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September 30, 2020

Reports of Elder Financial Exploitation are Increasing in Tennessee

Comptroller's Office evaluates the patchwork of state and local entities that protect elderly Tennesseans

The Tennessee Comptroller's Office has completed a review of elder financial exploitation in Tennessee. Elder financial exploitation is the wrongful or unauthorized use of the assets, funds, or property of elderly individuals. Those who exploit the elderly may include family members, businesses, acquaintances, and strangers. Over the last several years, the Tennessee General Assembly has strengthened state laws to protect the state's elderly population from financial exploitation, as well as abuse and neglect.

Elder financial exploitation appears to be increasing in Tennessee. The Adult Protective Services (APS) program in the Tennessee Department of Human Services operates the statewide hotline and reporting system for complaints about all types of elder abuse. APS also investigates reports of elder abuse. APS data confirms that, from 2015 to 2019, the number of reports it received for all elder abuse categories increased by 52 percent, while reports of financial exploitation increased by 87 percent.



One overarching concern, expressed by stakeholders across the state, is that state law limits the types of investigations of elder financial exploitation that APS, the agency most closely associated with issues concerning elder abuse, can undertake. APS can investigate these cases only when they involve a caregiver and the misuse of government funds.

Research by the Comptroller's Office of Research and Education Accountability (OREA) found that Tennessee's approach to protect elderly adults from financial exploitation is made up of a patchwork of state and local entities. APS officials told OREA that the agency receives a large number of reports of suspected elder financial exploitation that do not meet the criteria for investigation under the law, and that it refers these to law enforcement and district attorneys general, among other entities.

The effectiveness of Tennessee's patchwork approach, however, is unknown due to data limitations. Although efforts have ramped up in recent years to better coordinate the review of suspected cases of elder financial exploitation, there is no statewide system to track elder financial abuse cases in Tennessee. Without a statewide system, it is not possible to track the progress or resolution of cases when they are shared between state and local agencies.

The lack of a statewide data system also prevented OREA from fully estimating the prevalence and cost of elder financial abuse in Tennessee.

OREA's research found that APS does not have enough intake workers and district attorneys lack the specialized staff to tackle the complexities of some elder financial exploitation cases. Reports of abuse to APS

have increased in recent years and intake workers are at full capacity during peak times. According to an APS official, intake workers at APS are not always able to follow up on each report. District attorneys also indicate that staff with specialized knowledge of financial exploitation or accounting are necessary to prosecute a wider range of elder financial exploitation cases.

The Comptroller's Office has included a number of policy considerations for the General Assembly in its report.

To read the report, please visit the Comptroller's OREA website at: <http://comptroller.tn.gov/orea>

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