**North Carolina Partnership to Address Adult Abuse**

**Triangle J Council of Government**

**1.15.2020**

**Present:** Ken Sigmon, Leo Bohland, Ann Elmore, Stephanie Bias, Laura Cockman, Megan Lively, Pam Palmer, John Maron, Stacy Ferrell, Laura Schlabach, Amanda Little, Roxann Sizemore, Laura McCracken, Shevel Mavins, Hugh Harris, Mary Edwards, Jim Montsinger, Kevin Robertson, Lauren Zingraff, Melany Earnhardt, Heather Magill, Allison Costanzo, Rosalyn Pettyford, Jenise Horton, Joan Pellettier, and Laura Jett.

The meeting was called to order by Nancy Warren, Chair, at 9:30 a.m.

**Approval of the Minutes**: The minutes from the general meeting November 20, 2019 were presented for approval. A motion to approve was made by John Maron and seconded by Kevin Robertson. With no further discussion the motion carried.

**Treasurer’s Report**: Pam Palmer presented the treasurer’s report. The beginning balance was $11,630.61 as of July. We have received $550 in revenue from membership dues. We had $374.00 in expenses. Our ending balance on this report is $8,806.61, with $3,000 of funds withheld from this balance for our reserve. Total account balance is $11,806.61.

**Program**: Our presenter today is Colin Austin, a private practice lawyer with Hillsborough Wills & Trusts. Colin will address, "Preventing Elder Abuse through Strong Estate Planning."  He will discuss determining capacity to sign, options under a financial Power of Attorney and health care decision making. He shared the following main points:

* Financial Power of Attorney is a legal document in which you name an “agent” to manage financial affairs on your behalf. It is good to name a backup as well. They can start immediately or you can create the document to only be in effect if you are incapacitated.
* The Financial POA document gives very broad powers to manage finances, real estate, credit, taxes, etc... This needs to be someone you trust.
* North Carolina has a “short form” also called a durable POA. Some institutions may not accept this.
* A Health Care POA is a legal document in which you name the person to make medical decisions for you if you lack capacity or are no longer able to communicate due to a medical illness. The person you chose should know your preferences, have some experience with the medical system, and live nearby if possible.
* You can give directions in the form or limitations on the power of this medical agent.
* There is an NC statutory form that is most recognized and there is The Five Wishes form that is written in simpler language. The Five Wishes is a legal document, though it could be challenged.
* If you do not have a Health Care POA and you are incapacitated, the doctor will look to your next of kin.
* If you have Health Care POA but the person is not incompetent, you cannot override their decisions. They have a right to make a poor decision.
* You can register your HC POA and Living Will with the NC Secretary of State’s office so that it is available no matter where you are. You should also give these to your health care providers for your chart.
* A Living Will focuses on decisions that would be encountered at the end of life such as artificial nutrition or hydration and ventilator support. The living will is used if the person is unconscious and it is not likely they will wake up, are terminal and not likely to improve, incapacitated and have Alzheimer’s or dementia.
* On the Living Will you can chose that the HC POA can override or that they cannot override your living will. Many choose to not override, so that, the HCPOA is not left feeling burdened with such a hard decision.
* Guardianship is a last resort for those that do not have Power of Attorney and can no longer make decisions. This is a court proceeding. It takes away the persons liberty. This involves determining competency and can be embarrassing to the individual. You can be a guardian of person, of estate, or both.
* Rethinking Guardianship is working to update the guardianship law and to push for Supportive Decision Making when possible to prevent the need for guardianship.

**Updates**:

**Allison Costanzo** introduced herself to the partnership. She is the new executive director for the North Carolina Coalition on Aging. She started the new position on January 2nd. She shared that the coalition’s mission is to support the quality of life for older adults. They meet the 4th Friday of each month at the Brown Building on the Dorthea Dix Campus. Her email address is [executivedirector@nccoalitiononaging.org](mailto:executivedirector@nccoalitiononaging.org).

**Jim Montsinger** was introduced by Nancy Warren. Jim shared that he served as President and Vice President of the North Carolina Adult Protective Services Association during his 15 years with the association. The NCAPSA was very similar to our partnership and held an annual conference. After the recession in 2008, many members could no longer travel. The association ended and never reformed. Jim retired in 2009 and there was $2,291 left over from the association that needed to be dispersed. He heard about the work of our partnership and feels like it would be a good fit to carry on the intent of their association. A check for $2,291 was presented to NCP3A. Pam Palmer, Treasurer, accepted the check on behalf of the partnership.

**Nancy Warren** shared that the executive committee discussed these funds in the last meeting and how the funds could be used for Adult Protective Services. She asked the membership for ideas and feedback. Jim shared it could possibly be used to send APS staff to a conference and assist with travel. Rosalyn Pettyford shared that it could sponsor an APS employee to attend the national APS conference. Roxann offered that it could pay for a conference speaker. These ideas will be considered as we go forward.

Nancy shared the January 2020 issue of The State, a publication made available to prosecutors across the state. Jordan Ford had an article titled “New Year’s Resolution- Stop the Exploitation of Older Adults in North Carolina”. This article could be a great tool to begin dialogue with district attorney’s.

Nancy presented the partnership with the ACL website that has an APS tab for TARC (Technical Assistance Resource Center). This tab had many websites and resource documents available.

The partnership is a member of the National Elder Justice Coalition. This group meets quarterly by phone. Nancy attends on behalf of the partnership

The National APS Conference is November 16-18 in Grand Rapids, Michigan. Proposals for consideration are due in February. If your proposal is selected, you can attend the conference for free.

**Heather Magill** shared that the Third Annual Family Justice Center Community Collaborative Conference will be held March 25-26. This event is free and this is the LAST year that it will be free. Some sessions will be dedicated to Elder Abuse topics.

SE4A (South Eastern Area Agency on Aging Association) has asked for proposals for their upcoming conference that will be hosted in North Carolina this year. There will be an Elder Abuse track. Please submit proposals if you have ideas. A link for the proposals will be sent out.

**Member updates:**

Mecklenburg has officially started an MDT. Their current focus is on exploitation. They hope to expand their efforts after they get the process going. Currently they have members from DSS, law enforcement, and clerk of court on board. The MOU’s have been completed and they are working on the process flow, reporting structure. Not all SARS are reported to APS and Law Enforcement. They have identified gaps and are working on solutions.

John Maron shared that the Secretary of State’s office and the Division of Adult and Aging Services have started a pilot program. Financial brokers that suspect exploitation can send reports to their local APS and the Secretary of State’s office will get the referral. There is a form for the APS worker to use to make the referral. John is working with Laura Gurganus and Sarah Smith. Ann Elmore is assisting with training at the regional level.

Shevel Mavins gave a conference update for NCP3A. The Save the Date Flyer is out for May 20, 2020 and the event will be held at Wake Technical College Campus. Talitha Guinn Shaver will be the keynote and will speak to us about the work of forming an MDT. There will be 3 breakout times with 4 topics each for a total of 12 conference topics. Encourage your coworkers to come. There will be CEU’s for social work and for Substance Abuse Counseling. There will also be CLE’s for law enforcement and for attorneys. Let Shevel or Ann know if you have other credits you need. If we cannot get them this year, we can add to the list to apply for next year.

Nancy shared that we were approached by the NC State Social Work Program about partnering on the conference in the future. Dr. Karen Bullock discussed the possibility of hosting the conference on campus and making it a multiday event. We will be exploring this after we complete the conference in May.

Stephanie Bias thanked everyone for the cards, prayers, and well wishes while she was ill. She shared that there is Medicare Scam currently in which the telephone number will come up as the “Senior Center” and will ask for identifying information. She asks that these calls be reported to NCSHIIP.

John shared that the NC Consumer Fraud Task Force meets tomorrow at 10:00 a.m. at the AARP office. Email John if you need more information or the call in number. Also, John, Stephanie, Hugh, and Ann are available if anyone needs to do a SCAM JAM in their area.

**Our next meeting will be March 18th at 9:30 a.m. at the Triangle J Cog. Our Speaker will be Angela Ellis. Angela will be here to discuss the “Adult Services Roadmap”.**

With no further business, the meeting was adjourned.

Respectfully Submitted by

Laura Jett, Secretary