



## ISSUE BACKGROUND

### Elder Justice Act

**NAELA strongly urges Members of Congress to co-sponsor the Elder Justice Act when it is introduced. The Elder Justice Coalition ([www.elderjusticecoalition.com](http://www.elderjusticecoalition.com)), a coalition of more than 550 organizations concerned about elder abuse of which NAELA is a founding member, also strongly advocates for passage of the Elder Justice Act.**

The Elder Justice Act (EJA) (S. 1070/H.R. 1783 in the 110<sup>th</sup> Congress) enjoyed strong bipartisan support from 28 Senators and 115 House members in the 110<sup>th</sup> Congress, where it was passed out of the Senate Finance Committee and the House Judiciary Committee. EJA champions Senators Orrin Hatch and Blanche Lincoln and Rep. Peter King plan to introduce it soon in the 111<sup>th</sup> Congress. Passage of the Elder Justice Act (EJA) would be a long-awaited victory for victims who have suffered the indignity and pain of elder abuse.

Elder abuse affects hundreds of thousands of older Americans. Like many other forms of domestic abuse, elder abuse is often a hidden phenomenon. A 2004 survey of state adult protective services (APS) agencies revealed that they collectively received 565,747 reports of elder and vulnerable adult abuse in domestic and institutional settings during fiscal year (FY) 2003. This represents a 19.7 percent increase over the 472,813 reports to APS agencies in FY 2000. Reported cases are only the tip of the iceberg (AARP Policy Book 2008).

**The patchwork of federal laws which relate to elder abuse fail to adequately and comprehensively address the issues of elder abuse, neglect, and exploitation. The lack of a unified federal policy and the very limited resources available to professionals who work to combat elder abuse in the field severely hamper our nation's ability to address this disgrace.**

The Elder Justice Act:

- unifies resources and strategy by creating a Coordinating Council for all relevant federal agencies, states, communities and private and not-for-profit entities, and a consistent funding stream and national coordination for Adult Protective Services (APS).
- increases prosecution of perpetrators of elder abuse. Technical, investigative, coordination, and victim assistance resources will be provided to law enforcement agencies for the successful prosecution of elder abuse cases.
- enhances preventive efforts by providing support for community-policing efforts to protect at-risk elders.
- targets consumer protection, increased collaboration, and prevention of abuse in long-term care settings.
- proposes to evaluate funded projects and research to identify successful approaches to elder abuse prevention, prosecution, and victim services.

- provides specialized training related to elder abuse and funds to expand direct advocacy for nursing home residents to State Long-Term Care Ombudsman Programs.

**NAELA and the Elder Justice Coalition support The Patient Safety and Abuse Prevention Act (S. 631) and ask that you co-sponsor it.**

S. 631 is sponsored by Sen. Herb Kohl (D-WI) and Sen. Mel Martinez (R-FL). It has been referred to the Senate Finance Committee for consideration. S. 631 would create a national background check system to prevent those with criminal records from working in a long-term care facility.

**NAELA and the Elder Justice Coalition support The Elder Abuse Victims Act of 2009 (H.R. 448).**

H.R. 448, sponsored by Rep. Joe Sestak (D- PA-7), contains a small part of the Elder Justice Act, including establishment of specialized elder abuse prosecution and research programs, and establishment of emergency crisis response teams to combat elder abuse. It was passed by the House under suspension of the rules on February 11, 2009. It is currently being considered by the Senate Judiciary Committee.

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