

National Indigenous Elder Justice Initiative

Tribal Elder Protection Team- Toolkit

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Objectives

- ❖ Introduction to the Tribal Elder Protection Toolkit
- ❖ Present finished EPT-Toolkit documents, discussing the roles and responsibilities of various team members.
- ❖ Mr. Wilson Wewa will apply examples of how to utilize the EPT-Toolkit with your local Elder Protection Team.



What is a Tribal Elder Protection Team

A Tribal Elder Protection Team (EPT) is a group of professionals, the elder, family members, and community members from diverse disciplines.

- Provides assistance to the elderly person to promote coordination among service programs available to elders.
- Improve lines of communication to address elder abuse, neglect, and exploitation.
- Various professional disciplines are represented
- Team membership is limited

Tribal Elder
Protection Team



Why create an EPT?

- To reduce stereotypes around elder abuse
- To improve standardized protocols to increase resources available to elders
- To improve appropriate responses to elder abuse
- To improve communication and coordination among service agencies
- To improve elder abuse training for professionals,
- To improve reporting of elder abuse



Why are Elder Protection Programs Different?

Elder Protection programs vary across Indian Country in terms of:

- Available infrastructure including agencies and personnel responding to incidents
- Jurisdictional considerations
- Availability of traditional justice systems
- Tribal and/or State civil or criminal courts



Who is an EPT Member?

One of the most successful models for addressing elder abuse in Indian Country is utilized by the Confederated Tribes of Warm Springs (CTWS) in Oregon. The CTWS-MDT representatives have served their tribal community since 1999 through a multidisciplinary team approach.

The CTWS- MDT members include representatives from:

- The Senior Wellness Center,
- Tribal Police,
- Tribal Prosecutor's Office,
- BIA/Tribal Social Services,
- Tribal Housing Authority,
- Indian Health Service (IHS),
- Community Health Representatives (CHR),
- Victims of Crimes Office,
- Assisted Living, and
- the Oregon Adult Protective Services.

Confederated Tribes of Warm Springs- **MDT Protocol Example**¹

- 1) Establish and define MDT member roles and responsibilities
- 2) How do you define an elder or vulnerable adult?
- 3) MDT focus to resolve reports prior to going through the court process
- 4) Who conducts the investigation of elder abuse in your area?
- 5) Responding to a report of elder abuse within 24-48 hours
- 6) MDT Chairperson is often "on-call"
- 7) Who is a member of the MDT, and why?
- 8) How are MDT members assigned to an elder?
- 9) What is included on a client case summary sheet?
- 10) What happens in the MDT meeting?
- 11) What happens if the elder abuse case goes to tribal court?
- 12) When do you know the case is resolved?

How to Develop a Tribal EPT?

Getting Started

1. Build a team of professionals.
2. Identify the tribal community's concerns for elders through a Community Needs Assessment
3. Complete a Statement of Needs summary report
4. Develop organizational rules for the EPT
5. Develop a tribal elder protection code
6. Learn about State and Tribal Laws in your area
7. Program considerations include:
 - Identify technical experience available to launch the EPT (e.g., computer resources)
 - Determine if there are sufficient economic resources available
 - Determine the legal requirements or restrictions for the EPT
 - Develop a business plan and budget addressing how the EPT will operate
8. Develop a sustainability plan



How to Develop an Elder Protection Code?

A tribal elder abuse code allows the tribe to establish tribal laws that protect elderly persons within the jurisdiction of the tribe from abuse, neglect, and exploitation.

1. Obtaining Support of Tribal Government
2. Establishing a Working Group
3. Gathering or Collecting Information
4. Identifying Tribal Values
5. Writing the Tribal Code
6. Obtaining Final Approval
7. Developing a Protocol for the Implementation of the Code(s)
8. Implementing the Code

When developing a Tribal Elder Abuse Code(s), it is essential that the code be created by each individual tribe, to incorporate their own tribal beliefs and values into the elder abuse code(s).



Who is the EPT Coordinator?

- Ensure the EPT is managed appropriately
- To increase accountability of team members, it is recommended to designate an EPT Coordinator or Director.
- This individual may have dual roles on the EPT as the coordinator, and as a representative for a tribal agency (e.g. Title VI Director).

This team member will facilitate a group of professional community members in the unification of collaborative efforts to assist elders who may be experiencing elder abuse, neglect, and exploitation.

Capacity Assessment

How is competency determined?

- If the client is competent when do threats to safety outweigh the client's right to autonomy?
- Understand the client's ability to make decisions.

Assessing capacity is particularly relevant to working with older adults for the following reasons:

- Increased chronologic age
- Cognitive and physical impairments:
 - Can affect a person's ability to perform instrumental activities of daily living.
 - Can put a person at risk for abuse and exploitation.
- Many professionals are ethically bound to protect their clients to the extent legally possible.

Cultural Considerations for Capacity Assessment

Consider cultural issues when conducting a capacity assessment. Persons from diverse backgrounds and experiences may not perceive structured tests as being aligned with their worldviews.

Some issues with the current cognitive impairment tests include:

- Language issues
- Native Americans' memory is related to an oral tradition of storytelling.
- The words the elderly are expected to remember also need to be relevant to their lives. Some words may be meaningless and hard to remember.



EPT Member Roles & Responsibilities

The Role of the Social Worker

The Social Worker's roles include, but is not limited to:

- Designated as the main Social Services contact
- Responding to crisis situations
- Coordinate medical and community response to elder abuse
- Assisting in collaboration of additional agencies the client may need to utilize.
- Assessing the elder's needs, living situations, individual strengths, and support networks to help determine goals.
- Referring clients to community resources- nutrition programs, housing, and healthcare.
- Helping clients work with agencies to apply for and receive benefits.
- Assisting with detection, investigation (when appropriate), intervention and prevention of elder abuse, neglect, and exploitation.
- Following-up with elders
- Providing a brief client summary for each client during designated EPT meetings.
- Providing support and validation/assistance to other EPT members.



The Role of the Social Worker

Information to collect in a Comprehensive Assessment:

- Client Information
- Functioning
- Legal information
- Physical Environment
- Social Supports
- Physical Health
- Psychological Health



EPT Member Roles & Responsibilities

The Role of Adult Protective Service Representative

- Provides a designated representative from their agency to participate in regular EPT meetings, or will arrange for an alternate when unavailable.
- Provides information about the EPT to their agency staff to increase awareness and referrals
- Makes client referrals to the EPT, when appropriate for the coordination of additional elder services
- Shares appropriate client information to the EPT
- Collaborates with EPT representatives to detect, investigate, intervene, and prevent additional abuse, neglect, and exploitation
- Provides expert input, review of cases, and provides appropriate follow-up
- Conducts case investigation and intervention, when appropriate
- Acts as a liaison between the EPT and the APS agency



The Role of Adult Protective Service

Eligibility for Adult Protective Services in Indian Country

- ❖ An individual must meet the basic requirements:
- ❖ Residing in designated service areas.
- ❖ Abuse that occurs on tribal land may be subject to tribal jurisdiction, based on whether the abuser and victim are American Indians.
- ❖ Federal law will apply to severe crimes regardless of where the crime took place
- ❖ Enrolled member of a federally-recognized tribe.
- ❖ Over the age of 18 years and disabled, or an elderly person.

Services are provided for vulnerable adults and elderly persons when they are:

- ❖ Deprived temporarily or permanently of needed supervision by responsible adults
- ❖ Being neglected, abused, or exploited.
- ❖ Needing services when they are mentally or physically handicapped or otherwise disabled.
- ❖ Requiring assistance to manage their Individual Indian Money (IIM) or other financial accounts.



EPT Member Roles & Responsibilities

The Role of the Medical Services Representative

- Providing a designated representative from their agency to participate in regular EPT meetings, or will arrange for an alternate when unavailable
- Providing information about the EPT to their agency staff to increase awareness and referrals
- Makes client referrals to the EPT for collaboration
- Sharing patient information to the EPT, when appropriate
- Collaborating with EPT representatives
- Conducting regular elder abuse safety screenings
- Providing expert input and review of cases at meetings
- Providing appropriate follow-up for the elderly patient



EPT-Medical Service Rep

Implement a Safety Screening

- ❖ Screening should be done by a physician or triage nurse
- ❖ Screening takes place at least once a year during a non-emergency medical visit
- ❖ Prior to the appointment, staff should place an elder abuse screening assessment form within the screening packet for each elderly patient
- ❖ Screening document should be placed in the patient's chart, and given to the elderly patient while they wait for the physician in the exam room
- ❖ The screening should be conducted in a confidential setting outside the presence of the elderly patient's family, caregiver, or the person who brings the elderly patient to their appointment.
- ❖ Be sure the caregiver or family member is not completing the screening form
- ❖ When the physician arrives, the screening results are reviewed with the elderly patient during the appointment.
- ❖ Have staff members assist with referrals when necessary
- ❖ The completed screening becomes part of the patient's medical records

Staff assistance is recommended for the completion of the screening form, rather than a caregiver or family member.



Elder Abuse Interview Protocol

When interviewing Native elderly, make sure to allow them time to tell their story. Examples of questions to ask during the interview are included in the Interview Protocol Handout.

- Background Information
- Housing Questions
- Questions about Caregivers
- Finance Questions
- Questions about the Suspect
- Case Specific Questions

Recruiting Native elderly, who are fluent in the Indigenous language can be effective when interviewing Native elderly.



EPT Challenges

- ❖ Attendance issues (not having a large variety of agencies represented),
- ❖ A lack of commitment from representatives to attend meetings regularly,
- ❖ A lack of cases presented
- ❖ A lack of knowledge of other agencies' policies and mandates, that often leads to a negative perception that some agencies are non-cooperative
- ❖ Frustration among agencies in dealing with seemingly unsolvable cases
- ❖ Maintenance of confidentiality
- ❖ Costs, travel time to meeting location
- ❖ Mandated Reporter policies

For More Information

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Thank You!

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