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Comparison of State Adult Protective Services (APS) Program American Rescue Plan Act (ARPA) Operational Plans: How Have the Funds Been Used and What Weaknesses Remain to be Addressed?

Thank you for the opportunity to share the findings from our research on National ARPA funding trends from state APS programs. To put this funding in context, it is important to first review prior funding after the establishment of APS. Three major articles of legislation that have supported older adults include the Older Americans Act (OAA; enacted in 1965), the Social Security Act (1935, 1981 amendment), and the Elder Justice Act (2010). The OAA established formula funding for states to provide services to people 60 and older.[1] APS was created after Title XX of the Social Security Act [Social Services Block Grant (SSBG)] was enacted, and has been housed federally under the U.S. Department of Health and Human Services' Administration for Community Living (ACL) since 2014.[2–4] The Elder Justice Act (2010) authorized formula grant funding directly to states for APS operations. However, unlike child welfare, no appropriations were dedicated to support the grant authorizations.[5] Without the aid of continuous dedicated federal funding, APS has to-date been funded by various federal grants (most prominently SSBG), state and local government allocations, and philanthropic efforts. The AARP Public Policy Institute acknowledged that although Federal Fiscal Year (FFY) 2014 federal appropriations for OAA were $1.88 billon, APS received less than 0.5% of the funding.[1]

The Coronavirus Response & Relief Supplemental Appropriations Act of 2021 (CRRSAA) passed as part of the Consolidated Appropriations Act, 2021 (HR 133) was the first-ever direct federal funding specifically for state APS programs (appropriated in December 2020) allowing the ACL to allocate $93.88 million in funding under the Elder Justice Act, in response to COVID-19 challenges and related activities. The Elder Justice Act requires that funding "supplement and not supplant" any other federal, state, or local funds provided for APS programs. The Consolidated Appropriations Act CRRSAA further restricted funding use to

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address COVID-19 related issues. The March 2021 American Rescue Plan Act (ARPA) (HR 1319) provided additional appropriations for the Elder Justice Act [Sec. 9301, Sec. 2010 (a)] with at least $249.706 million to be allocated to APS formula grants for FFY 2021-2023.[6] ARPA is the first-ever federal funding for state APS programs to freely apply to their individual needs.

Using ARPA Funds

For planning purposes, state APS programs conducted environmental scans to identify program weaknesses and established a spending plan for ARPA funding usage. States developed these operational plans with assistance from the ACL who approved all the plans before they were finalized. Many funded initiatives were guided by the National Voluntary Consensus Guidelines, developed by ACL. The National Adult Protective Services Association (NAPSA) requested state APS programs to share their complete operational plans including the environmental scans which are not made available to the public with NAPSA; and the majority did. NAPSA partnered with Purdue researchers to assess funding trends. Therefore, our analyses utilized operational plan expenditure breakdowns and environmental scans conducted by state APS programs that were voluntarily provided to NAPSA.

We were able to account for $238,652,185 of ARPA spending by 52 states and territories. After assessing the budget plans and environmental scans for themes, it became clear that the different spending initiatives and program weaknesses could be separated into categories of Client, Staff, Program, Community, and Policy (generally local or state). Our categorization focused on the beneficiary who most immediately benefited from funding or was most immediately impacted by a weakness. Due to the nature in which the funding initiatives were reported, often in aggregate blocks, weakness sub-categories were able to be more granular than funding initiatives. In Table 1, the number of states who identified a weakness or funding

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initiative in each category are presented alongside the total funding amount allocated to the sub-category.

There is an assumed logical flow from problem identification to funding provision to initiatives undertaken to resolve the problem. However, in a multi-faceted real-world environment, this is not always the case. In our analysis of state APS program operational plans provided by the states and territories to NAPSA, we were able to see the initiatives that states were choosing to fund. Also importantly, through comparison with provided weaknesses in environmental scans, we were able to see initiatives that are still sorely needed but unable to be pursued.

Table 1. Summary of APS Program Weaknesses and Spending Initiatives				
	States		**Funding**	
Categories	Weaknesses	Initiatives	Percent of	Dollars
Sub-Categories	*Number (%)*	*Number (%)*	Total	Allocated
Client			**15%**	**$34,776,642**
Goods & Services	15 (27%)	27 (48%)	9%	$22,733,342
Case Aide	6 (11%)	8 (14%)	4%	$9,743,124
Shelter	14 (25%)	7 (13%)	1%	$2,300,176
Support	3 (5%)	- -	-	
Staff			**32%**	**$77,148,954**
Training	32 (57%)	45 (80%)	13%	$30,179,409
Hire or Contract	31 (55%)	36 (64%)	14%	$32,821,913
Equipment	8 (14%)	18 (32%)	2%	$4,610,528
Retention	33 (59%)	11 (20%)	4%	$8,685,884
Support Remote Work	15 (27%)	6 (11%)	0.15%	$351,220
Case Load	29 (52%)	- -	-	
Program			**38%**	**$90,394,582**
Technology Infrastructure	20 (36%)	24 (43%)	11%	$26,306,027
Quality Assurance	25 (45%)	20 (36%)	3%	$6,575,100
Operational Plan	15 (27%)	18 (32%)	5%	$12,930,124
Data Collection & Reporting	19 (34%)	17 (30%)	4%	$9,439,229
Process Improvement	21 (38%)	16 (29%)	5%	$11,259,303
Department Discretion	2 (4%)	7 (13%)	9%	$21,125,161
Indirect Costs	-	7 (13%)	1%	$2,760,637
Case Complexity	17 (30%)	- -	-	
Interagency Support	13 (23%)	- -	-	
Timeliness	11 (20%)	- -	-	
Community			**15%**	**$35,029,783**
Partners	28 (50%)	26 (46%)	7%	$16,540,948
Public Awareness	25 (45%)	23 (41%)	5%	$10,951,648
Outreach	7 (13%)	7 (13%)	1%	$2,497,478
Partner Training	15 (27%)	7 (13%)	1%	$2,212,709
Tribal Nations	0 (0%)	7 (13%)	1%	$2,827,000
Resources	37 (66%)	- -	-	
Public Health	27 (48%)	- -	-	
Policy		2 (4%)	**<1%**	**$1,301,224**
Funding	32 (57%)	- -	-	
Regulations	23 (41%)	- -	-	
Processes	16 (29%)	- -	-	
Ineligible Cases	6 (11%)	- -	-	
Abuser Registry	4 (7%)	- -	-	

Note: Two states are over budget: one is $251,329 over and this state is aware of the discrepancy in the spending plan, and the other one by $41. Total percent does not add up to 100 due to rounding. Cells filled with '-' indicate the sub-category was not considered in initiatives.

The Identified Needs from Program Weaknesses

From the provided environmental scans, it was clear that a few major weaknesses were prevalent across most responding states.

Funding Initiatives and Program Weaknesses in Relation to The Elder Justice Coordinating Council's (EJCC) Eight Recommendations

In 2016, EJCC developed eight recommendations for increased federal involvement in addressing elder abuse, neglect, and exploitation. We reviewed the recommendations listed below and summarized how ARPA funding might have contributed to APS' advancement, and where this one-time funding still falls short in supporting APS. The verbiage of the recommendations has been modified slightly for this report to be 1) inclusive of APS program clients which may include younger adults (age 18+) with disabilities, and 2) restrictive to APS programs as they are the subject of this report by excluding verbiage related to non-APS staff.

1. Support the Investigation of Adult Mistreatment Cases: Support the investigation of adult abuse, neglect, and financial exploitation cases by providing training and resources to state, and local APS professionals.

Recommendation 1 focuses on training and providing resources to APS professionals. From the environmental scans provided, 57% of reporting states identified staff and/or supervisor training as a weakness. APS staff training was among the most frequently and most heavily funded uses for ARPA funds with 45 states allocating a total of over $30 million dollars to staff and supervisor training. An additional $2 million dollars was allocated to training of community professionals including prosecutors, law enforcement, and hospitals on APS programs, eligibility, and services. However, only 7 states were able to funnel funding to these multi-disciplinary efforts. In addition, ACL recently funded the first ever National Adult Protective Services Training Center (NATC) that provides asynchronous e-learning to APS and allied professionals. Although NATC does not substitute instructor led training, it offers an alternative training mode for APS programs that do not have the resources to provide instructor led training.

2. Enhance Services to Adult Mistreatment Victims and Survivors: Support and protect adult mistreatment victims and survivors by improving identification of adult mistreatment and enhancing response and outreach to victims and survivors.

To achieve Recommendation 2 of improving identification of adult mistreatment, 23 states have budgeted almost $11 million dollars to public awareness campaigns, 7 states have

specific community partner training, and 7 states have other community outreach endeavors. Improving response and outreach also requires resources, which is why 26 states allocated 7% of the total ARPA funding to establishing and fostering community partnerships. During the COVID-19 pandemic, we learned that APS becomes the hub of all kinds of cases in need of services.[5] However, community partners need to understand the capacities and limitations of their state APS program to best collaborate in serving victims and survivors. Much more can still be done to enhance collaboration between APS and community partners.

3. Develop a National Adult Protective Services Data System: Develop a national APS system based upon standardized data collection and a core set of service provision standards and best practices.

Recommendation 3 has made progress to actualization through the implementation of the National Adult Maltreatment Reporting System (NAMRS). NAMRS has provided key initial steps to understanding elder justice on a national scale. However, many caveats exist to current findings from NAMRS, in part because without federal funding, states provide data voluntarily, and those that do may have differing definitions in the field or staff may not recognize the value to their client in fully and accurately capturing data. A total of 4% of the available ARPA funds were slated to be used for improving data collection and reporting. This includes utilization of standardized tools, database improvements, and updating systems to be able to report to NAMRS. In order to meet this recommendation many states would first need to update their technological infrastructure, which 24 states planned to do with $26 million dollars. The NAPSA Research-to-Practice Interest Group has launched an APS Administrative Data Initiative (AADI) to assess what APS administrative data exists at state levels, what can be addressed using current data, and what cannot be addressed with APS administrative data. These updated systems and practices APS programs are dedicating ARPA funding towards will support NAMRS, AADI, and the efforts of both systems to improve and understand APS nationally and within the states.

4. Develop a Federal Elder Justice Research Agenda: Establish a coordinated research agenda across federal agencies to identify best practices for prevention of and intervention in adult abuse and financial exploitation.

The state ARPA funding plans cannot speak directly to this recommendation, but many states are engaging in research for programmatic improvements and quality assurance. Some

studies proposed included program evaluations to identify and implement evidence based best policies, practices, and structures; workload or caseload and case management studies; intake and investigation assessment; victim population and demographic studies; resource needs evaluations for equitable resource access; equity and recidivism; problem identification in credentialing, public outreach, short term shelter, and technology infrastructure. Although not solely elder justice focused, ACL has developed the [Research Agenda for APS](#), with caseload size, APS interventions and outcomes, investigation timeframe, and specialized APS units as future research topics. Understanding of other federal agencies' research agenda should be promoted.

5. Develop a Broad-Based Public Awareness Campaign: Develop a comprehensive, strategic, and broad-based national public awareness campaign, with clear and consistent messaging to raise awareness and understanding of adult abuse, neglect, and exploitation.

To improve the general public's knowledge of the existence, service provision, eligibility, and reporting practices to their local or state APS programs, 23 states have funded APS Public Awareness Campaigns ($10.9 million). NAPSA has been assisting some of the states to develop campaign templates that could be easily modified to advertise the capabilities of individual state APS programs. While this can be seen as a success of the actualization of Recommendation 5, we would like to caution that the $10.9 million dollars was used by individual states for somewhat broad information campaigns. While these are important endeavors, if coordinated at the national level by ACL or NAPSA, a stronger national public awareness campaign for APS and elder justice could achieve a wider impact that covers more states.

6. Cross-disciplinary Training on Adult Mistreatment: Develop training to educate stakeholders across multiple sectors and disciplines on preventing, detecting, intervening in, and responding to adult abuse, neglect, and exploitation.

In our assessment, training of non-APS professionals was considered community partner training. Seven states dedicated a total of $2.2 million of ARPA funding (1%) to educate community partners. This is in addition to the public awareness campaigns which account for 5% of ARPA funding utilization.

7. Combat Adult Financial Exploitation, including Abuse by Fiduciaries: Prevent, detect, and respond to adult financial exploitation through federal enforcement activities, policy initiatives,

coordination, oversight and education, and by collaborating with industry to enhance fraud detection and provide resources for victims and survivors.

A few states (7) decided to work with community partners on training, including financial institutions on how to work with APS, such as partnership with [HelpVul](#). Others planned to contract with or establish partnerships with forensic accountants. Additionally, states sought training for their staff on financial exploitation.

8. Improve Screening for Dementia and Cognitive Capacity, Financial Capacity, and Financial Exploitation: Improve the ability of APS and first responders to screen for diminished capacity, diminished financial capacity, and vulnerability to or victimization of financial exploitation.

In accordance with this last recommendation, APS training has been expanding to include dementia and cognitive capacity assessment, financial exploitation, and other related issues. Additionally, state APS programs are contracting with community partners to form multidisciplinary teams for complex cases, utilize forensic accountants, psychologists on retainer for guardianship, neuropsychologists, as well as fraud and scam response partnerships.

Persisting Needs Require Continuous Funding

In addition to the initiatives that are associated with EJCC's eight recommendations, important projects outside of the eight recommendations include state APS programs who used the funding to support their employees to work remotely and ensure their safety in the field. Moreover, potential initiatives such as funding for frontline APS staff, community resources for victims and survivors, as well as policy changes, are not addressed adequately by the one-time ARPA funding.

Frontline APS Staff

It is not a secret that with population aging and the public's awareness of mistreatment, APS programs need manpower to serve their growing number of victims and survivors. A history of no federal appropriations coupled with SSGB funding stagnation in the face of inflation and a growing client population had left state APS programs severely underfunded and under-staffed. On all levels including recruiting, hiring, training, and retaining - state APS programs are in need of qualified full-time employees (FTE), as indicated in the environmental

scans by over 50% of states as their program's weakness. Other fields that also serve older adults and adults with disabilities compete with APS for FTE. This results in a narrower pool of available FTEs who are also eligible for positions at higher paying private entities and even other government jobs in social services, public health, and healthcare services. Those who have stayed with APS are experiencing burnout from high caseloads and increased case complexity. The summary table shows that 64% of states utilized ARPA funding for hiring or contracting. However, this was most often for grant managers, program managers, and case-aids or contract workers. Many APS programs were advised that they cannot use one-time funding to establish FTE positions. While fiscally sensible, as by the time an eligible FTE is employed and trained the funding term would be ending, this still leave programs without their most needed asset – people.

Community Resources

ARPA funding has been used to make needed updates to programs and community partnerships, but the state APS programs cannot be the resources they need to serve clients, including long-term care, home health, mental health, etc. Community resources experienced closure or refused to offer services in homes in the face of COVID-19 and have since also struggled with their own workforce. Where resources are available, some do not want to work with APS for a myriad of reasons, including reduced value for vouchers, slow payments, or in some cases when APS has had to investigate reports on the resource. In rural areas, there are equity issues regarding the availability of resources compounded by the other problems such as staffing shortages and poor technology infrastructure. If federal funding is not ongoing for APS programs to provide incentives to have community partners work with them, victims and survivors of abuse, neglect, and exploitation will continue returning to APS for crisis intervention.

Other long-term problems with a lack of community resources include that inability to address the need behind APS client crisis will result in recurrence of clients referred to APS. This is not only a problem for the well-being of clients, but also for APS program quality reviews. Many quality metrics currently rely on recurrence data, along with time to case initiation and closure, to measure how well an APS program is doing. Without the community

resources to support clients staying out of crisis, recurrence unlikely to fall, thereby limiting future funding opportunities for APS programs.

Policy – State and Local Government

Many states identified weaknesses regarding policy outside of APS, including funding from federal and state government (57%), and 41% expressed frustrations around outdated or inefficient regulations. However, policy change requires long-term dedicated efforts and may have been found to be a less effective use of one-time funding. Thus only 2 states had policy initiatives.

Final Recommendation

Based on weaknesses discussed in state's environmental scans, state APS programs were technologically behind prior to the availability of ARPA funding. Many states used this opportunity to pursue technological improvement but did not necessarily have the capacity for technological innovation. States also utilized this opportunity to conduct analysis on their programs and services. APS programs still need FTE staff, available community resources, and public awareness and interest to continue improving their programs and serving the growing number of victims and survivors.

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