



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF AGING
 Harrisburg, Pa. 17101

PENNSYLVANIA DEPARTMENT OF AGING

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AGING PROGRAM DIRECTIVE

SUBJECT: PROTECTIVE SERVICES INVESTIGATIONS

TO: COUNTY COMMISSIONERS CHAIRPERSONS, NON-PROFIT AAA GOVERNING BOARDS

COPIES FOR: EXECUTIVE STAFF
 DIVISION OF FIELD OPERATIONS
 AREA AGENCIES ON AGING
 AoA REGION III
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 DPW OFFICE OF PROGRAM DEVELOPMENT & SUPPORT
 PA STATE ASSOCIATION OF COUNTY COMMISSIONERS
 COMPTROLLER

FROM: L. M. Rhodes
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 SECRETARY
 DEPARTMENT OF AGING

PURPOSE: This Aging Program Directive (APD) addresses the issue of protective services investigations conducted when the investigation regarding the older adult reported to be in need of protective services meets all of the following: (1) the older adult states that the investigation should not continue or is uncooperative; (2) no collateral contacts have been made and (3) the protective services worker is confident that there is no indication of abuse, neglect, exploitation or abandonment.

CONTENT: The Department's position has been and will continue to be that all reports of need must be thoroughly investigated. Interviews with appropriate collateral contacts should be pursued based on the case presented. In those limited instances where a protective services worker interviews the older adult and is satisfied that no other contacts are necessary to conclude that there is potentially no abuse, neglect, exploitation or abandonment occurring, the discretion of the

protective services worker is controlling. The basis for this conclusion, however, must be clearly documented in the record.

An example of this scenario is when an individual constantly reports a problem that has been thoroughly investigated on numerous occasions. The problem lies with the reporter and not the alleged victim and the issue of bad faith reporting surfaces.

The protective services worker can close the case and classify it as unsubstantiated. The protective services supervisor and the Area Agency on Aging Director must review and initial the case record which will indicate their respective concurrences in the classification of the case.

This APD does not apply to those instances where abuse, neglect, exploitation or abandonment is observed or suspected by the protective services worker regardless of the assertions of the alleged victim or their request for termination of the investigations. In those instances, the Department expects a full and complete investigation.

The Department has also reviewed and modified its corrective action language relating to the completeness of protective services investigations in response to concerns raised by the AAAs. The Department will continue to identify the specific case at issue and the regulatory reference, but will now require the Area Agency on Aging to explain how the corrective action will be rectified, by whom and when this action will be implemented. No prior corrective action, however, shall be deemed to be rescinded or nonenforceable. This new process will apply only to future citations issued by the Department.

Finally, in furtherance of its statutory mandate to monitor agency performance, the Department will require that, as of this date, all unsubstantiated cases be maintained for six months.

Thank you for your cooperation in these matters.