

## **Adult Protective Services (APS) Program Summary**

Article 6, Chapter 108A of the NC General Statutes requires that county Departments of Social Services perform certain activities for disabled adults who are alleged to be abused, neglected or exploited and in need of protective services.

Adult Protective Services (APS) has three levels – Intake, Investigation and Mobilization.

During Intake, the Social Worker receives by phone or mail or fax a report on an adult alleged to be disabled and in need of protective services. For the report to be accepted for Investigation the adult must be disabled; must be unwilling, unable and not responsible to access services for him/herself or has no one to act on his/her behalf; and the report must also show that the adult is being abused, neglected, or exploited. The Social Worker may refer the situation to Law Enforcement or the Adult Care Home Specialist (if the adult is in a rest home) or to the NC Division of Health Services Regulation (if the adult is in a nursing home or group home) for additional evaluation. Reporters' names are kept confidential by state law. All APS services are documented on the daysheets and are billable under the Social Services Block Grant – 25% paid by the state and 75% paid by the county until the SSBG funds are used up at which time the county is 100% financially responsible for the time incurred in this mandated service.

During the Investigation stage, the Social Worker visits the adult's home or the facility where the adult is residing to interview the adult in private. The Social Worker also obtains collateral information from neighbors, friends, caretakers, relatives, guardians, medical and mental health providers, landlords, law enforcement or others who might have knowledge of the adult. The end goal of this stage is to confirm or not confirm that abuse, neglect, self-neglect or exploitation have occurred. If there is no confirmation of abuse, neglect, self-neglect or exploitation, the case is simply closed.

If there is a confirmation, the Social Worker must substantiate if there is a need for protective services. If there is a need, the Social Worker must determine if the adult has sufficient mental capacity to refuse or accept services. If the adult has sufficient capacity, he/she can enter into the third stage of APS – Mobilization. If a competent adult refuses services, the Social Worker asks the adult to sign a form refusing services and the APS case is closed. If the agency determines that the adult lacks mental capacity to accept or refuse services (ex: Alzheimer's Dementia victim), the agency may file a petition with the Lee County Clerk of Court to request that the person be declared incompetent so that a guardian can be appointed. The statute requires that if the Department of Social Services determines that disabled adult is in need of protective services and the disabled adult consents to the provision of such services, the department shall immediately provide or arrange for the provision of protective services. If the adult can do so, he/she shall pay for the needed services. If it is determined that he/she is not financially capable, such services shall be provided by the county at no cost to the adult. Efforts are made to determine if the person's relatives or guardian are able to pay for the needed service.