



**Statement of Marci Phillips**  
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**Older Americans Act Reauthorization – Elder Abuse Stakeholders Meeting**  
**Senate Health, Education, Labor & Pensions Committee**  
**October 11, 2011**

On behalf of the National Council on Aging (NCOA)<sup>1</sup>, I greatly appreciate the opportunity to talk with you today about Older Americans Act (OAA) reauthorization and elder abuse.

NCOA is a nonprofit service and advocacy organization headquartered in Washington, DC. NCOA's mission is to improve the health and economic security of millions of older adults, especially those who are vulnerable and disadvantaged. NCOA is a national voice for older Americans and the community organizations that serve them. Working with nonprofit organizations, businesses, and government, NCOA develops creative solutions to help seniors find jobs and benefits, improve their health, live independently, and remain active in their communities.

With the population of older individuals expected to grow exponentially in the coming years, the Aging Services Network (ASN) faces incredible challenges associated with the influx of older individuals into OAA programs. During this Congress, the OAA should be strengthened through reauthorization, which provides an important opportunity to modernize and improve services by supporting efficiencies and innovations, reassessing the Act's successes and limitations, and addressing its ability to effectively serve older Americans in need.

NCOA is a proud member of the Elder Justice Coalition<sup>2</sup>, and we support the recommendations made by the group today, including but not limited to: (1) greater integration between the Title VII education and public awareness provisions and the other service programs in Title III; (2) coordination between what is currently in Title VII and all elder justice systems and funding streams that grow out of the Elder Justice Act (EJA); (3) assurance that all programs funded by the OAA have received appropriate elder abuse-related training for those staff and volunteers

who come in direct contact with seniors; and (4) consistency in definitions and coordination in data collection with comparable provisions of the EJA.

During the debate over enactment of the EJA, NCOA partnered with WITNESS<sup>3</sup>, an international human rights organization that uses video to affect change, to launch the Elder Justice Now campaign<sup>4</sup>. More than a dozen local advocates partnered with NCOA and WITNESS to give voice to those impacted by elder abuse by capturing the stories of victims, caregivers, advocates and law enforcement on video. Over 100 local videos were created, and a national documentary, “An Age for Justice: Confronting Elder Abuse in America,” was produced which features four of these compelling stories. The campaign sought to affect change by communicating with Congress through the use of online tools, social and traditional media, and other grassroots advocacy tactics. Today, the videos continue to be used to raise awareness and provide education in communities across the country.

We are now conducting a similar video advocacy campaign, *One Away*<sup>5</sup>, to give voice to vulnerable older adults who are struggling to make ends meet in today’s economy. The campaign captures real stories of seniors to raise awareness and advocate for policy change that will empower them to access the services and supports they need to live with economic security and dignity. NCOA is working with 14 Local Advocacy Partners around the country to build support for this campaign, including strong partners in Vermont, Kentucky, Iowa, Maryland, Pennsylvania, Minnesota, North Carolina, Colorado and Illinois. The campaign shines a spotlight on the reality that the “golden years” are not so golden for many older adults. The reality is that 1 in 3, or over 13 million, older Americans live in poverty or right on its edge, with annual incomes of only \$22,000 or less. These seniors have to decide each day whether to pay for medicine or food, rent or utilities. They live one missed rent check, one health problem, one bad public policy away from financial crisis. Despite their struggles, they regularly suffer in silence, their voices unheard. The courageous few that reach out for help often find themselves attempting to navigate a frustrating system ill-equipped to respond to their full range of economic needs.

Although economic security has long been a goal of the OAA, the recent economic downturn and its negative impact on the housing, employment, and financial markets have made it an even more pressing matter for those concerned with the well-being of older adults. This OAA reauthorization presents a timely opportunity to address economic security concerns and make important, lasting strategic changes that will result in systems change and ensure that older adults are able to access the public and private resources they need to be financially secure and remain independent. In this regard, we are focusing recommendations on: (1) defining economic security and explicitly stating it as an objective of the OAA; (2) better coordinating existing public and private resources at the federal, state, and local levels; and (3) evaluating and replicating comprehensive, person-centered approaches to economic casework and assistance.

One of the key elements of ensuring economic security for older adults concerns **preventing elder financial abuse and exploitation**. This involves improper, unauthorized use of an elderly person's funds, assets or property, either by a relative, caregiver or an outside scam artist. Examples of financial exploitation include cashing an elderly person's checks without authorization; forging an older person's signature; misusing or stealing an older person's money or possessions; or deceiving an older person into signing any contract, will, or other document.

At a time when the labors of a lifetime should be enjoyed, many seniors are being exploited, with often devastating consequences. Elder financial abuse is common and continues to grow rapidly. It is regarded as the third most commonly substantiated type of elder abuse, following neglect and emotional/psychological abuse. Evidence indicates that older women are particularly vulnerable, in part because women outlive men and we are still seeing a generation of older women who depended upon their spouse to manage finances. While dramatically underreported, the annual economic loss by victims of elder financial abuse is estimated to be at least \$2.9 billion annually, according to a June 2011 study by the MetLife Mature Market Institute.

According to the Elder Financial Protection Network (EFPN)<sup>6</sup>, a California nonprofit that has been educating seniors on how to empower, protect and educate themselves from financial crimes: "Financial abuse is one of the most underreported crimes due to the victim's embarrassment, fear of loss of independence, intimidation by the perpetrator and widespread lack

of awareness that it is a crime. Victims rarely recover financially and losses often lead to depression, increased physical problems, reliance on public benefits and even death.”<sup>7</sup>

Much more can and should be done to empower seniors to act as their own advocates, targeted education and public awareness campaigns could help prevent older adults from being victimized by financial exploitation. However, we agree with the Center for Problem-Oriented Policing, which stated: “Financial exploitation cases present a complicated web of behavior, intent, and consequences. The scope of jurisdiction and various areas of expertise required are unlikely to be found in any one agency, requiring cooperation across traditional jurisdictions and professional boundaries.”<sup>8</sup> Determining the most appropriate role for the OAA and the ASN to play in this area is a continuing challenge.

Clearly, more training and assistance should be provided to states, Area Agencies on Aging, and service providers on identifying and reporting instances of elder financial abuse – recognizing the warning signs, knowing what questions to ask to verify that abuse has occurred, and knowing where to go for help. Education must extend to seniors themselves, by providing opportunities and incentives to empower seniors on how to prevent becoming a victim. We could look to state and area plans for opportunities to promote the work that needs to be done. The National Family Caregiver Support Program could promote the development of abuse sensitive services for caregivers. Incentives should also be provided for members of the ASN to partner with financial institutions on these efforts.

Greater use of research and best practices is also needed that focuses on safeguards to help in the prevention and identification of circumstances that give rise to financial abusive situations, and evaluating programs that provide counseling and address misleading or fraudulent practices. State and local demonstrations should be authorized to support person-centered casework and financial counseling. We should learn from successful models for possible replication. For example, the EFPN has produced a video to be used in working with financial institutions to train them to become aware of what financial crimes look like, including presentations to bank tellers and credit union staff on how to recognize and report elder financial abuse situations.

Finally, the Administration on Aging (AoA) should be encouraged to continue to work closely and coordinate with other federal agencies in this complex arena, particularly with the Department of the Treasury on the President's Advisory Council on Financial Capability<sup>9</sup> and the new Consumer Financial Protection Bureau's<sup>10</sup> Office of Older Americans. The CFPB's Office of Older Americans is charged by statute with serving as a clearinghouse for all financial abuses targeting seniors. NCOA is very supportive of a coordinated AoA - ASN – CFPB public awareness campaign focused on raising awareness, capturing and tracking abuse trends, and providing the tools seniors and their caregivers need to be empowered to protect themselves and their loved ones from scams. A campaign of public service announcements and coordinated events at the state and local level would go a long way in addressing the issues.

Thank you again for this opportunity to share our views. We look forward to working with you and other members of the committee to develop more specific recommendations and amendments to help strengthen the ability of the OAA and the ASN to address the very serious and growing epidemic of elder abuse.

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<sup>1</sup> [www.ncoa.org](http://www.ncoa.org)

<sup>2</sup> [www.elderjusticecoalition.com](http://www.elderjusticecoalition.com)

<sup>3</sup> [www.witness.org](http://www.witness.org)

<sup>4</sup> [www.elderjusticenow.org](http://www.elderjusticenow.org)

<sup>5</sup> [www.OneAway.org](http://www.OneAway.org)

<sup>6</sup> [www.bewiseonline.org](http://www.bewiseonline.org)

<sup>7</sup> [www.bewiseonline.org/what-is-financial-abuse](http://www.bewiseonline.org/what-is-financial-abuse)

<sup>8</sup> [www.popcenter.org/problems/crimes\\_against\\_elderly](http://www.popcenter.org/problems/crimes_against_elderly)

<sup>9</sup> [www.treasury.gov/resource-center/financial-education/Pages/Advisory.aspx](http://www.treasury.gov/resource-center/financial-education/Pages/Advisory.aspx)

<sup>10</sup> [www.consumerfinance.gov](http://www.consumerfinance.gov)