



**Elder Abuse
&
Elderly Protective
Services**

Q. What is Elder Abuse?

A. Louisiana law R.S. 15:1501-1511 protects people who are **60 or older** from physical or emotional abuse as well as neglect by care givers. The law also protects seniors from self-neglect. The law protects seniors from other people misusing or stealing their money.

Elderly Protective Services (**EPS**), a program administered by the state, investigates suspected abuse. **You can reach EPS by calling 1-800-898-4910.**

EPS does not handle cases of nursing home abuse or of abuse in group homes. Those cases go to the Ombudsman Program at 1-866-632-0922.

Q. What are some signs of elder abuse?

A.

- Physical harm, such as pushing, hitting, or restraining the person;
- Emotional and verbal bullying, such as screaming, threatening, or insulting the person;
- The care giver isolating the person, or the older person becoming isolated to the point of danger;
- Sexual abuse;
- Neglect, such as not providing for medicine, medical care, food, personal care, utilities, or daily needs;
- Over medicating;
- Self-neglect;
- Stealing or misusing money, property, or the possessions of an elderly person.

Q. Who should contact Elderly Protective Services (EPS)?

A. EVERYONE - Doctors, dentists, nurses, social workers, counselors, police officers, psychologists, coroners, podiatrists, occupational therapists, osteopaths, probation officers, staff of homemaker and home health agencies, or nursing facilities, financial directors, bank tellers, family members, neighbors, and friends.

The law requires you to make a report to EPS if you have reasonable cause to believe an older person is being abused or neglected by a care giver or by himself/herself (the law recognizes the attorney-client privilege and the minister/priest-penitent privilege as the only exceptions to the rule that everyone has a duty to report abuse of older people).

Q. What should be reported to EPS when an incident occurs?

A. Simply use your eyes and ears. Any unusual signs could mean abuse. These could be burns, bruises, swollen or black eyes, broken bones, dilated pupils, evidence of restraints, bedsores, lack of clothing or dirty clothing, body odor, dehydrated or starved appearance, no utilities in the home, personal property missing, no food or medication, frequent change in doctors, no visitors allowed, the victim saying he or she is afraid or ashamed.

Q. What is I am afraid to call EPS?

A. Okay, so you aren't an expert on what may be abuse. It's easier to do nothing instead of "getting involved". To help make it easier on you to file a report with EPS the law provides for the following:

You can report anonymously.

- If you act in good faith by reporting what you believe to be abuse or neglect, you cannot be ordered by a court to pay damages, even if no abuse is validated.
- No criminal charges can be brought against you if you acted in good faith.
- All reports are confidential. EPS cannot release the reporter's name without a

written release signed by the reporter.

- If you know of abuse and fail to report it, you could be charged with a crime and either fined or jailed.

Q. What happens after a report is made?

A. EPS screens each report, if it does not meet the criteria for services, the case is referred to alternate community services and resources.

EPS staff investigates all other eligible cases of abuse, neglect, and/ or exploitation, intervene when and where appropriate, and prepare a plan of resolution utilizing community resources. EPS program staff sometimes request physical, psychiatric or psychological tests if they think they are needed.

If abuse is taking place, the EPS makes a plan to solve the problem using local resources. This could mean finding someone the victim trusts to help handle money. It could be setting up meals on wheels or homemaker services for the victim. EPS staff sometimes helps the victim move to another home. Other times, they force the abuser to move and stay away from the victim. EPS staff monitors this plan at each step until the situation is stabilized. When staff sees that a case of abuse or neglect call for it, they may seek court orders, such as those forcing the abuser to return property they've taken from the victim. They may send the case to the local district attorney for civil action of criminal prosecution.

Due to confidentiality, EPS **cannot release confidential information or specific details** obtained during the investigation.

Q. How can I report abuse or neglect to EPS?

A. Call the toll-free APS/EPS Statewide Hotline at **1-800-898-4910**

Updated: July 2015

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This pamphlet provides general legal information and does not take the place of getting a legal opinion from a licensed attorney about your specific facts. It was developed by the statewide Louisiana Elder Law Task Force, 2004, and updated **September 2011**. This revised public document was published at a total cost of **\$ 84.00 for 150 copies** by the Louisiana Office of Elderly Affairs, P.O. Box 61, Baton Rouge, LA 70821-0061. It was printed in accordance with the standards for printing by state agencies established in by La R.S. 43:31.