask for a referral to another resource that can help assist the adult.
- ✓ Contact the adult's family or medical provider to express your concerns.
- ✓ Contact your local city or county government, or local law enforcement.

## APS took my report but won't tell me anything

APS operates under confidentiality regulations that are like the HIPAA (Health Insurance Portability and Accountability Act) laws we all know from visiting our doctors. In almost every state, the only person who can release information is the adult who is experiencing the abuse.

## APS took my report but nothing has changed

APS clients are adults with rights, they can refuse help.

❗ [Read the expanded version of this fact sheet to learn more.](#)



## CONCLUSION

Ultimately, knowing the signs of elder abuse and reporting suspected abuse is something we can all do to prevent elder abuse. We hope that the information provided here gives you a better understanding of how APS operates and why APS might not open an investigation. But, more importantly, we hope this understanding encourages you to **keep making reports of known or suspected abuse or neglect**. You are the eyes and ears of APS in the community. It is an important role, and we thank you for doing it!

