

# Promoting Elder Justice

Preventing abuse and promoting the rights and protection of older adults

## Core Member Organizations

- Aging and Disability Professionals Association of Wisconsin (ADPAW)
- Alzheimer's Association Wisconsin Chapter
- Wisconsin Adult Day Services Association (WADSA)
- Wisconsin Association of Area Agencies on Aging (W4A)
- Wisconsin Association of Benefit Specialists (WABS)
- Wisconsin Association of Nutrition Directors (WAND)
- Wisconsin Association of Senior Centers (WASC)
- Wisconsin Institute for Healthy Aging (WIHA)
- Wisconsin Senior Advocates
- Wisconsin Senior Corps Association (WISCA)
- Wisconsin Tribal Aging Unit Association

The Wisconsin Aging Advocacy Network (WAAN) is a collaboration of organizations and individuals working with and for Wisconsin's older adults to shape public policy and improve the quality of life for older people. WAAN advocates for all older adults by educating the community and policy makers on particular issues impacting older adults; mobilizing people on priority issues; and advocating for change.

**WAAN State Issue Brief**  
January 2023

**WAAN's Position: Wisconsin programs and services dedicated to promoting elder justice need increased funding and staff to address decades of stagnant funding, population growth, and increased needs.**

Evidence suggests that one in 10 people over the age of 60 is abused or mistreated each year, with the percentage increasing for people with dementia living at home.<sup>1</sup> Abuse involving victims aged 60 and older is referred to as elder abuse (§ 46.90), which comes in the form of abuse (physical, emotional sexual, treatment without consent, and unreasonable confinement or restraint), neglect, self-neglect, and/or financial exploitation (monetary impact to older Wisconsinites of at least \$38 million dollars in 2021).<sup>2</sup> Abuse and mistreatment of older adults can occur in the home, in care and residential facilities, and in the community. Chronic under-identification and reporting of elder abuse means the real number of older adults abused or mistreated is likely much higher.<sup>3</sup>

Elder mistreatment results in diminished well-being and quality of life and violates the rights of older adults to be safe and free from violence. A growing aging population, increased social isolation, shortage of paid and unpaid caregivers, and lack of resources to address ongoing long term care needs, as well as crisis and dementia care is placing increased stress on families and caregivers and increased demands on elder justice programs and workers.

## Budget Requests

### 1. **Double (at a minimum) the current program and service funding to meet growing service numbers and needs in the following programs:**

- **Adult Protective Services (APS) Program - increase funding to counties from \$5 million (the funding level set in 2009) to \$12 million annually.** APS reports have increased 85 percent from 2009-2021, leaving APS agencies under-resourced and under-staffed.
- **Domestic Violence in Later Life Program – increase funding from \$75,000 (the funding level set when the program was implemented in 2010) to \$150,000 annually.** Funding is used by counties to provide awareness events and safety training and relocation assistance for victims of abuse in later life aged 60 and older.
- **Elder Abuse Direct Service Program – increase funding from \$2 million to \$4 million annually.** Under § 46.90, each county in Wisconsin is required to administer an elder abuse response and reporting system. The Wisconsin Department of Health Services allocates state GPR funds annually to each county in the state for the provision of direct services including temporary shelter, relocation assistance, housing, respite care, emergency funds for food and clothing and legal assistance. Approximately 20 percent of Wisconsin counties regularly request additional funding.



- **Guardianship Support Center (GSC) – increase funding from \$100,000 to \$200,000 annually.** The GSC has been flat funded at \$100,000/year since 2005. Funds are used to provide training and technical assistance to consumers, families, and professionals statewide (§ 46.977(1)); this includes issues related to protective placement, advance directives, and the roles (and limitations) of powers of attorney (POAs) and guardians. From 2014 to 2021, the GSC experienced a 78 percent increase in total calls and emails. Implementation of Guardian Training Requirements (§ 54.26) beginning in 2023 is expected to further increase the GSC workload, as potential new guardians will be directed to contact the GSC with further questions about guardianship and the online training content. In addition, **the WI Department of Health Service needs an estimated \$65,000/year for ongoing management and maintenance of the new online guardian training program.**

2. **Establish permanent funding to support the continuation of Wisconsin’s Elder Abuse Hotline and Elder Justice Program (\$59,500 for FY 2024 and \$212,700 for FY 2025)** – The statewide multi-disciplinary task force on elder abuse providing technical assistance and support related to criminal investigations and prosecution and the elder abuse hotline providing centralized reporting and referral of crimes targeting the elderly have been funded by a series of federal grants which will lapse at the end of June 2024. Over the last two decades (2001-2021) county elder abuse reports have more than tripled.

3. **Change Wisconsin Statute § 16.009 to comply with federal law (45 CFR § 1324.11) requiring a full-time State Ombudsman in addition to an Executive Director/agency head and fund the full-time State Ombudsman position and additional administrative support staff - 1.0 FTE Communications Specialist and 1.0 FTE Executive Assistant - (\$189,000 FY 2024 and \$242,200 for FY 2025)** to enhance the capacity of the Board on Aging and Long Term Care to serve clients and support staff responding to increasingly complex casework. Wisconsin is believed to be the only state in the nation without a full-time State Ombudsman position separate from the Executive Director’s position.

4. **Expand infrastructure support** – data reporting, case management, training coordination, oversight of a growing number of residential care facilities, and support for Wisconsin’s tribal nations – by authorizing new positions within the state Department of Health Services (**\$12 million over the biennium**).

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1. IOM, National Research Council, Washington, D.C., 2014. Forum on global violence prevention: Elder abuse and its prevention (pp. 59–66).
  2. Wisconsin Department of Health Services, Adult Protective Services. Retrieved from <https://www.dhs.wisconsin.gov/aps/index.htm> on December 27, 2022.
  3. Birnstengel, G. (Ed.). (2020, June 15). What is Elder Justice and Why Do We Need It? Next Avenue.



#### Contact WAAN

Janet L. Zander, MPA, CSW

Advocacy & Public Policy  
Coordinator

Greater Wisconsin Agency on Aging  
Resources, Inc.

1414 MacArthur Rd., Ste A Madison,  
WI 53714

Office: (715) 677-6723

Cell: (608) 228-7253

[janet.zander@gwaar.org](mailto:janet.zander@gwaar.org)

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