

## Bureau of Adult Protective Services' Annual Legislative Report for Fiscal Year 2021

Jeanette M. Gomez <Jeanette.Gomez@dphss.guam.gov>

Thu 12/30/2021 5:09 PM

To: Speaker Therese M. Terlaje <speaker@guamlegislature.org>

Cc: Charlene D. San Nicolas <Charlene.SanNicolas@dphss.guam.gov>; Evelyn Manibusan <Evelyn.Manibusan@dphss.guam.gov>; Erica Taitano <Erica.Taitano@dphss.guam.gov>; Vinessa Unpingco <Vinessa.Unpingco@dphss.guam.gov>

Greetings Honorable Guam Legislative Speaker Terlaje,

Provided is the Bureau of Adult Protective Services' Annual Legislative Report for Fiscal Year 2021.

**Please acknowledge receipt of this transmittal by confirming receipt.**

Should you have any questions, I may be reached at telephone numbers (671) 735-7415 or 735-7421.

Regards,  
Jeanette M. Gomez



LOURDES A. LEON GUERRERO  
GOVERNOR, MAGA'HAGA  
  
JOSHUA F. TENORIO  
LT. GOVERNOR, SIGUNDO MAGA LAHI

GOVERNMENT OF GUAM  
**DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES**  
**DIPATTAMENTON SALUT PUPBLEKO YAN SETBISION SUSIAT**



ARTHUR U. SAN AGUSTIN, MHR  
DIRECTOR  
  
LAURENT SF DUENAS, MPH, BSN  
DEPUTY DIRECTOR  
  
TERRY G. AGUON  
DEPUTY DIRECTOR

DEC 30 2021

Honorable Therese M. Terlaje  
Speaker  
I Mina'trentai Sais Na Liheslaturan Guahan  
Guam Congress Building  
163 Chalan Santo Papa  
Hagatna, Guam 96910

Dear Speaker Terlaje:

In accordance with Public Law 31-278, enclosed is the Bureau of Adult Protective Services' Annual Legislative Report for Fiscal Year 2021.

Should you have any questions, you may contact Ms. Charlene D. San Nicolas, MPA, Senior Citizens Administrator for the Division of Senior Citizens at (671) 735-7421 or 735-7415.

  
**ARTHUR U. SAN AGUSTIN, MHR**  
Director

Enclosure

xc: Director's Chrono  
DSC – Administrator's File  
DSC – BAPS File

## Bureau of Adult Protective Services' Annual Legislative Report for Fiscal Year 2021

Jeanette M. Gomez <Jeanette.Gomez@dphss.guam.gov>

Thu 12/30/2021 5:07 PM

To: jessica.cruz@guam.gov <jessica.cruz@guam.gov>

Cc: Charlene D. San Nicolas <Charlene.SanNicolas@dphss.guam.gov>; Evelyn Manibusan <Evelyn.Manibusan@dphss.guam.gov>; Erica Taitano <Erica.Taitano@dphss.guam.gov>; Vinessa Unpingco <Vinessa.Unpingco@dphss.guam.gov>

 1 attachments (562 KB)

FY 21 APS ANNUAL REPORT - Central Files.pdf;

Greetings Ms. Cruz,

Provided is the Bureau of Adult Protective Services' Annual Legislative Report for Fiscal Year 2021 addressed to:

Governor of Guam  
Honorable Lourdes A. Leon Guerrero

**Please acknowledge receipt of this transmittal by confirming receipt.**

Should you have any questions, I may be reached at telephone numbers (671) 735-7415 or 735-7421. Thank you!

Regards,  
Jeanette M. Gomez



GOVERNMENT OF GUAM

**DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES**  
**DIPATTAMENTON SALUT PUPBLEKO YAN SETBISION SUSIAT**



**LOURDES A. LEON GUERRERO**  
GOVERNOR, MAGA'HAGA'

**JOSHUA F. TENORIO**  
LT. GOVERNOR, SIGUNDO MAGA LAHI

**ARTHUR U. SAN AGUSTIN, MHR**  
DIRECTOR

**LAURENT SF DUENAS, MPH, BSN**  
DEPUTY DIRECTOR

**TERRY G. AGUON**  
DEPUTY DIRECTOR

**MEMORANDUM**

**DEC 3 0 2021**

**To:** Governor of Guam

**From:** Director, Department of Public Health and Social Services

**Subject:** Bureau of Adult Protective Services' Annual Legislative Report – FY 2021

Attached for your review is the Bureau of Adult Protective Services' Annual Legislative Report for Fiscal Year 2021.

Should you have any questions, please contact Ms. Charlene D. San Nicolas, MPA, Senior Citizens Administrator for the Division of Senior Citizens at (671) 735-7421 or 735-7415.

  
**ARTHUR U. SAN AGUSTIN, MHR**

Attachment

xc: Director's Chrono  
DSC – Administrator's File  
DSC – BAPS File



GOVERNMENT OF GUAM  
 DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES  
 DIPATTAMENTON SALUT PUPBLEKO YAN SETBISION SUSIAT



LOURDES A. LEON GUERRERO  
 GOVERNOR, MAGA'HAGA'

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ARTHUR U. SAN AGUSTIN, MHR  
 DIRECTOR

LAURENT SF DUENAS, MPH, BSN  
 DEPUTY DIRECTOR

TERRY G. AGUON  
 DEPUTY DIRECTOR

DEC 3 0 2021

Honorable F. Philip Carbullido  
 Chief Justice  
 Supreme Court of Guam  
 Suite 300 Guam Judicial Center  
 120 West O'Brien Drive  
 Hagatna, Guam 96910

**RECEIVED**

DEC 3 0 2021

**SUPREME COURT  
 OF GUAM**  
 BY: YU 4:49 pm

Dear Chief Justice Carbullido:

The enclosed Bureau of Adult Protective Services' Annual Legislative Report for Fiscal Year 2021 is provided for your review.

Should you have any questions, you may contact Ms. Charlene D. San Nicolas, MPA, Senior Citizens Administrator for the Division of Senior Citizens at (671) 735-7421 or 735-7415.

  
**ARTHUR U. SAN AGUSTIN, MHR**  
 Director

Enclosure

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GOVERNMENT OF GUAM  
 DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES  
 DIPATTAMENTON SALUT PUPBLEKO YAN SETBISION SUSIAT



LOURDES A. LEON GUERRERO  
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ARTHUR U. SAN AGUSTIN, MHR  
 DIRECTOR

LAURENT SF DUENAS, MPH, BSN  
 DEPUTY DIRECTOR

TERRY G. AGUON  
 DEPUTY DIRECTOR

DEC 30 2021

Honorable Alberto C. Lamorena, III  
 Presiding Judge  
 Superior Court of Guam  
 Guam Judicial Center  
 120 West O'Brien Drive  
 Hagåtña, Guam 96910

Dear Presiding Judge Lamorena:

The enclosed Bureau of Adult Protective Services' Annual Legislative Report for Fiscal Year 2021 is provided for your review.

Should you have any questions, you may contact Ms. Charlene D. San Nicolas, MPA, Senior Citizens Administrator for the Division of Senior Citizens at (671) 735-7421 or 735-7415.

  
 ARTHUR U. SAN AGUSTIN, MHR  
 Director

Enclosure

xc: Director's Chrono  
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 DSC - BAPS File

**RECEIVED**  
 SUPERIOR COURT OF  
 GUAM  
 CLERK'S OFFICE

DATE: 12/30/21  
 TIME: 4:46 pm

By: 

Department of Public Health & Social Services ITC Building Ste 219  
 590 S. Marine Corps Drive, Tamuning, Guam 96913-3532  
[www.dphss.guam.gov](http://www.dphss.guam.gov)

**DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES**  
**DIVISION OF SENIOR CITIZENS**



**FY 2021 ANNUAL REPORT**  
**BUREAU OF ADULT PROTECTIVE SERVICES**  
**PERIOD COVERING: October 1, 2020 – September 30, 2021**



***Biba Manamko!***

Division of Senior Citizens  
130 University Drive, Suite 8  
University Castle Mall, Mangilao, Guam 96913  
Email: [Biba.SeniorCitizens@dphss.guam.gov](mailto:Biba.SeniorCitizens@dphss.guam.gov)

## I. DESCRIPTION OF THE ACTIVITIES OF THE BUREAU AND ALL DESIGNATED AGENCIES DURING THE PRECEDING YEAR

### **Background**

In accordance with Public Law 14-139 (10 GCA, Ch. 8, Health and Safety, Senior Citizens), the Division of Senior Citizens, Guam's State Office on Aging, plans, coordinates and implements programs geared toward assisting older individuals in addressing their needs and problems, and in their attainment or maintenance of a satisfying lifestyle. The Guam State Office on Aging is charged with the responsibility of administering Title III Supportive Services which is comprised of six distinct programs, Elderly Nutrition Program which is comprised of two distinct programs, Preventive Health, and the National Family Caregiver Support Program; Nutrition Services Incentive Program; and Title VII Elder Abuse and Ombudsman Programs, as mandated by the Older Americans Act (OAA) of 1965, as Amended, and the development and administration of Guam's Four Year State Plan on Aging, 2020-2023. In addition, the Guam SOA administers the Guam State Health Insurance Assistance Program locally recognized as Guam Medicare Assistance Program, the Senior Medicare Patrol Project, the No Wrong Door and the Aging and Disabilities Resource Center Software and Services Initiatives.

Through the various programs administered by the Guam SOA, services have included working with and advocating for persons with disabilities under the age of 60 through the efforts of the Bureau of Adult Protective Services, National Family Caregiver Support Program, Guam Senior Medicare Patrol Project, and the Guam State Health Insurance Assistance Program.

The State Agency comprises of the Bureaus of Administrative Support, Community Support and Program Administration and Development along with the Bureau of Adult Protective Services which assist the State Office in carrying out its responsibilities. The Administration of Aging programs promotes older people to age in place, delaying if not altogether preventing premature institutionalization, with dignity, independence, and integrity.

### **Bureau of Adult Protective Services**

The Adult Protective Services Unit was created in January 1989 through the enactment of Public Law 19-54 and later amended by Public Law 21-33 within the Division of Senior Citizens. On December 28, 2012 Public Law 31-278 changed the APS Unit to the Bureau of Adult Protective Services and maintained the responsibility of receiving and investigating all reports of abuse against the elderly, 60 years of age and older, or adults with a disability, 18 to 59 years of age, pursuant to law which include and is not limited to, reports of abuse in facilities operated by the department and other public or private agencies and in private residences.

Public Law 31-278 amended further provided:

- Clearer definitions on the types of abuse;
- Expanding on the list of professionals under mandated reporters to include Emergency Medical Service providers, non-emergency medical transport providers, medical and allied health providers, personnel of banking or financial institutions, pension providers and





- practicum students in the health and human services.
- Defined the organizational and personnel structure of the Bureau of Adult Protective Services; and
- New provision was added creating the “Bureau of Adult Protective Services Fund” §2954.

BAPS is mandated to receive and investigate all reports of abuses against the elderly or adults with a disability; these specifically include but are not limited to reports of abuse in facilities operated by public or private agencies and in private residences. The types of abuse reportable to the BAPS include: abandonment, physical abuse, emotional or psychological, financial or property exploitation, neglect, self-neglect or sexual abuse. Further, the Bureau provides outreach, education, monitoring, and advocacy for vulnerable elders and adults with disabilities.

### **Major Objectives of the BAPS**

To develop and maintain a coordinated system of protective services to intervene or prevent further abuse to seniors and adults with a disability; and to provide or arrange for and monitor the provision of services necessary to safeguard and ensure the clients well-being; and preserve and stabilize family life wherever appropriate.

### **Short Term Goals**

1. To provide protective services that includes Intake, Investigation, Aftercare, Emergency Protective Shelter Services for victims of abuse who are in imminent danger, and a 24-7 Crisis Intervention Hotline.
2. To represent and safeguard the interest and integrity of seniors and adults with disabilities who are victims of abuse.
3. To coordinate and collaborate with government agencies, community organizations and families for the provision of care of seniors and adults with disabilities when addressing protective services issues.
4. To conduct investigations at a 100% performance level of appropriate referrals received.
5. To conduct Adult Protective Services specific Outreach Presentations.

### **BAPS Activities**

The responsibility for receiving and investigating all suspected reports of elderly or adults with a disability for abuse and neglect falls upon the Bureau of Adult Protective Services (BAPS). This Bureau is under the Division of Senior Citizens and under the Department of Public Health and Social Services. An *Elderly* individual refers to a person age sixty (60) years or older. An *Adult with a Disability* is a person eighteen (18) years or older who has a physical or mental impairment which limits one (1) or more major life activities; or has a history of, or has been classified as having an impairment which substantially limits one (1) or more major life activities. A Major Life Activity includes, but are not limited to: caring for oneself, performing manual tasks, standing, walking, seeing, hearing, eating, sleeping, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking and working.

**Mission**

*The mission of the BAPS is to provide protective services to the elderly and adults with a disability in a manner that is least restrictive with respect to their dignity and in consideration of the values and practices of their culture.*

**BAPS Staffing**

The BAPS has not been fully staffed during this fiscal year. The bureau was left with the resignation of a Social Worker III, the year prior and with the continuation of the Pandemic, the bureau operated with a single Social Worker III and the Social Service Supervisor I during this fiscal year. On the onset of the fiscal year, the sole Social Worker III was on extended leave of absence which brought the bureau to operate solely with the coordination of the Social Service Supervisor I and the Program Manager of the Emergency Receiving Home addressing referrals that came to the attention of APS. The Social Service Supervisor I was additionally charged with administering the Emergency Protective Services Shelter contract for the first 6-months of this fiscal year. The sole Social Worker III within the bureau was sporadically in the office and beginning April 2021 was fully out on leave status and returned to duty on August 2021.

The bureau was additionally responsible for the preparation and follow-up for recruitment to address personnel vacancies. The processes involved with recruitment was extremely challenging taking as much as four (4) months for Lateral Transfers to be onboard. The bureau recruited three (3) positions this year to include: One (1) Program Coordinator IV Lateral Transfer in April 2021; One (1) Social Worker III in May 2021; and one (1) Social Worker III Lateral Transfer in August 2021.

As the Pandemic continued throughout the fiscal year and restrictions were eased through Executive Orders signed by our Governor, the referrals for APS interventions continued to be received at a steady pace. As appropriate, the BAPS provided assessments through telephone contacts as we continued to be in compliance with the response to the mandates placed upon our community during this Pandemic. The restrictions and mitigation practices were upheld by the Social Workers to include social distancing and mask wearing to coordinate services and face-to-face interactions.

**Functions and Activities of BAPS Social Workers**

A primary function of Social Workers within the BAPS is case investigation. This begins upon the receipt of a referral of alleged abuse or neglect. The process in which the Social Worker(s) meets with the client to assess the situation and to proceed with an Investigation on the allegation(s) of abuse or neglect. There is a case plan that is developed which addresses the client's needs in order to provide interventions, if not resolutions to the abusive situation.

Intervention strategies used by the Social Workers include by are not limited to: crisis intervention, education, multi-disciplinary team meetings, individual and family sessions, networking, collaborating with other government and private agencies to provide formal support services to assessing for the need for protective shelter.

Another function of Social Workers within the BAPS is Outreach and Prevention efforts. Social Workers provide presentations in order to educate and inform government, private and non-profit entities on abuse and neglect of our elderly and adults with a disability of Adult Protective Services and prevention.

### **Bureau Program Administration**

The BAPS is responsible for administering, the following programs.

The Guma Serenidad Program provides a Comprehensive Management, Operations, and Maintenance of Protective Services for seniors, age 60 years and older and adults with a disability, age 18-59 years of age, who are victims of abuse and are in imminent danger and require the need for a temporary shelter to support and protect them from further abuse or neglect with a 24-hours Crisis Intervention Hotline (CIH). The CIH through the Guma Serenidad Program receives, responds and manages reports of suspected abuse and neglect of elderly and adults with a disability. Any referrals received for BAPS by CIH between the hours of 8:00 a.m. through 4:30 p.m., Monday through Friday are forwarded to the BAPS for investigation. The only exception is on recognized Government of Guam holidays, weekends and referrals received after 4:30 p.m. on Mondays through Fridays, these referrals are managed by the Guma Serenidad staff.

From October 2020 to June 2021, Guma Serenidad contract was extended with vendor Catholic Social Services (CSS). On June 29, 2021 an Emergency Certificate was granted and Emergency Procurement for 90 Days to continue services without disruption. Since December 4, 2020, the new bid to put forth long-term services is under Bid Phase I.

Other programs administered include: The Office of Long-Term Care Ombudsman and Elder Abuse Prevention both are Title VII programs funded with 100% federal funds. The Office of Long-Term Care Ombudsman provides advocacy services to the elderly at four (4) identified service providers. 1) St. Dominic's Senior Care Home; 2) The Guam Memorial Hospital Authority – Skilled Nursing Facility; (3) Adult Day Care Centers – operated by the Mayors' Council of Guam; and 4) Guma Asucena – operated by Guam Behavioral Health and Wellness Center. Through visits by the Ombudsman, elderly residents and their family members are able to meet and address, advocate and resolve concerns of the elderly in regards to the protection of the resident's health, safety and welfare, while ensuring the rights of residents are safeguarded.

Legal Assistance Services Program funder under Title IIIB Supportive Services which provides legal services for seniors age 60 years and older was transferred to this Bureau for program administration.

On April 1, 2021, APC5 Coronavirus Response and Relief Supplemental Appropriations Act historical grant funding was awarded to APS which is the first grant award for APS activities totaling \$93,880.00 with 100% federal funds.

On August 3, 2021, American Rescue Plan (ARP) for APS under SSA Title XX Section 2042 (b) was the second grant awarded for APS activities totaling \$86,060.00 with 100% federal funds.

### **Outreach and Advocacy**

Two (2) presentations on the Bureau of Adult Protective Services were conducted in FY2021 via Zoom Conference included:

1. May 12, 2021 for the Guam Memorial Hospital Authority employees.
2. June 2, 2021 for the Guam Coalition Against Sexual Assault and Family Violence.

Due to the restrictions placed upon gatherings during the Pandemic, the BAPS was unable to actively participate in any outreach efforts through this fiscal year. In prior years, the BAPS conducts presentations to educate the community on services provided through the bureau.

A total of 126 participants received Outreach information conducted by the Bureau on aging services including Adult Protective Services and the Ombudsman Program.

**Table 1. Outreach Activities.**

<b>Event Title</b>	<b>Date/Location/Time</b>	<b>Sponsoring Agencies/Organizations</b>	<b>Number of Outreach Participants</b>
Bureau of Adult Protective Services Presentation	May 12, 2021 Division of Senior Citizens – BAPS Supervisor’s Office 2:00 p.m. via Zoom	Guam Memorial Hospital Authority	30
Bureau of Adult Protective Services Presentation	June 2, 2021 Division of Senior Citizens – BAPS Supervisor’s Office 8:30 a.m. – 11:00 a.m. via Zoom	Guam Coalition on Sexual Assault and Family Violence	96
<b>Total Participants for all Outreach Events</b>			<b>126</b>

**Project Activities**

The Bureau participated in the following projects for this reporting period to expand and enhance program activities.

**NATIONAL ADULT MALADAPTIVE REPORTING SYSTEM (NAMRS)**

In March 2021, BAPS submitted FY2020 Agency Component and Key Indicators data to the National Adult Maladaptive Reporting System (NAMRS), a national reporting system for Adult Protective Services program. The goal of NAMRS is to provide consistent, accurate national data on the abuse and exploitation of older adults and adults with disabilities, as reported to APS agencies.

**SENIOR CITIZENS HOUSING TASK FORCE**

The Office of Senator Amanda L. Shelton convened its Inaugural Meeting on October 21, 2021 via Zoom. In accordance to Public Law 35-140, known as the Senior Citizens Housing Task Force Act of 2020, established the Senior Citizen Housing Task Force composed of a nine (9) member task force of government officials, community stakeholders, and housing experts charged with assessing senior housing availability and needs. The BAPS participates and continues to provide input to the Task Force, as appropriate.

**HUMAN TRAFFICKING TASK FORCE**

The BAPS continues to participate in the efforts of the Human Trafficking Task Force by participating in meetings, as appropriate. The BAPS participation will include a discussion on collaboration for the National Slavery & Human Trafficking and National Stalking Prevention & Awareness Month which will be held in January 2022.

## STOP VIOLENCE AGAINST WOMEN FORMULA GRANT PROGRAM

The BAPS participates in the Guam State Implementation Plan to strengthen and advocate for Elderly victims of abuse in response to violence against women.

### 2. STATISTICAL INFORMATION ON THE NUMBER AND TYPES OF REPORTS RECEIVED DURING THE PRECEDING YEAR

**BUREAU OF ADULT PROTECTIVE SERVICES (BAPS):** In FY 2021, the BAPS responded to 243 Unduplicated Referrals/Intakes, averaging 20 cases per month. Of the 243 Referrals/Intakes received 233 were determined to be appropriate for investigation by BAPS and 10 were determined to be an Inappropriate Referral/Intake. The Referrals/Intakes received by BAPS are categorized as Elderly, Elderly with a Disability and Adult with a Disability as illustrated in Table 2. Types of Referrals.

Of the 233 appropriate Referrals/Intakes received:

- 169 or 73% were Elderly [comprised of Elderly and Elderly with a Disability (Dual)]
- 64 or 27% were Adults with a Disability

**Table 2. Types of Referrals.**

Referral Type	Elderly	Elderly with a Disability	Adult with a Disability	Year-to-Date	Percentage
Financial/Property Exploitation	54	16	8	78	33%
Physical Abuse	10	11	25	46	20%
Emotional/Psychological Abuse	21	12	10	43	18%
Neglect	12	11	2	25	11%
Self-Neglect	8	5	6	19	8%
Abandonment	2	3	3	8	3%
Other	2	2	3	7	3%
Sexual Abuse	0	0	7	7	3%
<b>Total Referrals</b>	<b>109</b>	<b>60</b>	<b>64</b>	<b>233</b>	<b>100%</b>
	47%	26%	27%		

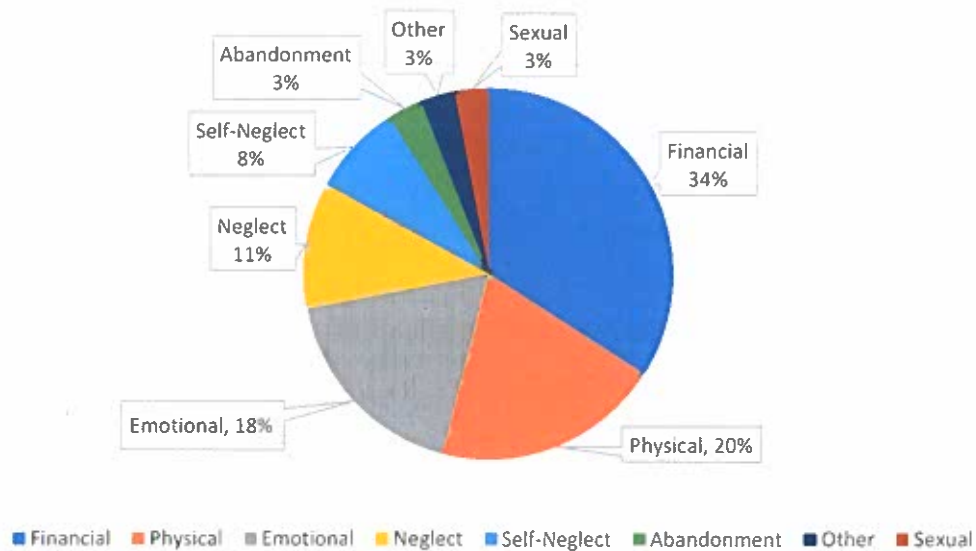
### 3. Results of the Assessments and Evaluations Conducted and the Amount, Type, and Costs of Services Provided

The BAPS staff responded to 233 appropriate Referrals/Intakes received against elderly and adults with a disability. Of the 233 Elderly Referrals/Intakes investigated:

- 109 or 47% were Elderly
- 60 or 26% were Elderly with a Disability
- 64 or 27% were Adult with a Disability

A review of the 233 appropriate Referrals/Intakes received, revealed the BAPS staff responded to a range of abuses against the elderly and adults with a disability. The 233 appropriate Referrals/Intakes as categorized by types of abuse are illustrated in Figure 1. Types of Abuse.

**Figure 1. Types of Abuse.**



Of the 233 appropriate Referrals/Intakes received:

- 78 or 34% were for Financial/Property Exploitation
- 46 or 20% were for Physical Abuse
- 43 or 18% were for Emotional/Psychological Abuse
- 25 or 11% were for Neglect
- 19 or 8% were for Self-Neglect
- 8 or 3% were for Abandonment
- 7 or 3% were for Other
- 7 or 3% were for Sexual Abuse

The BAPS conducted 233 case investigations, these investigations yielded 5 or approximately 2% as substantiated and 228 or approximately 98%, although have been found to be inconclusive/unsubstantiated have been referred for support services through case management and/or other Title III programs, as found eligible.

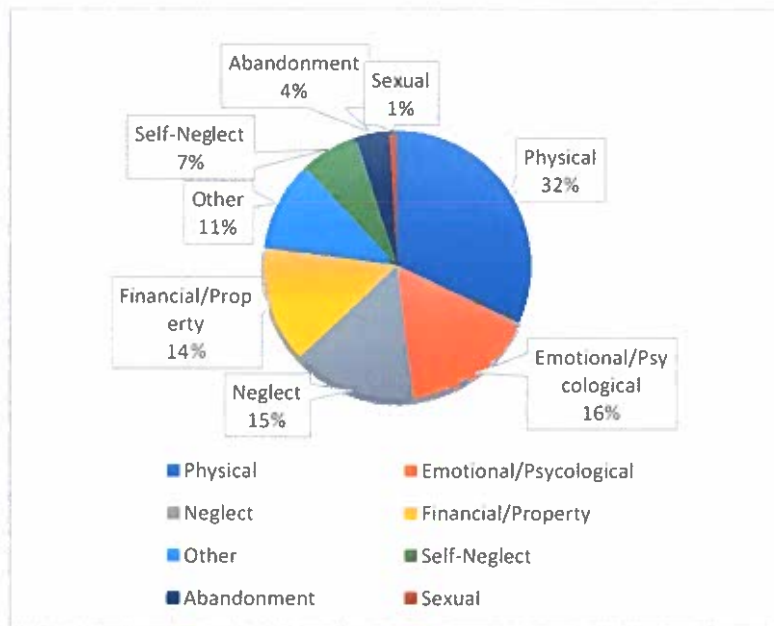
**GUMA SERENIDAD PROGRAM.** In FY 2021, the contracted Guma Serenidad program staff responded to 73 Unduplicated Referral/Intakes, averaging approximately 6 cases per month. Of the 73 Unduplicated Referrals/Intakes received all were investigated. Guma Serenidad referrals/intakes are categorized as Elderly and Elderly with a Disability combined and Adult with a Disability as illustrated in Table 3. Types of Referrals.

**Table 3. Types of Referrals.**

Referral Type	Elderly + with a Disability (Combined)	Adult with a Disability	Year-to-Date	Percentage
Physical Abuse	10	13	23	32%
Emotional/Psychological Abuse	5	7	12	16%
Neglect	10	1	11	15%
Financial/Property Exploitation	7	3	10	14%
Other	4	4	8	11%
Self-Neglect	3	2	5	7%
Abandonment	3	0	3	4%
Sexual Abuse	0	1	1	1%
<b>Total Referrals</b>	<b>42</b>	<b>31</b>	<b>73</b>	<b>100%</b>
	58%	42%		

Guma Serenidad staff responded to a range of abuses against the elderly and adults with a disability. The 73 referrals/intakes are categorized by abuse type as are illustrated in Figure 2. Types of Abuse.

**Figure 2. Types of Abuse.**



Of the 73 referrals/intakes received:

- 23 or 32% were for Physical Abuse
- 12 or 16% were for Emotional/Psychological Abuse
- 11 or 15% were for Neglect
- 10 or 14% were for Financial/Property Exploitation
- 8 or 11% were for Other
- 5 or 7% were for Self-Neglect
- 3 or 4% were for Abandonment
- 1 or 1% were for Sexual Abuse

### Emergency Protective Services Shelter- Guma Serenidad

The staff of Guma Serenidad provided a total of 1,637 Units of Service for Fiscal Year 2021. The Units of Service are, as follows: 117 hours of Case Management, 283 hours of Personal Care, 10 hours for Outreach, 73 Hotline Calls, 1,134 Meals Served and 20 hours of Information and Assistance. The Units of Service are illustrated in Table 4. Guma Serenidad Units of Service.

**Table 4. Guma Serenidad Units of Service.**

Service	Year-to-Date Total	Percentage
Case Management	117	7%
Personal Care Provided	283	17%
Outreach	10	1%
Hotline Calls	73	4%
Meals Provided	1,134	69%
Information and Assistance	20	1%
<b>Total Units of Service Performed</b>	<b>1,637</b>	<b>100%</b>

### Cost of Services Provided (Budget Information).

Expenditures for FY 2021 totaled \$538,639.98. A breakdown of FY 2021 expenditures is provided in Table 5. Year-to-Date Expenditures.

**Table 5. Year-to-Date Expenditures.**

Item	Expenditures	Percentage
Regular Salary	\$ 95,251.60	18%
Fringe	\$ 31,300.57	6%
Contractual	\$ 411,552.91	76%
Supplies	\$ 534.90	0%
<b>TOTAL</b>	<b>\$ 538,639.98</b>	<b>100%</b>

## 4. INFORMATION ON THE QUALITY OF SERVICES PROVIDED AND THE RESULTS OF SUCH SERVICE IN TERMS OF ALLEVIATING ABUSE

To date, the BAPS continues to meet the demands placed upon the Bureau through Public Law 31-278. They continue to provide intervention strategies in abusive situations.

BAPS continues to network with our community partners in identifying support systems that are necessary for both the client and their families, through assessments in identifying the need(s) for the elderly or adult with a disability.

Through their experiences, the BAPS social workers have seen that a referral for an elderly and/or adult with a disability are not always intentional, but rather an identified need to provide caregivers with additional supports and services to prevent caregiver burnout. Additional supports and services such as providing educational information on how to care for their aging parents, the elderly or adult with a disability. In most instances, when proper identification of the type of assistance needed has been identified, supports provided to both the client and their families the abusive situation can then be alleviated.



In instances, where an elderly or adult with a disability has suffered serious abuse, such cases will be forwarded to the Attorney General's Office for further review and disposition.

As a social service entity, the BAPS intervenes in an abusive situation from a social service standpoint as opposed to the perspective of law enforcement. This type of intervention allows for the client and their families to make informed decisions on how they can work to best help their situation and in turn alleviate the abusive situation. All rights of clients' self-determination are promoted and thus maintains their integrity and dignity. The interventions of the Guam Police Department would be the only recourse for an elderly or an adult with a disability, absent interventions from BAPS.

The incidences of abuse and neglect among elderly and adults with a disability may never come to the attention of the BAPS.

Many of our elderly and adults with a disability are reluctant to access the assistance of the police department as in instances where the abuse or neglect involves a family member or a caregiver. BAPS works towards successful interventions with the client and their families.

These interventions are a continual learning experience in each case involving family dynamics. The interventions in linking available community resources. Intervention strategies that are coordinated by a third party that remains neutral through an emotionally laden journey. These coordinated intervention efforts are proven to be most effective in allowing for a process towards the alleviation of continued abuse and neglect of an elderly or adult with a disability and their families.

Social Workers work in collaboration with the elderly, the adult with a disability and their families have seen the benefits of these coordinated efforts and interventions. Families are provided with the assistance needed to understand their individual situations. Plans that are coordinated by the social workers have provided for the client and their families a continuity of care during some of their most difficult times.

During much of these difficult times, there exist an important component in that the BAPS has contracted a vendor to manage Guma Serenidad. Through such management they operate the Crisis Intervention Hotline program. This program allows for access to protective services seven days a week, twenty-four (24) hours a day. This program ensures the accessibility of the BAPS at all times.

The establishment of Guma Serenidad has proven essential to the safety of a victim of abuse and neglect. The protective shelter allows for clients who are in imminent danger to avail of a safe haven from further abuse or neglect. Individuals who have accessed the shelter are provided with the safety and security allowing for these individuals to not remain in the abusive home environment or be placed at a homeless shelter awaiting any alternative living arrangements.

## 5. IDENTIFICATION OF PROBLEMS THAT MAY ARISE IN THE IMPLEMENTATION OF THIS ARTICLE §21011

- 1) Public Law 31-278 identifies the need to address mandated reporting of suspected abuse or neglect on an elderly or adult with a disability. Professionals in their course of

employment who come in contact with an elderly or an individual with a disability and suspect any abuse or neglect are mandated to report to the Bureau of Adult Protective Services. In the law, it further states an immunity from liability for those who in good faith, submitted a report. There are no sanctions for those who falsify reports. During a case investigation, there are no penalty provisions under the law for falsifying a report and if deemed by the social workers that the case referral was not made in good faith, there appears to be no means in which to discourage such actions from those individuals who commit such as act.

- 2) Public Law 31-278 does not address the alleged perpetrator refusing to cooperate in an investigation. The BAPS does not have the authority to require alleged perpetrators to cooperate with the investigation. This results in higher percentage rates of unsubstantiated/inconclusive case determinations.
- 3) Public Law 31-278 defines any array of abuses. The mandate would need to add penalties for substantiated cases specific to Abandonment, Emotional/Psychological, abuse and neglect on elders and adults with a disability. Physical and Sexual Abuse are criminal in nature, thus are forwarded to the Attorney General's Office for further disposition. Financial or Property Exploitation that have been substantiated can be referred to other legal entities for possible recourse, thus, substantiated cases of Abandonment and Emotional/Psychological abuse and neglect do not fall under any laws and do not carry any penalties.
- 4) Expansion of Services. In light of an investigation on alleged Neglect with a determination that the Neglect was not of willful intent but rather due to lack of services. Support services are necessary in order to provide additional supports to family members caring for their elderly or adult with a disability, these local resources are either limited or non-existent.
- 5) Long Term Care: Long Term Care for the elderly and adults with a disability is not only a challenge to the BAPS but also to the families who we work with. Families are often times strapped with having to care for their loved one with specialized needs. Families are needing to continue employment to be able to provide for some of these specialized needs. The need for alternative residential placement options on a long term basis is critical in the future of our elders and adults with a disability. As the community looks towards Assisted Living Options for our elderly and adults with a disability, the community must also look at the levels of care that is necessary to provide for continued health care, continued housing and above all continued supportive services for this population to be served.
- 6) There exist a growing need for Respite Care Services and/ or Adult Day Care services to include the weekends and providing these services will provide relief for caregivers in continuing the work that they do for their loved ones and to reduce caregiver burnout. An in-depth screening processes would need to be implements, thus ensuring that applicants that are approved for services have met the preset criteria. This screening process aids in the limited source of funding for these services.
- 7) Continuity of Care: There are many instances continuity of care in addressing the needs of elderly and adults with a disability who have been abused or neglected has been

overlooked. The need to provide for continued collaboration with other agencies, specifically with the Attorney General's Office in identifying ways to enhance collaboration. There are specific needs that warrant the attention of the Prosecution Division or other divisions within the Attorney General's Office to include the Consumer Protection Division that can pave the way towards resolutions of alleged abuse and neglect.

- 8) Historically, the BAPS has been challenged with retention of employees and timely recruitment of vacant funded positions.
- 9) As the work in the bureau is highly demanding. Areas of concern in addressing the needs of the elderly or adults with a disability who have become victims of abuse or neglect are part of our community. The BAPS will continue to reach out to the community to provide interventions strategies to become a proactive member in reducing the number of instances elderly or adults with a disability come in contact with an individual who may cause them harm.

#### **6. RECOMMENDATIONS FOR ACTION ON THE PART OF THE LEGISLATURE WHENEVER DEEMED VITAL FOR THE PROTECTION OF THE ELDERLY AND ADULTS WITH A DISABILITY**

As recommended in prior year reports, there is a need to actively maintain communication with our Legislative body to expand funding needs for programs in Independent Living, Alternative/Transitional Homes and Assisted Living Facilities. An elderly and an adult with a disability who has been a victim of abuse or neglect will need additional supportive services to continue their daily lives.

The BAPS hopes to continue to maintain open lines of communication with the elderly, adult with a disability and their families in bridging gaps in services. As limited as services are on island, providing alternative measures to admissions into a protective shelter or admissions into a homeless shelter are vital, as these shelters become difficult to transition out of.

Another recommendation would be to actively recruit the staffing needed to be fully functional. The bureau would need to find creative ways in addressing the need to retain qualified employees.

A final recommendation would be to explore alternative funding streams in order to address our ability to provide for additional supports to caregivers. Elderly and adults with a disability who fall victims to abuse and neglect often times lose their family or caregiver supports. Identifying a revolving fund to allow for alternative measures in the wake of dangerous situations will also provide for resolutions to decrease the incidences of abuse on our island.


#### **7. AMOUNT COLLECTED AND USE OF FUNDS OF THE "BUREAU OF ADULT PROTECTIVE SERVICES"**

"Bureau of Adult Protective Services Fund" §2954. This Sub-Section provided for all fines

collected from any person required by the Subsections (a) and (b) of §2952 to report a case of abuse on an elderly or adult with a disability who has failed to make a report to APS, be deposited into the Funds and shall be expended exclusively for purposes used to support the operations of the BAPS.

For this Reporting Period there were no funds collected for the Bureau of Adult Protective Services Fund.

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