

# Adult Protective Services and Guardianship in North Carolina

## A Crisis in the Making

An 88 year old widow who is a former teacher and lives alone in a small rural county in western North Carolina is showing early signs of dementia but is still managing his affairs. He has limited family support and is showing up at the bank withdrawing large amounts of cash. Bank staff has seen a young woman waiting for him outside the bank when he comes in.

An 84-year-old woman who lives in an urban county in the state is partially blind and diabetic and is at risk of having her leg amputated. She lives alone and is constantly falling. EMS has been called to her home numerous times.

A 26 year old male from rural western North Carolina has a history of mental illness, violence and run-ins with the police. His family does not want to have contact with him due to his violent behavior, and landlords refuse to rent to him because of his history.

**QUESTION - What do all of these scenarios have in common?**

**ANSWER – They all are real examples of situations that County Departments of Social Services encounter every day of the year.**

**State law mandates** that County Departments of Social Services (DSS) provide adult protective services (APS) to adults age 18 and older who are abused, neglected, or exploited and provide guardianship services to those who are adjudicated incompetent for whom there is no one else to assume this responsibility. The DSS has statutorily mandated timeframes in which they must act on reports of abuse, neglect, and exploitation. Serving as a guardian requires the DSS staff to be available at all times to assist in making critical decisions on behalf of adults under guardianship.

**Cases of both APS and Guardianship have skyrocketed** in recent years.

- 25,980 APS reports in SFY 15-16 (a 69% increase in 8 years)
- 6,885 publicly funded guardianship cases in SFY 15-16 (more than doubled in the past decade)

We have **a system that is struggling** to do what is needed to protect vulnerable adults in need of these services. Data over the years has shown that mistreatment of older adults and adults with disabilities is significantly under-reported. The potential for disastrous results is like a ticking time bomb.

**Counties must pick up the majority of the cost** of services – they pay 78% of APS costs and 59% of guardianship costs. This is a particular challenge for low wealth counties. **Federal funding** for APS and guardianship services is provided through stagnant and often threatened Social Services Block Grant (SSBG) funds.

Due to inadequate resources, county social workers often have **caseloads that far exceed the recommended size** of 1 worker to 15 cases for APS and guardianship. APS and guardianship social workers often wear many hats providing other critical services such as representative payee and case management for the Special Assistance In-Home Program. In short, they are presented with an insurmountable task of providing the level of service needed to adequately safeguard the vulnerable older and disabled adults in their charge.