

Exploitation What It IS and How to Safeguard Your Clients

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INTRODUCTION

Older adults and people with disabilities are at increased risk of financial exploitation for several reasons. They may require the help from others in making financial decisions. The widespread use of the Internet and Social Media has allowed for the development of novel schemes intentionally targeted to this population. Adult Protective Services (APS) agencies annually investigate more cases of financial abuse (exploitation) than of physical or psychological abuse. This course will define financial exploitation, identify common targets for the exploitation and describe the role of the home health worker in identifying and safeguarding clients from exploitation.

WHAT IS EXPLOITATION?



Exploitation, often referred to as financial exploitation, is a form of abuse. Financial exploitation is the misappropriation of an impaired person's funds, property, or assets by dishonest or self-serving means. It could involve something as simple as asking the victim to loan them money. Or, it may involve offering a deal that is too good to be true; one where the victims gives a large sum of money in exchange for a promised product or service. They never see that product or service.

Usually the victim realizes there is a problem after the money is lost and the culprit is gone. But, in some instances the victim never knows of the scam. In these cases the victim signs over ownership or changes their will giving the culprit the money and assets. The scam is not known until the family members discover it after their loved one has died.

RISK FACTORS

Risk factors for exploitation include advanced (75 years and older), female, cognitive impairment, physical disability, minimal social interaction, unmarried or widowed, and financial independence. Virtually all home health care clients have one or more of these risk factors. As the number of factors increase, so does the risk of exploitation.



CULPRIT CHARACTERISTICS



Characteristics of people who exploit others include having the ability to develop a close trusting relationship. The culprit may or may not be a person familiar to the victim. A culprit may present himself or herself as a financial adviser, a handyman, a housecleaner, or a personal caregiver. These people are very good at convincing others of their desire to help and support the client. They demonstrate empathy and convince the client to confide in them. Over time, they often will convince the client that they, the culprit, is the only one who truly loves and cares about the client.

As you interact with others involved in your client's life you should always be on the lookout for certain behaviors that *may* be indicators that a person is exploiting your client. Behaviors to look for include:

- Refusal to follow directions or complete necessary personal tasks
- Displaying controlling attitudes and behaviors
- Showing up late or not at all
- Working under the influence of alcohol or illegal drugs
- Using threats or menacing looks or body language as a form of intimidation
- Impulsive
- Using the client's vehicle, money or other resources without consent
- Socially isolating the client
- Devalues the client
- Convinces the client to frequently switches health care providers
- Speaks for the client when the client can speak for himself or herself
- Displays unwelcoming or uncooperative attitude during home visits
- Frequently makes attempts to be alone with the client for no apparent legitimate purpose

EXPLOITATION METHODS

Methods of exploitation can be divided into 3 groups; those which involve a relationship with the victim, those that do not involve a relationship and social media. With social media there may or may not be an established relationship.

Methods Involving a Relationship



The relationship between the culprit and the victim may be long or short term. Sometimes family members or friends become the culprit after years of honest, sincere love, support and care. Close friends and family have the advantage of their long established relationship and probable knowledge of the victim's assets. These people know the victim's weaknesses and the most likely way to be successful with a scam. These can be the hardest to uncover. These can also be the most hurtful emotionally for the victim.

Other culprits, may start as a work or acquaintance relationship and develop into a stronger, more involved relationship for the purpose of the scam.

So, what types of scams are used?

- A loan – Here the culprit explains a hardship and asks the victim for a loan. Or they may manipulate the client into offering a loan that is at first refused, then accepted. They assure the client the money will be repaid. The first loan may be repaid to help reinforce the trusting relationship. But subsequent requests often increase in the amount being loaned and are rarely repaid. If the victim asks about repayment, the culprit will have an excuse or appear to be hurt and upset that the victim does not believe they will repay the money or not giving enough time. The victim is made to feel bad for asking and therefore is less likely to ask again.
- Use of debit or credit card – This may start as an offer to do shopping for the victim. The premise is that it's easier for the victim to hand over their card instead of going with the culprit on the shopping trip. What the victim does not know is that while the purchases are made, the culprit is also making purchases or taking cash advances for themselves. They record the card information so they can continue to use the card long after returning it to the victim.

- Access to bank accounts – This may be used along with use of debit and credit cards. The culprit offers to help the victim with balancing bank statements, the household budget or investments. Once the culprit has access to the funds and is managing the accounts, money can be removed without the victim's knowledge.
- Transfer or Bequeath of Assets – With this scam the culprit convinces the victim to give them things or to change their will so the culprit will become the owner when the victim dies. This may start with a small item or two that escalates to valuable items and property. These scams often involve the culprit playing on the victim's belief that no one cares about them other than the culprit. Or, the victim is made to believe their family members don't "deserve" to be given anything. The culprit fosters these beliefs regardless of whether the victim does or does not have a good support team.

Methods with No Relationship

These culprits connect with their victims using telemarketing and door-to-door solicitation. They are usually trying to sell a service or a product that the victim "needs" or "should have".

- Telemarketers – Most telemarketers are legitimate and conducting legal business. But, there are some who prey on vulnerable victims. In addition to trying to sell something, there are some scams being used to get the victims' personal information, including credit or debit card information.

- Grandma/Grandpa – In this scam the elderly victim receives a call from someone claiming to be their teenage or young adult grandchild. The caller claims to be in some sort of trouble while away from home and in need of money. They ask the grandparent to send them money. The caller sounds distressed and if the grandparent asks questions the caller cries and becomes more upset and pleads for help.



- IRS – The caller claims to be from the IRS and is reporting that the victim owes the government a large sum of money in back taxes. The callers threaten the victim with fines and possible imprisonment if at least part of the funds are not paid immediately. The caller tells the victim that they can make that initial down payment right then by giving them credit card information. The IRS never contacts citizens by phone. All communications is by mail.



- Credit Card Company or bank – In this scam the caller pretends to be from the victim's bank or a credit card company. Or, they may claim to be from a fraud investigation or identity theft organization. The caller tells the victim that there has been some suspicious activity on their card and they are following up. To start they need to verify they are talking with the right person. To do so, some ask the victim to give them the credit card number. In some more sophisticated scams, the caller has the card number and asks the victim to tell them the security code on the card. Once they have this number they can use the card, running up thousands of dollars of charges the victim will be billed for later.

- Drawing winner – In this scam the caller cheerfully announces that the victim has won a lottery, or sweepstakes, or is the lucky winner of something. To claim their prize the victim simply needs to provide their bank information. The bank information is supposedly to enable the direct deposit of the money into the account. Instead the culprit empties the account.



- Door-to-door – As with telemarketers, most door-to-door soliciting is legitimate. But, many are not.

- Home Improvement – These scams usually occur during the spring and summer months, particularly after a heavy storm. The culprit claims to be representing a roofing company or other home maintenance business. They tell the home owner they can have the repairs completed faster than any other business and for less money. They may convince the homeowner that they should not call the insurance company because a claim will increase their premiums. Or they will explain the insurance company will reimburse them for the cost. They often ask for at least half of the cost up front so the materials can be purchased. The repairs are not done and the homeowner never sees the person or their money again.



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- Services – This is similar to the home improvement scam. The culprit offers to shovel snow and keep the sidewalks and steps clear all winter. Or they offer to mow the lawn and keep the weeds out of the flower beds all summer. They explain they need payment for half or all of the season up front so they can buy the necessary supplies such as gasoline, salt, weed killer, etc. As with the home improvement scam, once the money is handed over, the culprit disappears and the work is never done.
- Charities – The person knocking on the door, claims to represent a charity. Many times the name of the charity is similar but not identical to a well-known legitimate charity. Or the so called charity may be to raise funds to help pay someone's medical bills or other bills for a person with a serious health condition.

Social Media



Social media may be defined as a group of Internet-based applications that allow the creation and exchange of user-generated content. Social media is collaborative, opening communication between people who otherwise may never meet.

Social networking provides a way for people to connect with others who have, or seem to have similar interests or situations. Participating in social media is not a problem as long as it is done safely. Solitary use of the Internet, even while posting to a social media site, can create an illusion of privacy. Nothing on the internet is private. Clients' use of the internet has expanded their risk of exploitation beyond their home and neighborhood.

Culprits use chat rooms and other applications to exchange information with people who are vulnerable by appearing to be either dealing with the same issues as the victim, or as someone who has solutions to the victim's problems.



SYMPTOMS

It can be very difficult to discover when a client is being exploited. Most of the time they don't realize it so they can't ask for help. If the client does suspect they are being taken advantage of, they may be too embarrassed to ask for help. It's up to you to watch for signs of exploitation.



Be mindful that any sudden change in the physical, behavioral, or financial status of your client may be the result of past or ongoing exploitation. Here are a few signs to watch for:

- Sudden decrease in bank account balances
- Sudden change in banking practices (such as making several large withdrawals from a bank account or ATM over a period of several days instead of one small withdrawal each week)
- Sudden problems paying bills or buying food or other necessities
- Sudden changes in wills or other financial documents
- The client begins to act very secretly. (Con artists often try to isolate their victims to avoid detection by telling the victim not to let anybody know about their activities.)
- Unexplained disappearance of money or valuable possessions
- Substandard care being provided or bills which are late or unpaid despite the availability of adequate financial resources
- Concerns expressed by the client that he or she is being exploited
- Lack of money early in the month (when disability or other types of government benefits are paid)

REPORTING



What do you do if you suspect your client is being exploited? **REPORT IT!** Almost all U.S. states have mandatory reporting legislations that require health care professionals to report a reasonable suspicion of elder abuse cases. Adult Protective Services (APS) is charged with taking a report and investigating alleged elder abuse in the community. Regardless of the locations, APS aims to provide elder abuse victims with coordinated, interdisciplinary care that encompasses social and health systems. The local Board of Developmental Disabilities is charged with these same services for those individuals with a developmental or cognitive disability.

Services are delivered with an underlying philosophy that promotes a client's rights to autonomy and self-determination, maintains a family unit whenever possible, and provides recommendations for the least restrictive living situation.

If you are hesitant to report a suspicion because you are not sure or don't have "evidence", don't worry. Your report is anonymous. The investigators never share who made the report with either your client or the suspected culprit. It's their job to investigate and collect evidence. With that evidence they will determine if exploitation exists or not. When they find evidence of exploitation they will report this to the legal authorities for help with ending the exploitation. You should never hesitate to report your suspicions because you don't think you have enough proof. Sometimes our gut feelings or intuition are our best guides.

You may also be hesitant to report a suspicion because you don't want to upset your client, or "get someone in trouble". Well, think about this. Your client is already "in trouble", whether they know it or not. If you don't report your suspicions the client is going to be hurt financially, emotionally and possibly physically. Which would you rather he or she suffer, being upset about your report or actual injury? Part of your role as a home health provider is to ensure the health and safety of your clients.

If you are still hesitant about making such a report, remember this. It's the law. As a home health provider, if you fail to assure your client's safety by not reporting these suspicions, you will be held accountable. Depending on the state you live in and the outcome with your client, you could be fined or imprisoned or both.

If you believe your client is in imminent danger call 911 or the local police. If you suspect exploitation, call the local Adult Protective Services agency or the local Board of Developmental Disabilities. If you are not sure who to contact, call your local police or sheriff's office.

PREVENTION

The best way to avoid the need to report is to help prevent the crime before it happens. Probably your number one tool to use is education. Educate your client about possible exploitation situations. Share with them the information you've learned in this course. Help them identify things they can do or habits they can change to help decrease their risk. Here are some tips to share with your clients.



- NEVER give credit card, debit card or bank information to anyone who calls asking for that information.
 - Ask the caller for their full name, the company they represent and a phone number where you can call them back.
 - If the caller gives this information, write it down. If the caller refuses, don't argue.
 - Regardless of whether or not the caller gives any information, hang up the phone. Don't worry about being rude. If the caller is a scam artist, they won't be offended by your hang up. They will just call the next possible victim on their list.
 - Next, call the business they claim to be calling from. Don't use the number they gave. That could be a number that sends you back to the same person and not the actual business. Look the number up and call them directly. Report the call and any information you were given by the caller.
- NEVER give credit, debit cards or the PIN numbers to other people to use on your behalf. And never give anyone a blank check for them to fill in the amount. If the other person needs to shop for you, give them cash and ask them to bring the change back to you along with the receipt. Or, ask them to pay with their money and you will give them the cash or write them a check for the amount when they return. As a home health provider you could call local businesses for your client to see who is willing to deliver their goods directly to your client. This will enable the client to pay the vendor directly.
- DO NOT – hire workers who are soliciting work by going door to door. If you need to hire work to be done, contact a reputable company directly. NEVER pay for the work before it's completed to your satisfaction.
- POST a sign near your door that says "No Solicitations" or "No Solicitors". Then, if you don't know the person knocking on the door, don't answer the door. Or, if you do answer the door, as soon as the person starts their pitch, interrupt them and tell them you don't accept solicitation and ask them to leave. Then shut the door and lock it.
- HANG UP on telemarketers. Tell them you don't accept calls from any telemarketer and then hang up. Don't worry about being rude. Most telemarketers have a long script to read. Don't wait for them to stop. Interrupt their speech and say something like this. "Excuse me. I don't accept these types of calls. Please take my number off your list. Thanks." Then hang up. Don't wait for a response.

SUMMARY

Keeping your clients safe does not just apply to physical safety. You must also protect them from others who may take advantage of them. Financial exploitation is very real, but not always easy to spot. Educate your clients. Be on guard and look for signs of possible exploitation. Help your clients say “no” to telemarketers and door-to-door solicitors. And finally, report your suspicions.

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FINISHED WITH THE COURSE MATERIAL?

(If not, go back and review the course)

READY FOR THE EXAM?

Please proceed to the **EXAM** questions.

THANK YOU!