



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 1-833-577-6532 or 225-342-0144.** .

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. Some signs of elder abuse are:

- 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 if 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 for 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, intervenes when and where appropriate, and prepares 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, 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 sometimes helps the victim move to another home. Other times, EPS forces the abuser to move and stay away from the victim. EPS monitors this plan at each step until the situation is stabilized. If a case of abuse or neglect calls for it, EPS may seek court orders, such as those forcing the abuser to return property taken from the victim. EPS may also send the case to the local district attorney for civil action or 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 EPS Statewide Hotline at **1-833-577-6532**.

This booklet is provided for informational purposes only, and is not legal advice. Do not rely upon the information concerning your legal issues. You should consult an attorney regarding your particular legal situation.

Elder Law Task Force, Updated Sept. 2017.