

REPORT HIGHLIGHTS



ADULT PROTECTIVE SERVICES
PERFORMANCE AUDIT, MAY 2020

DEPARTMENT OF HUMAN SERVICES

CONCERN—The Department of Human Services (Department) should improve its operations and oversight of the Adult Protective Services Program (Program), including processes related to Colorado Adult Protective Services system (CAPS) background checks for perpetrators who have been substantiated of mistreating at-risk adults; appeals for perpetrators; and county screening of reports of mistreatment and self-neglect, investigations, and guardianships of at-risk adults.

KEY FINDINGS

- CAPS checks do not report sufficient information on findings of mistreatment to employers to help them make fully informed employment decisions; reporting could be improved to better achieve statutory intent to protect at-risk adults.
- We identified policy areas that the General Assembly may want to consider that could help further protect at-risk adults, such as prohibiting employers from hiring certain perpetrators and requiring CAPS checks on existing employees.
- The process for perpetrators to appeal substantiated findings of mistreatment is not designed or operating as well as it could to protect at-risk adults. For 78 of the 80 appeals that the Department upheld in Fiscal Year 2019, its settlement agreements made the mistreatment findings unreportable in a CAPS check.
- Between July 2018 and December 2019, the Department did not resolve 205 of the 469 appeals filed (44 percent) within the 120 calendar days required in rule.
- In Fiscal Year 2019, counties incorrectly screened out 19 of 108 sampled reports of mistreatment and/or self-neglect of at-risk adults (18 percent) instead of investigating them.
- For 24 of the 103 sampled cases (23 percent) in Fiscal Year 2019, the county investigations, service coordination, and/or case documentation did not follow statute or rules. Problems included incomplete investigations and assessments of at-risk adults, inaccurate findings, and untimely case plans and visits with adults.
- For 14 of the 15 county guardianship cases sampled (93 percent), we could not determine whether the counties followed statute and rules when petitioning for guardianships of at-risk adults due to insufficient county documentation.

BACKGROUND

- Colorado's Adult Protective Services Program was established in 1983 to provide safety and protection for at-risk adults who are, or suspected to be, victims of mistreatment and/or self-neglect, and cannot address their circumstances without assistance. At-risk adults are aged 18 and over and are unable to perform or obtain services or lack sufficient understanding to make decisions for their health, safety, or welfare.
- County departments of human/social services receive and investigate reports of mistreatment and self-neglect of at-risk adults and provide them services. The Department oversees the counties' Program operations and administers CAPS checks and appeals.
- In Fiscal Year 2019, counties received 25,001 reports of mistreatment or self-neglect of at-risk adults, conducted 7,735 investigations, and substantiated 1,343 acts of mistreatment committed by perpetrators.

KEY RECOMMENDATIONS

- Improve the descriptive information reported to employers through CAPS checks.
- Instruct appeal reviewers on when to uphold county findings and pursue settlement agreements, document these decisions, and improve the timeliness of appeals decisions.
- Train counties on screening reports of mistreatment and/or self-neglect and conduct reviews of screened out reports.
- Improve county investigations with training and by addressing problems identified by the audit and Program reviews.
- Implement written guidance and training for documenting county guardianships.

The Department agreed with most of the audit recommendations.