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2012-2013 BUTTE COUNTY GRAND JURY REPORT

ADULT SERVICES DIVISION

SUMMARY

The Grand Jury reviewed the Adult Services Division (ASD) of the Department of Employment and Social Services. ASD programs consist of:

- Adult Protective Services (APS)
- In-Home Supportive Services (IHSS)
- Public Administrator
- Public Authority
- Public Guardian

The two areas the Grand Jury reviewed were Adult Protective Services and In-Home Supportive Services.

GLOSSARY

- APS – Adult Protective Services – Responds to reports of neglect and/or abuse of elderly and/or dependent adults
- ASD – Adult Services Division – Department of Employment and Social Services programs aiding adult and dependent citizens
- IHSS – In-Home Supportive Services – Provides support services so that low-income elderly, blind and dependent people can remain safely in their own homes
- Public Administrator – Responsible for handling the estates of those Butte County residents who die without anyone who is willing or able to act on their behalf
- Public Authority – A Department of Employment and Social Services' partner that recruits, screens and trains in-home care givers for In-Home Supportive Services recipients

- Public Guardian – Appointed by the Superior Court to act as conservator of persons who are not able to manage their own affairs and are unable to resist fraud or undue influence because of a mental or physical illness

BACKGROUND

Approximately 35,000 people aged 65 and older live in Butte County. This is 15.6% of the county's population and is expected to grow. There is a great need to respond to the challenges facing the older and dependent adult population. The health and safety of the county's vulnerable adult population is the primary focus of the Adult Services Division. The annual budget for ASD is approximately \$3.86 million.

APPROACH

The 2012-13 Grand Jury performed the following activities:

- Interviewed personnel in both management and social worker positions
- Reviewed documents provided by the Adult Services Division

DISCUSSION

Adult Protective Services

Adult Protective Services (APS) was established in 1999. Its purpose is to protect adults against physical abuse, sexual abuse, financial exploitation, endangered health and neglect. APS serves people aged 65 and over and individuals aged 18-64 who are physically or cognitively disabled. APS does not have protective custody powers, so it must have the cooperation of clients in order to serve them. APS helps individuals to remain safely in their homes. To accomplish this, it works with local physicians and law enforcement and refers clients to service-providing agencies. APS also helps clients obtain In-Home Supportive Services, if appropriate. APS social workers are on call 24 hours a day. During fiscal year 2011-12, APS responded to over 1,580 reports or referrals involving suspected abuse or neglect. Caseworkers conducted 541 investigations that confirmed 152 cases of abuse and/or neglect.

APS receives approximately 55 referrals a month, about half the nationwide average. The relatively low number of referrals is of concern to the APS staff and is possibly due to a lack of public knowledge of this service.

The current staff of APS includes one supervisor, six social workers and a case aide. Social workers have an average of 14 open cases each. Each senior social worker investigates dozens of referrals each month to determine if services are needed. At one time, there were also three public health nurses on staff. The last nurse left

approximately six years ago, and the positions have remained vacant due to lack of funding. Staff voiced a strong need to hire a public health nurse to evaluate medical neglect cases and assist in developing work plans for In-Home Supportive Services. The county is currently in the process of hiring one public health nurse.

The California Welfare Directors Association has developed Adult Protective Services Guidelines to supplement state regulations. APS staff will undergo training in 2013 on the newly published consistency standards.

In-Home Supportive Services

The main goal of In-Home Supportive Services (IHSS) is to provide personal care so elderly or disabled individuals can remain safely in their homes. Allowing individuals to stay in their own homes is usually desirable and avoids costly nursing home care.

IHSS is medically based and for people who, because of medical problems, cannot care for themselves. To be eligible for IHSS, an individual must be eligible for Medi-Cal. A social worker assesses the need for assistance and determines the number of hours to provide that assistance, up to 283 hours per month. Each client is visited at least once a year by a social worker and clients can call their social worker between visits if they need assistance.

In 2012, approximately 3,000 IHSS clients hired their own care provider in Butte County. The current staff of IHSS includes two supervisors and 14 ongoing social workers. The Public Authority has a registry of providers, but clients must do the actual selection, hiring and supervising. To become an IHSS care provider, workers must have a background check, be fingerprinted and have a reference check. The client signs the caregiver's timecard, which is the basis for payment from IHSS. Fraud is a problem and cases are investigated when fraud is suspected.

Each IHSS social worker has a caseload of 220-230 clients. The social workers state that these caseloads are overwhelming. Not only are social workers required to visit each of their clients at least once a year, they are also responsible for a great deal of follow-up work and other duties in the office. Social workers made it clear that staff needs to be increased in order to make caseloads manageable.

APS and IHSS staff seemed very dedicated to their jobs and clients. Social workers felt that communication with their supervisors was good and they felt free to express concerns. There was some concern for staff safety when they were seeing clients that have threatening animals, other hazards at their homes or live in remote areas.

FINDINGS

- F1 The social workers and their supervisors in the Adult Protective Services and In-Home Supportive Services programs are dedicated to providing the best possible services to their clients. They are to be commended for their work.
- F2 Adult Protective Services staff is concerned that they receive only about half the national average of referrals a month. They speculate that this may be due to lack of public knowledge regarding their services.
- F3 Not having a public health nurse inhibits the ability of the APS staff to evaluate medical neglect cases and to develop work plans for In-Home Supportive Services.
- F4 Fraud is a problem in some In-Home Supportive Services cases.
- F5 The caseloads of IHSS social workers are significantly large.
- F6 Staff in Adult Services feels communication with their supervisors is good, that they can voice concerns and that those concerns are heard.
- F7 There are safety concerns for Adult Services workers when doing field visits.

RECOMMENDATIONS

- R1 Develop and implement an outreach program to raise awareness of Adult Protective Services in order to educate the public about programs.
- R2 Hire additional public health nurses to evaluate and assist with APS and IHSS clients.
- R3 Continue to investigate and assist in prosecuting IHSS fraud cases and seek ways to reduce recurrences of fraud.
- R4 Hire additional social workers to better manage the caseload for the IHSS program.
- R5 Work with social workers in Adult Services to equip them with whatever resources are available that they would need to insure their safety.

REQUEST FOR RESPONSE

Pursuant to Penal Code Section 933 and 933.05, the Grand Jury requests responses as follows:

- Director, Butte County Department of Employment and Social Services:
 - A response to Findings F1 through F7; and Recommendations R1 through R5

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda and open meeting requirements of the Brown Act.

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury do not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury.