



## Legislative Fiscal Bureau

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June 6, 2023

Joint Committee on Finance

Paper #516

### **Elder Abuse Hotline (Justice-- Law Enforcement Services)**

[LFB 2023-25 Budget Summary: Page 373, #13]

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#### **CURRENT LAW**

The Medicaid Fraud Control and Elder Abuse Unit (MFCEAU) investigates and prosecutes crimes committed against vulnerable adults in nursing homes and other facilities, as well as fraud perpetrated by providers against the Wisconsin Medicaid program. Under ss. 49.49 and 49.846 of the statutes, the Department of Justice (DOJ) and the district attorneys are responsible for prosecution of criminal laws affecting the medical assistance program, including Medicaid fraud, as well as the health, safety and welfare of recipients of medical assistance. The unit also prosecutes civil enforcement actions affecting Medicaid.

In 2021-22, the unit received 71 referrals, opened 11 cases, and closed five investigations related to elder abuse. Two criminal convictions related to elder abuse were obtained in 2021-22.

#### **DISCUSSION POINTS**

1. The Department received a 2019 Office for Victims of Crime Building State Technology Capacity and Elder Abuse Hotlines grant "to implement visionary statewide technology programs to enhance victims' access to services, foster innovation and efficiency in the provision of services, improve the quality of services, and improve the accessibility and responsiveness of victim service organizations." The grant was \$440,000 and ran from October 2019 to September, 2022.

2. Since September, 2022, American Rescue Plan Act (ARPA) funding has supported the hotline in two phases from DOJ and DHS funds. This funding will allow the program to continue until June 30, 2024.

3. The hotline officially launched in May, 2020, and is operated by the Greater Wisconsin

Agency on Aging Resources. The hotline operates during business hours, but the website allows for reporting anytime. The Department indicates that in approximately 2.5 years under the federal grant, the hotline expended an average of \$177,600 per year from May, 2020, to October, 2022. The Department estimates the ongoing annual cost is \$133,000. From January, 2023, to May 14, 2023, the Elder Abuse Hotline has received 594 calls.

4. The Department indicates that the calls may include reports of financial exploitation, physical abuse, sexual abuse, or neglect. The calls come from professionals, concerned family members, neighbors, and victims who need assistance on how to make a report and/or seek professional guidance. The hotline may call local resources and provide required information before connecting callers to their local resources. The hotline may then work with county adult protective services staff to conduct safety visits to assess the allegations and work towards ensuring safety of that victim or a referral to law enforcement if there is immediate danger.

5. The Department provided the following examples of outcomes:

- The hotline received a referral call from a bank regarding suspicious activity. While the bank was unable to contact the victim, the hotline was able to contact the appropriate county adult protective service, which sent a letter to the victim. The victim informed the hotline coordinator that he was able to close his banking accounts.

- A community member reported an older adult left outside of an apartment building without water or food all day where they resided with a family member. The hotline and county adult protective services were able to place the victim into safer housing.

- A family member reported concerns of financial abuse by the victim's stepson. The hotline was able to discuss the facts of the case, confirmed that this was an immediate concern, and coordinated an investigation with adult protective services and local law enforcement to address the abuse.

- A victim contacted the hotline in need of a restraining order against her son who was in jail due to a domestic violence case. Further, the local domestic violence agency could not assist with a restraining order as the program only served intimate partners domestic violence. The hotline coordinated with the Elder Rights Project to secure an attorney to assist the victim with a restraining order (the court ordered a four-year injunction).

6. In order to continue to have an elder abuse hotline, the Committee may provide \$250,000 GPR in 2024-25. Under the bill, a continuing appropriation would be created to support the hotline. [Alternative 1] Under a continuing appropriation, funding appropriated may be used over multiple fiscal years until fully expended. Providing funding in the second year of the 2023-25 biennium would also provide an ongoing base for the appropriation. As a result, the hotline would have a \$250,000 annual base, plus any unexpended funding from prior fiscal years.

7. Given that funding for the program is estimated to be approximately \$135,000 GPR in 2024-25, the Committee could provide that amount instead. In addition, this alternative would create a new annual, rather than continuing, appropriation. [Alternative 2] While under an annual

appropriation, funding in 2024-25 would provide ongoing base funding for the appropriation, unexpended monies would lapse to the general fund, unlike under a continuing appropriation.

8. The Department indicates that if funding is not provided, it will not be able to absorb the costs at current levels. [Alternative 3]

## ALTERNATIVES

1. Provide \$250,000 GPR in 2024-25 to support the operation of the elder abuse reporting hotline and grants to organizations to promote protection of elders. Create a continuing appropriation to provide support for the hotline.

ALT 1	Change to Base
GPR	\$250,000

2. Provide \$135,000 GPR in 2024-25 in a new annual appropriation to support the operation of the elder abuse reporting hotline and grants to organizations to promote protection of elders.

ALT 2	Change to Base
GPR	\$135,000

3. Take no action.

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