

The Adult Protection Network and Multidisciplinary Teams

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ADULT PROTECTION NETWORK



**SCHOOL OF
GOVERNMENT**

Connecting. Informing. Supporting.

The Story of Mr. Johnson

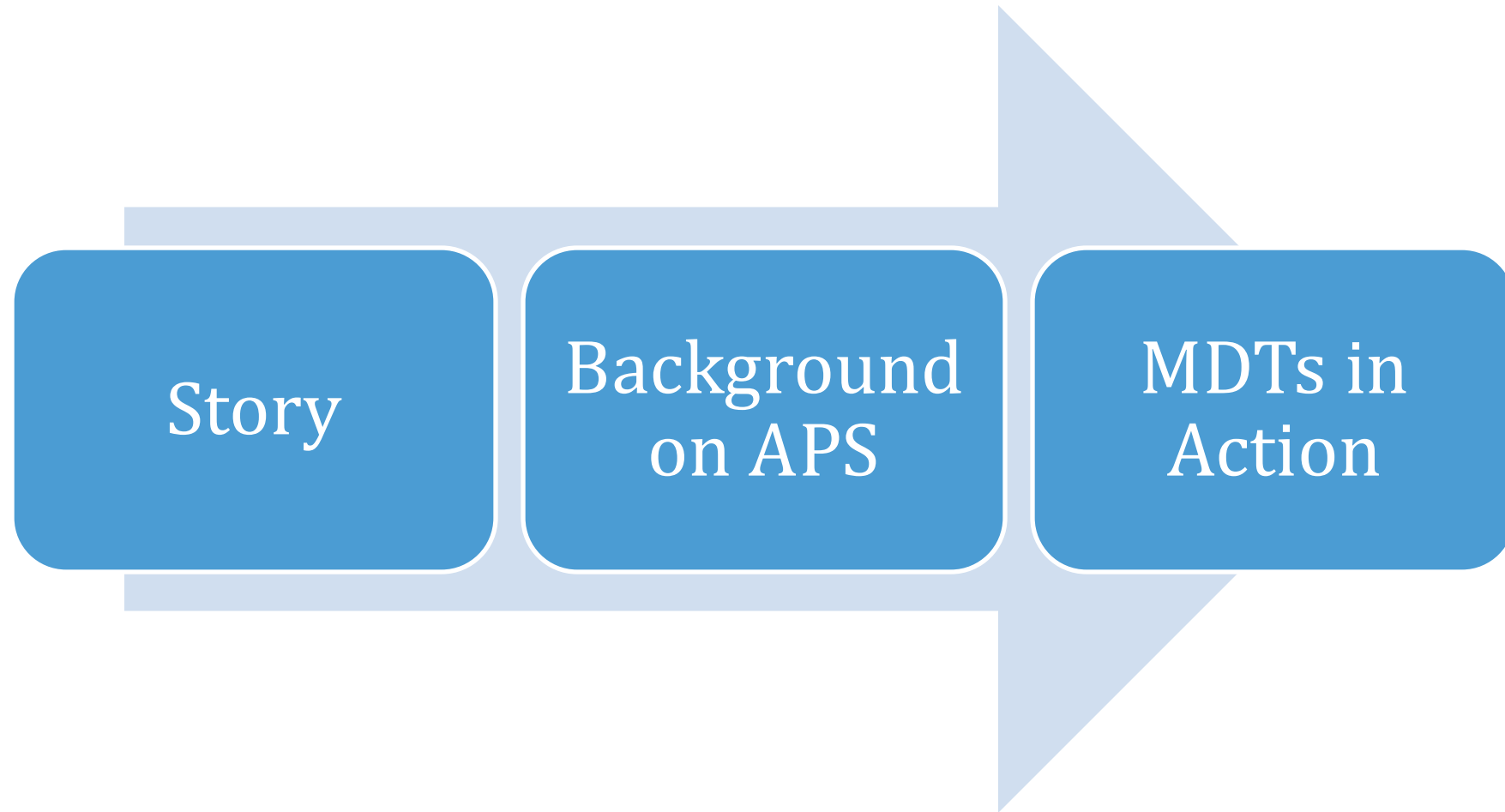
Mr. Johnson is a 78-year-old man with dementia who lives with his adult son, Frank. He has mobility issues and requires assistance getting in and out of bed. Frank helps him with meals, medication, and medical appointments. Mr. Johnson does not drive and relies on Frank for transportation.

Frank regularly yells at him, belittles him, and locks him in his bedroom for long stretches of the day “so he won’t wander.” Mr. Johnson appears to have bed sores that are untreated and bruises that are consistent with falls.

Frank struggles with alcohol and substance use. He has recently failed to provide Mr. Johnson with meals and medications. Frank was arrested for a DUI and remains in jail. Mr. Johnson has no other family or friends. A neighbor hears of Frank’s arrest and makes a report to DSS.



Session Overview



Adult Protective Services: Purpose

Provide (temporary) protection for disabled adults in North Carolina who are the subject of abuse, neglect, or exploitation.

G.S. 108A-100.

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Provide (temporary) protection for **disabled adults** in North Carolina who are the subject of abuse, neglect, or exploitation.

G.S. 108A-100.

Who is a disabled adult?

Any person who is

1. 18 years of age or over or a lawfully emancipated minor
2. Present in N.C. and
3. Who is **physically or mentally incapacitated** due to
 - a. **(lifelong conditions)** an intellectual disability, cerebral palsy, epilepsy or autism;
 - b. **(conditions that occur later in life)** organic brain damage caused by advanced age or other physical degeneration in connection therewith; or
 - c. **(conditions incurred at any age)** the result of accident, organic brain damage, mental or physical illness, or continued consumption or absorption of substances.

G.S. 108A-101(d).



The Case of Mr. Johnson: Disabled Adult

Over 18

Present in North Carolina

Diagnosed with **dementia** which impairs his memory, judgment, and ability to make decisions and meet his basic needs

Physical limitations which make him unable to get out of bed or move around without assistance



Adult Protective Services: Purpose

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G.S. 108A-100.

Abuse

The willful infliction of physical pain, injury or mental anguish, unreasonable confinement, or the willful deprivation by a caretaker of services necessary to maintain mental and physical health.

- Physical, sexual, or emotional abuse.

G.S. 108A-101(a).

Caretaker

An individual who has responsibility for care of the disabled adult

- as a result of family relationship or
- voluntarily or by contract.

G.S. 108A-101(b).

Neglect

A disabled adult who is

1. **Self-Neglect:** living alone and not able to provide for themselves the services necessary to maintain their mental or physical health
2. **Caretaker Neglect:** not receiving services from their caretaker.

G.S. 108A-101(m).

Exploitation

The illegal or improper use of a disabled adult or their resources for another's profit or advantage.

- Only prong not limited to self or caretaker.
- Includes but not limited to financial exploitation.

G.S. 108A-101(j).

The Case of Mr. Johnson: Abuse, Neglect, or Exploitation

Abuse

- Willful infliction of mental anguish by a caretaker – berated him and yelled at him
- Unreasonable confinement in his room by caretaker – locked him in his room

Neglect

- Not receiving necessary services from caretaker – not providing meals and medication



Adult Protective Services: Purpose

Provide (temporary) **protection** for disabled adults in North Carolina who are the subject of abuse, neglect, or exploitation.

G.S. 108A-100.

Disabled Adult “In Need of” Protective Services

The person:

- **(personal limitation)** due to his physical or mental incapacity, is unable to perform or obtain for themselves essential services and
- **(external limitation)** is without able, responsible, and willing persons to perform or obtain for his essential services.

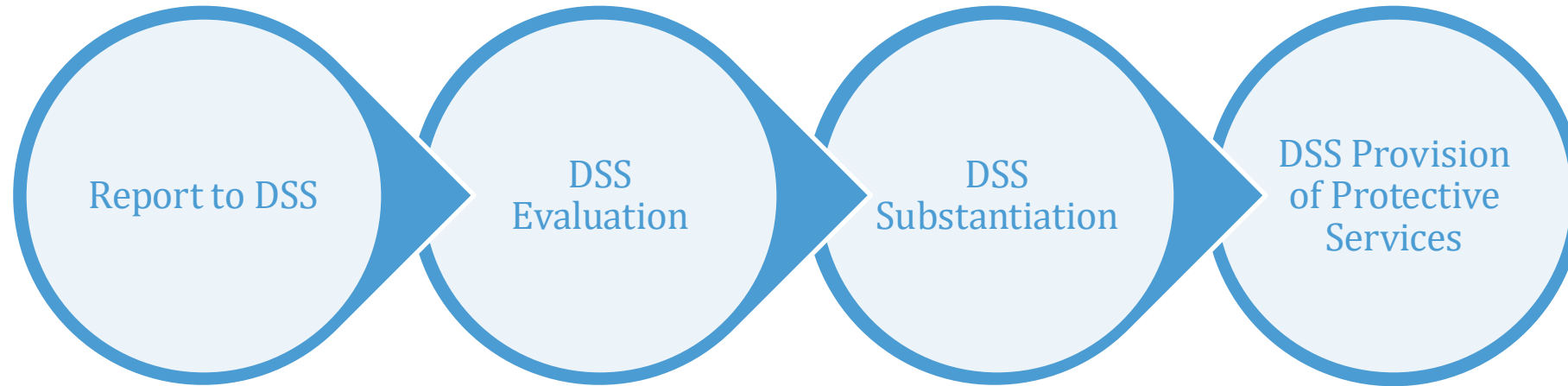
G.S. 108A-101(e).

The Case of Mr. Johnson: In Need of Protective Services

- Lacks essential services: food, medication, medical care, transportation, safe housing
- Unable to provide for himself due to dementia and physical limitations
- His only caregiver, Frank, is in jail and he has no other able, responsible, and willing person to perform or obtain services for him (no other friends, family, agent under a POA, guardian, etc.)



The APS Model in North Carolina



APS Myth Busting Exercise

Myth Busting

Only family and friends of the disabled adult have an obligation to make a report to the county department of social services when there is abuse, neglect, or exploitation.



Myth Busting

Only family and friends of the disabled adult have an obligation to make a report to the county department of social services when there is abuse, neglect, or exploitation.

FALSE. Any person having reasonable cause to believe that a disabled adult is in need of protective services shall report such information to the director.

G.S. 108A-102(a).

Myth Busting

County departments of social services receive reports related to disabled adults who are in need of protective services. A county department should always screen in a case of a disabled adult who is the subject of abuse, neglect, or exploitation for further evaluation.

Duty of the Director

Any director **receiving a report that a disabled adult is in need of protective services** shall make a prompt and thorough evaluation to determine whether the disabled adult is in need of protective services and what services are needed.

**Determination of whether a report is a report that a disabled adult is in need of protective services:
SCREENING**

G.S. 108A-103(a).

Adult Protective Services: Process Overview



Myth Busting

County departments of social services receive reports related to disabled adults who are in need of protective services. A county department should always screen in a case of a disabled adult who is the subject of abuse, neglect, or exploitation for further evaluation.

FALSE. There are limits to county DSS authority under APS law.

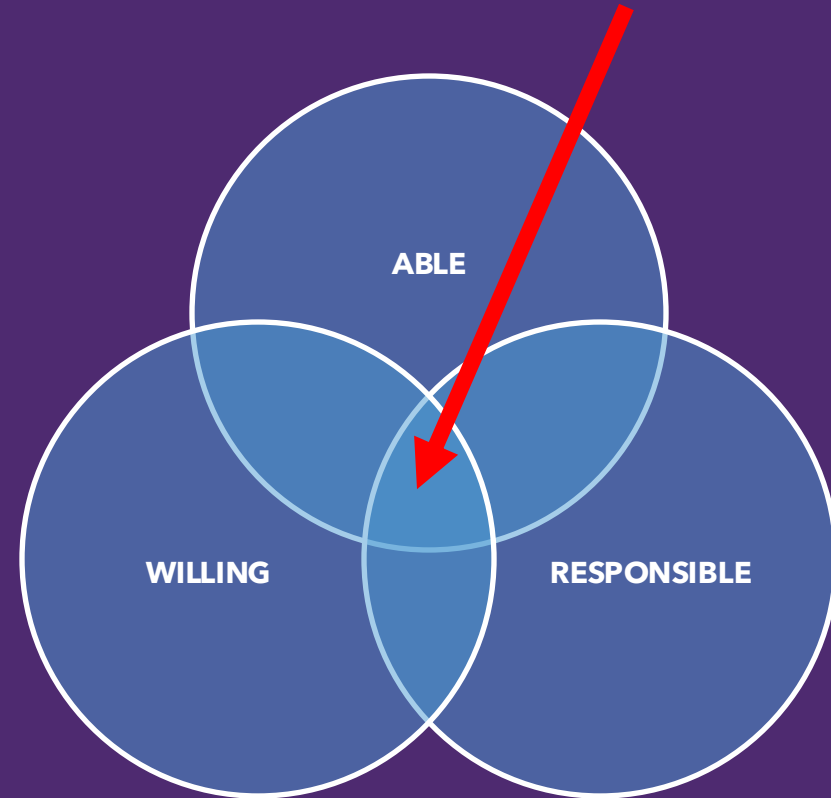
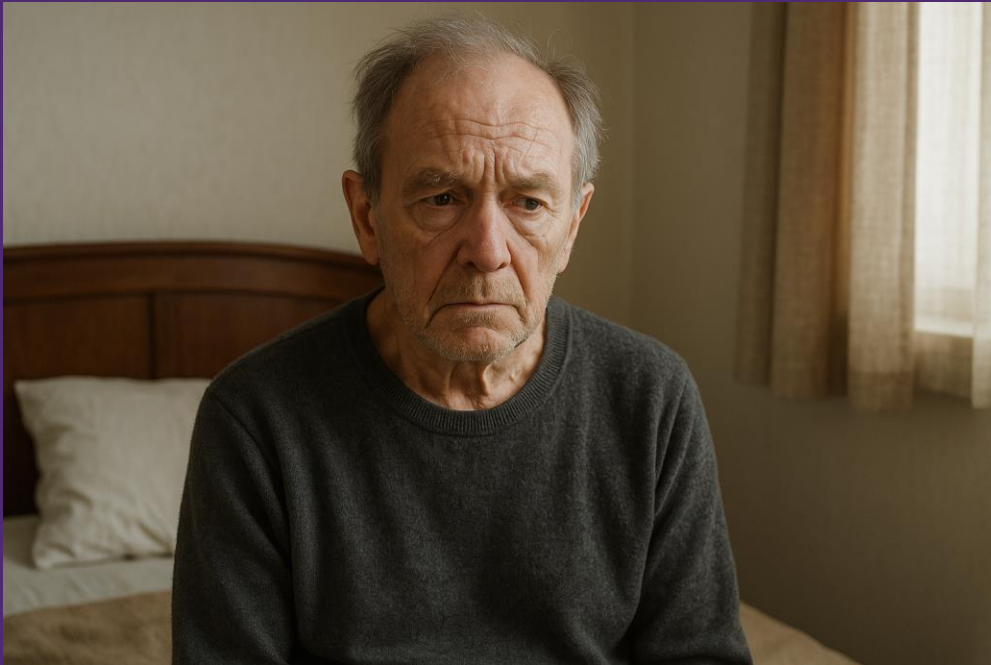
For example, the adult may be disabled and the subject of abuse, neglect, or exploitation but **may not be in need of protective services.**

Screening: Not in Need of Protective Services



Screening: Not in Need of Protective Services

Someone else who is:

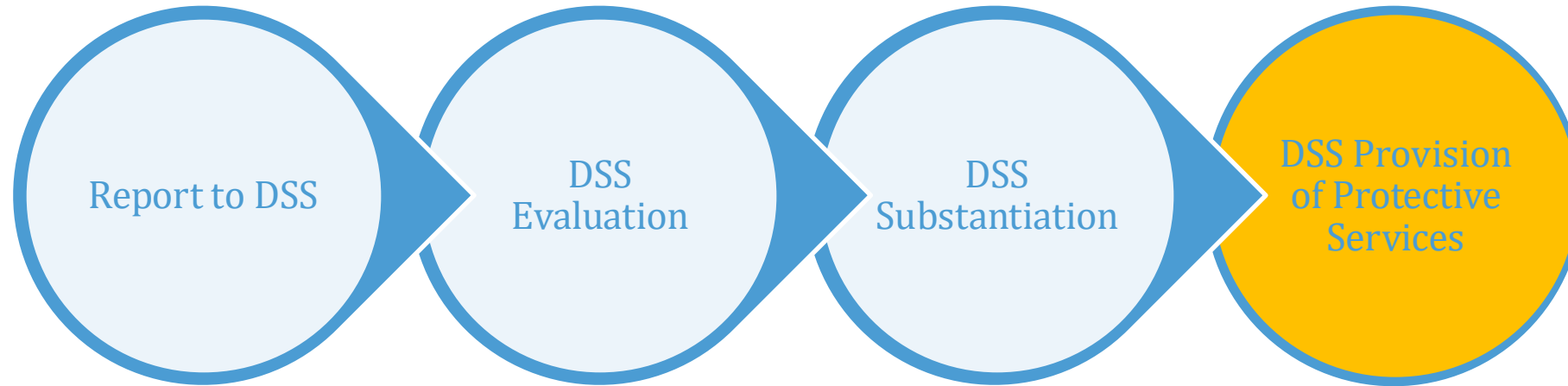


Myth Busting

If a disabled adult does not consent to protective services, DSS will provide them anyway.



The APS Model in North Carolina



APS and the Role of Consent

Adult with capacity

- DSS must seek consent

Adult lacks capacity*

- DSS petitions the court for

*"Lacks Capacity to Consent to Services" - The person lacks sufficient understanding or capacity to **make or communicate responsible decisions** concerning his **person**. G.S. 108A-101(l).

Myth Busting

The primary focus of adult protective services should be on punishing perpetrators of maltreatment.

Myth Busting

The primary focus of adult protective services should be on punishing perpetrators of maltreatment.

FALSE. The focus of APS is on ensuring that adults are protected from further maltreatment, rather than solely on the investigation of specific incidents or punishing the perpetrator.

Myth Busting

Protecting disabled adults is solely the responsibility of county departments of social services.

Myth Busting

Protecting disabled adults is solely the responsibility of county departments of social services.

FALSE. Protecting disabled adults is a shared community responsibility, involving a cooperative partnership between APS and community stakeholders to meet the diverse needs of disabled adults.

APS Social Worker

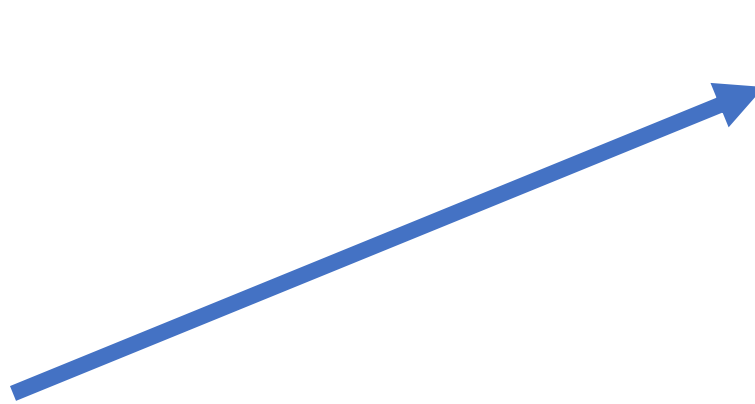


A ← Perpetrator

B

C

D

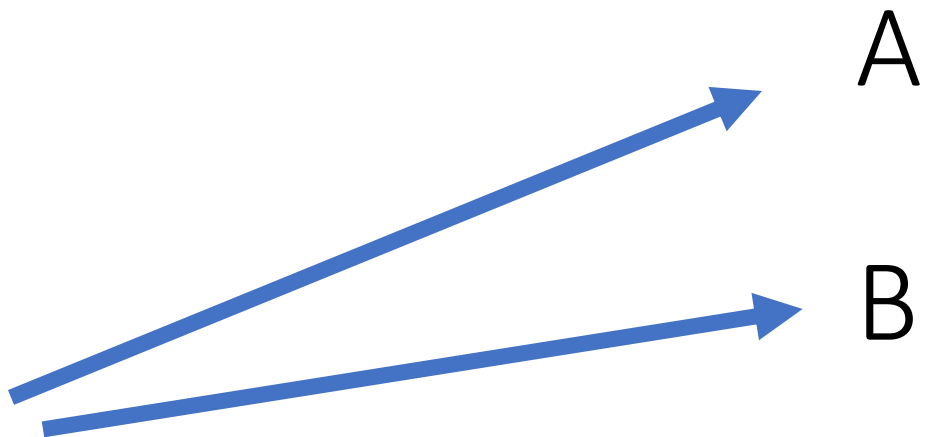


A

B ← Perpetrator

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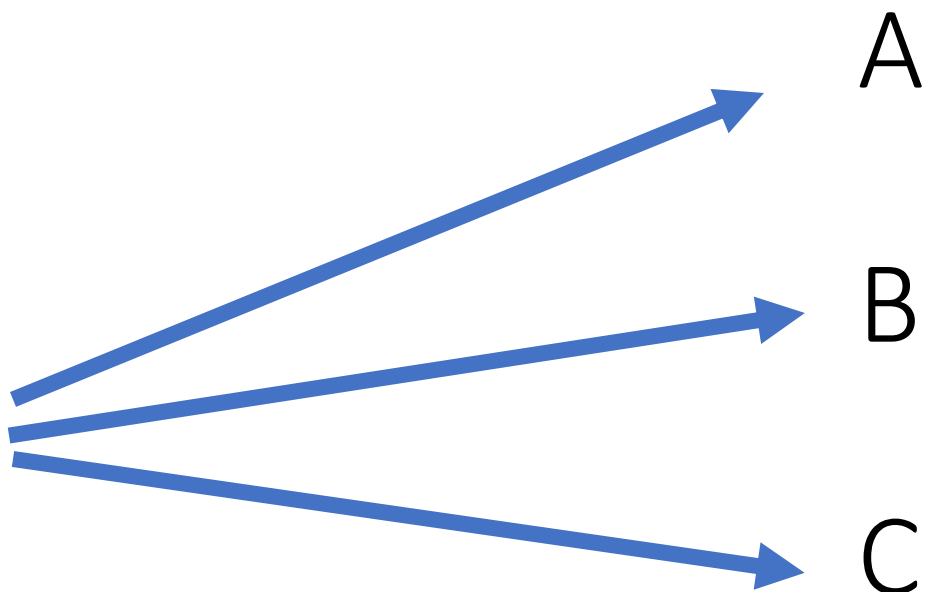


A

B

C ← Perpetrator

D



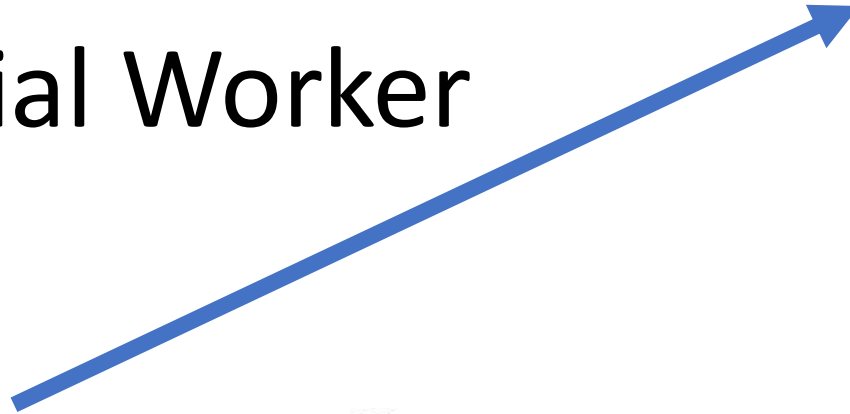
A

B

C

D ← Perpetrator

APS Social Worker



A ← Perpetrator

B

C

D



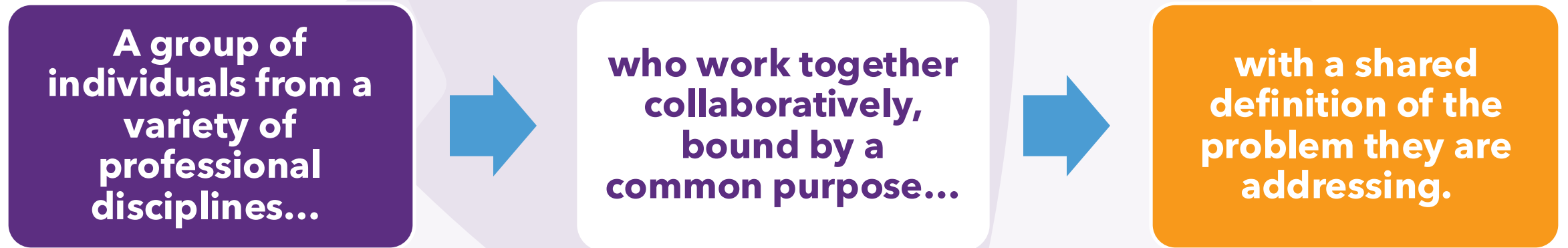


Adult Protection + Related Professionals

- **County department of social services social workers, directors, and attorneys**
- **Prosecutors**
- **Law enforcement**
- **Area Agency on Aging representatives**
- **Legal aid attorney**
- **Victim services representatives**
- **EMS workers**
- **Clerks of court**
- **Judges**
- **Magistrates**
- **Financial institution employees**
- **Mental health professionals**
- **Medical professionals**

Background on Multidisciplinary Teams

What is a multidisciplinary team?



Why an Adult Protection MDT?

Abuse, neglect, and exploitation of disabled and older adults is:

- Difficult to detect
- Involves a complex population
- Occurs in variety of settings
- Caused by a range of perpetrators
- Occurs across disciplines

→ No one field, system, or set of laws that controls the problem; a single profession is rarely, alone, enough to address it.



Potential Adult Protection MDT Members

- **County department of social services social workers, directors, and attorneys**
- **Prosecutors**
- **Law enforcement**
- **Area Agency on Aging representatives**
- **Legal aid attorney**
- **Victim services representatives**
- **EMS workers**
- **Clerks of court**
- **Judges**
- **Magistrates**
- **Financial institution employees**
- **Mental health professionals**
- **Medical professionals**

As of September 1, 2025:

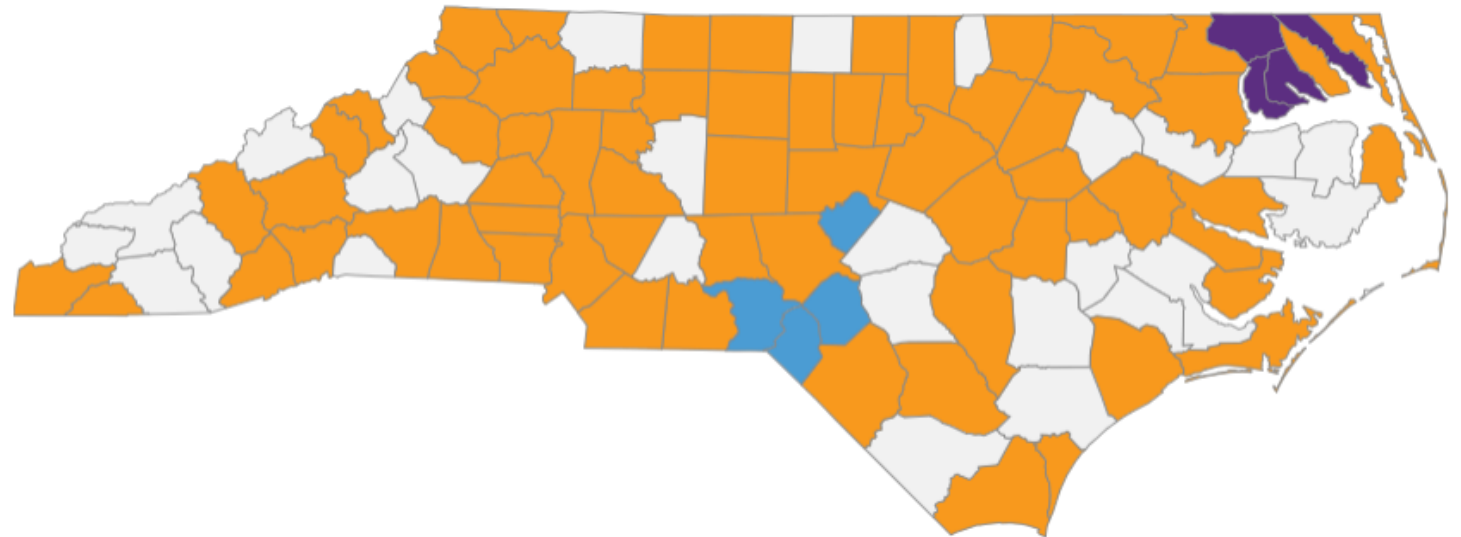
Number of North Carolina counties with an MDT: 73

Number of counties working to build teams: 24

County Adult Protection Multidisciplinary Teams

The map below identifies county-based adult protection multidisciplinary teams (MDTs) in North Carolina. These teams work together to help vulnerable adults who may need protection from abuse, neglect, or exploitation. Below the map is a directory of MDT coordinators who serve as points of contact for the MDT in their county teams.

- County MDT
- Northeast Regional MDT
- Sandhills Regional MDT



* A Flourish map

Map available at: <https://protectadults.sog.unc.edu/peers/>

Types of MDTs before October 1, 2025

Systemic
Review MDT

Limited Case
Review MDT

Hybrid MDT

Types of MDTs before October 1, 2025

Systemic
Review MDT

Limited Case
Review MDT

Hybrid MDT

Systemic Review MDTs

*The 2nd Annual Senior
Resource Fair*

Thursday, June 5th 2025
1:00pm - 6:00 pm
The Burnsville Town Center

1. Address Systemic Problems and Service Gaps in the Delivery of Ser

- Review a closed case and identify deficiencies in response
- Members bring specific issues for discussion and problem-solving

2. Build Information Networks

- Cross-training among members
- Share programs and events; resources

3. Engage in Community Training and Education

- Scam Jams
- Elder Abuse Awareness Days
- Friends Against Fraud



G.S. 108A-118.1(5), eff. October 1, 2025.

Types of MDTs before October 1, 2025

Systemic
Review MDT

Limited Case
Review MDT

Hybrid MDT

Limited Case Review MDT

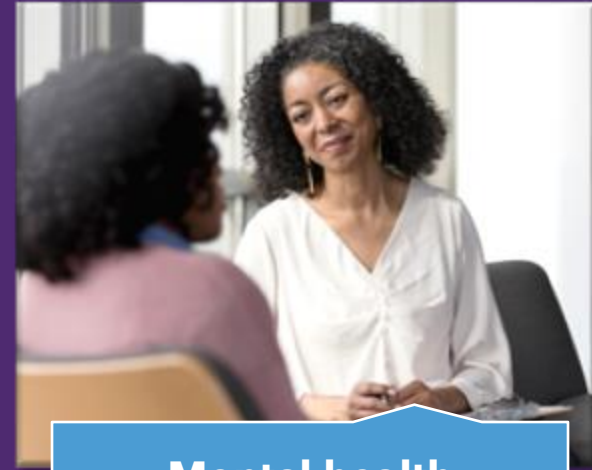
- MDT focuses on reviewing and responding to specific cases of abuse, neglect, and exploitation involving disabled and older adults.
- There is limited authority to share information among the MDT members.



APS information



**Protected health
information**



**Mental health
information**



**Substance use disorder
treatment information**



**Communicable disease
information**

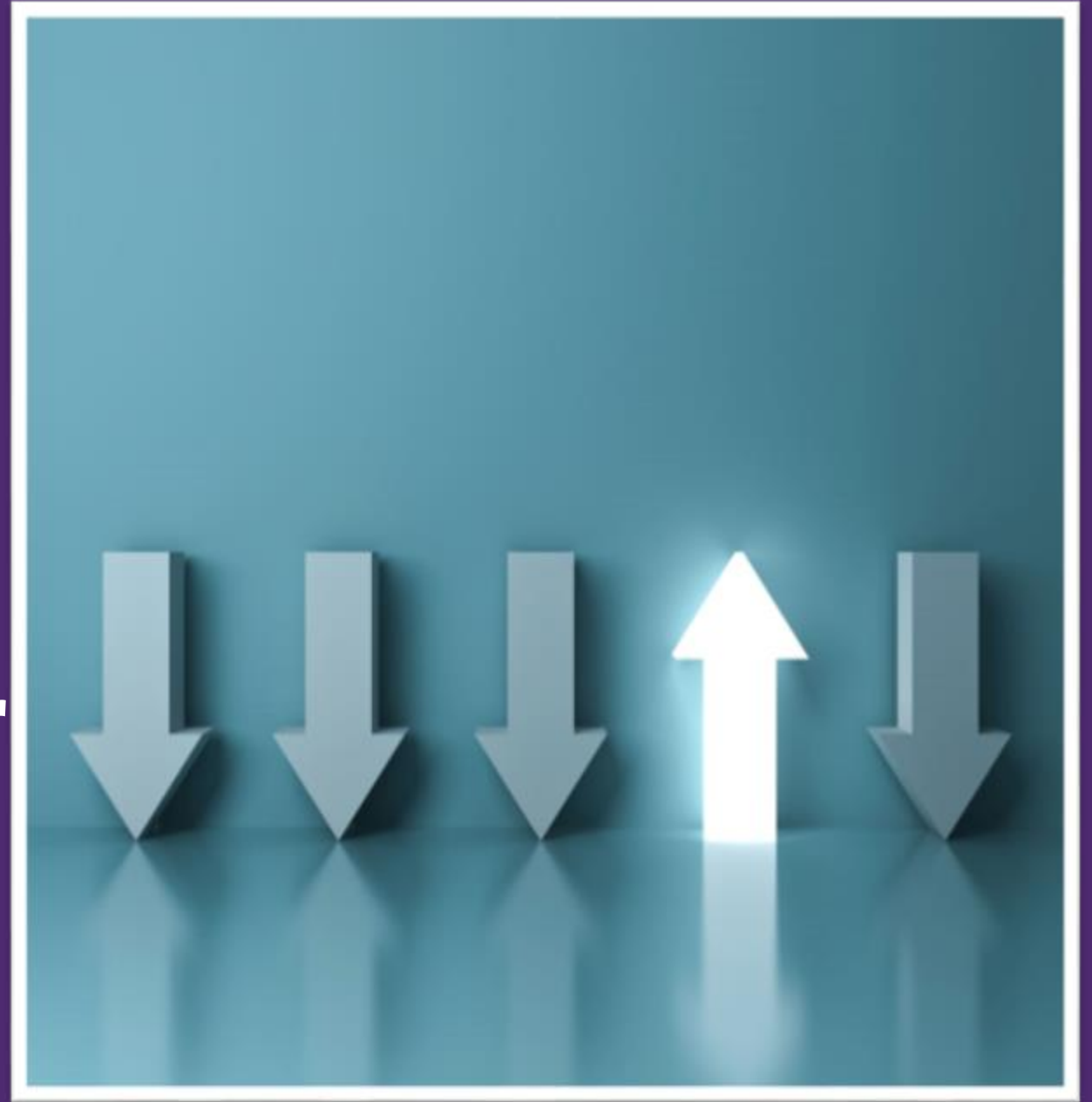


Financial information



Must weave
together
exceptions in
various
confidentialit
y laws

**No consent =
disclosure only
allowed to
specific parties for
specific purposes**



Types of MDTs before October 1, 2025

Systemic
Review MDT

Limited Case
Review MDT

Hybrid MDT

Hybrid Review MDT

- The MDT carries out both case review and systemic review functions.
- Possible to alternate meetings or integrate both functions in a single meeting while ensuring only authorized members are at the table when confidential information sharing occurs.

Types of MDTs, effective October 1, 2025

Systemic
Review MDT

Limited Case
Review MDT

Statutory
Case Review
MDT

Hybrid MDT

S.L. 2025-23: Statutory Case Review MDTs

Information sharing authorized by G.S. 108A-118.6(a).

Any MDT member may disclose, unless prohibited by federal law, information relevant to:

1. performing reviews of selected active cases in which disabled adults or older adults are being served by APS through a local DSS; or
2. providing, arranging, or coordinating services on behalf of disabled adults or older adults whose cases have been or are currently under review by the Case Review MDT.



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MDT Formation

G.S. 108A-118.2

- Each county may establish its own Case Review MDT or participate in a multicounty MDT
- Each BOCC may evaluate and determine whether the county will establish its own Case Review MDT or become part of a multicounty team.
 - Must be done in consultation with the DSS director



Case Review Multidisciplinary Team

DSS director

DSS staff member

**Local law
enforcement officer**

**Attorney from the
district attorney's
office**

**The public
guardian
appointed in the
county by the clerk
of superior court**

**A local mental
health professional**

**Long-term care
ombudsman
serving in the
county**

**Local health
director or a
member of the
director's staff**

**A local health care
provider**

**A representative
from the local area
agency on aging**

**A victim advocate
from a local
domestic violence
or sexual assault
agency**

**Additional
members
appointed by Chair**

**G.S. 108A-
118.2(c)**

MDT Chair

G.S. 108A-118.2(f)

- Each Case Review MDT must elect a member to serve as Chair *at the pleasure of* the MDT
- Chair may appoint a maximum of five additional members to serve on the MDT, representing local agencies or the community at large
- Chair must participate in training developed by DHHS



Relevant to the MDT reviewing an active case in which a disabled adult or older adult is being served by APS?

OR

Relevant to providing, arranging, or coordinating services on behalf of a disabled adult or older adult whose case is or was under review by the MDT?

If yes to either:

THEN

May disclose to MDT unless prohibited by federal law



Information Sharing
G.S. 108A-118.6(a)

MDT Confidentiality Agreement

Required by G.S. 108A-118.7(c)

Information may be redisclosed only:

- as necessary to carry out the purposes of the Case Review MDT; or
- as otherwise permitted by State or federal law.



The Case of Mr. Johnson:

Role of an MDT

Identify and facilitate necessary interventions:

- Court action to obtain authority to provide protective services (APS/Guardianship)
- Criminal prosecution of Frank
- Removal of Frank from home
- Medical and mental health evaluations
- Nutritional support (Meals on Wheels)
- Temporary safe placement
- Housing repairs/modifications
- In home aide
- Transportation supports



Adult Protection Network



The North Carolina Adult Protection Network

Connecting. Informing. Supporting.

Resources →

A library of tools to help you protect adults from abuse, neglect, and exploitation in your community.

Find Your Peers →

A map and directory of multidisciplinary teams (MDTs) and MDT coordinators working to protect adults in NC.

Help Desk →

A hub for online technical and legal support for North Carolina adult protection multidisciplinary teams.

Mission of the Adult Protection Network (APN)

The mission of the APN is to connect, inform, and support professionals in government and community organizations to effectively prevent and respond to the abuse, neglect, and exploitation of vulnerable adults across North Carolina.

Key Components of the



ADULT PROTECTION NETWORK

RESOURCES ▾

FIND YOUR PEERS

HELP DESK

ABOUT US ▾

JOIN THE LISTSERV

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<https://protectadults.sog.unc.edu>

What Do We Want Our MDT to Be?

Each member of the MDT has a unique role to play. What, exactly, are you trying to accomplish together? What do you want to be different by working together? How will you be interacting with each other? How will others experience the network of services, processes, or functions?

In this exercise, each MDT can decide for itself where to focus its attention, as well as how or whether to formally state its intentions with each other or on behalf of the people it serves. You also choose the language that defines your target group:

- Older adults
- Elder justice
- Vulnerable adults
- Disabled adults
- Something else

1. A Vision Statement is the MDT's view of the future. An effective vision statement concisely describes the change you wish to create for your community. It can speak specifically to vulnerable adults or to the whole population of the community. It speaks to the desired outcome as a whole, rather than focusing on a single aspect of service.

Prompt: Assume that in ten years, your MDT is helping to change that has happened?

You've been appointed guardian and the ward has a Durable Power of Attorney (POA)

How do I terminate the POA?



Key Terms

Power of Attorney (POA): A written or other record that grants authority to an agent to act in the place of the principal. (G.S. 32C-1-102(a))

Durable: With respect to a POA, the incapacity of the principal does not terminate the POA. (G.S. 32C-1-102(b))

Guardian of the Estate (GOE): A guardian appointed by the court for the purpose of managing the property, estate, and business affairs of a ward. (G.S. 35A-1202(10))

Guardian of the Person (Gd): A guardian appointed by the court for the purpose of performing duties relating to the care, custody, and control of a ward. (G.S. 35A-1202(10))

General Guardian (GG): A guardian appointed by the court for the purpose of performing duties relating to the care, custody, and control of a ward. (G.S. 35A-1202(10))

Ward: A person adjudicated incompetent or who has been found to be incapable of managing his or her affairs. (G.S. 35A-1202(15))

I want Information from the agent.

Scenario: A guardian is appointed by the clerk. The durable POA governed by G.S. Chapter 32C. The guardian wants information from the agent related to the POA, including in connection with concerns that the agent misused the principal's property.

Law: After the appointment of a GOE or GG, the agent is accountable to the GOE or GG. (G.S. 32C-1-108(b)) GOEs and Gds have the right to request, and the agent has a duty to disclose, receipts, disbursements, and transactions conducted on behalf of the principal. (G.S. 32C-1-114(h)) If the agent fails to respond to the GOE's or GG's request, the GOE or GG may file a petition initiating a POA proceeding to compel an accounting by the agent before the clerk of superior court. (G.S. 32C-1-116) The proceeding is commenced in the same manner as an estate proceeding. (G.S. 32C-1-116(a)) There is no form petition available. (G.S. 32C-1-116(b))

How Many People Should Opt for Broader Experience Group Management Sustained Engagement So... How Many People Be on Your MDT?

What is elder abuse?
Elder abuse is not defined in North Carolina law. It generally includes an intentional act or a failure to act, by a caregiver or another person in a relationship involving an expectation of trust that causes or creates a risk of harm to an older adult.

Who is an older adult?
In North Carolina, some statutes recognize 60 as "older," while others focus on adults over 65. Some laws, such as those covering adult protective services (APS) and guardianship, apply more generally to all adults but are triggered only if the adult is disabled (APS) or incompetent (guardianship).

Why Is It Important to address elder abuse?
1 in 10 experienced elder abuse. Approximately 1 in 10 Americans aged 60 and over have experienced some form of elder abuse. As many as 5 million older adults are abused each year.¹

Notes
1. Definition from the U.S. Centers for Disease Control and Prevention (CDC).
2. Nat'l Council on Aging (NCOA). Elder Abuse Facts. "What is Elder Abuse?" NCOA.org. <https://www.ncoa.org/public-policy-action/elder-justice/elder-abuse-facts/> (last visited July 5, 2019).
3. N.C. Dept. of Health & Human Servs., Div. of Aging & Adult Servs., North Carolina is Aging. https://files.nc.gov/nchs/2017_0.pdf (last visited July 5, 2019).
4. Examples adapted from Lori A. Shugart, LEGAL ISSUES RELATED TO ELDER ABUSE: A Desk Guide for Law Enforcement 9-15 (A.B.A. Comm on Law & Aging, 2015).

There are significant health and economic implications. Victims of elder abuse have a 300 percent higher risk of death when compared to adults who have not been mistreated. Financial losses due to elder abuse are estimated to range anywhere from \$2.9 billion to \$36.5 billion annually.²

Identifying and Responding to Elder Abuse in North Carolina



[Name]
[Title]
[County]
[Phone #]

The Care and Feeding of Community-Based Multidisciplinary Teams

Margaret F. Henderson and Rebekah Appleton

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Quick Reference: Information-Sharing in Elder Abuse Cases

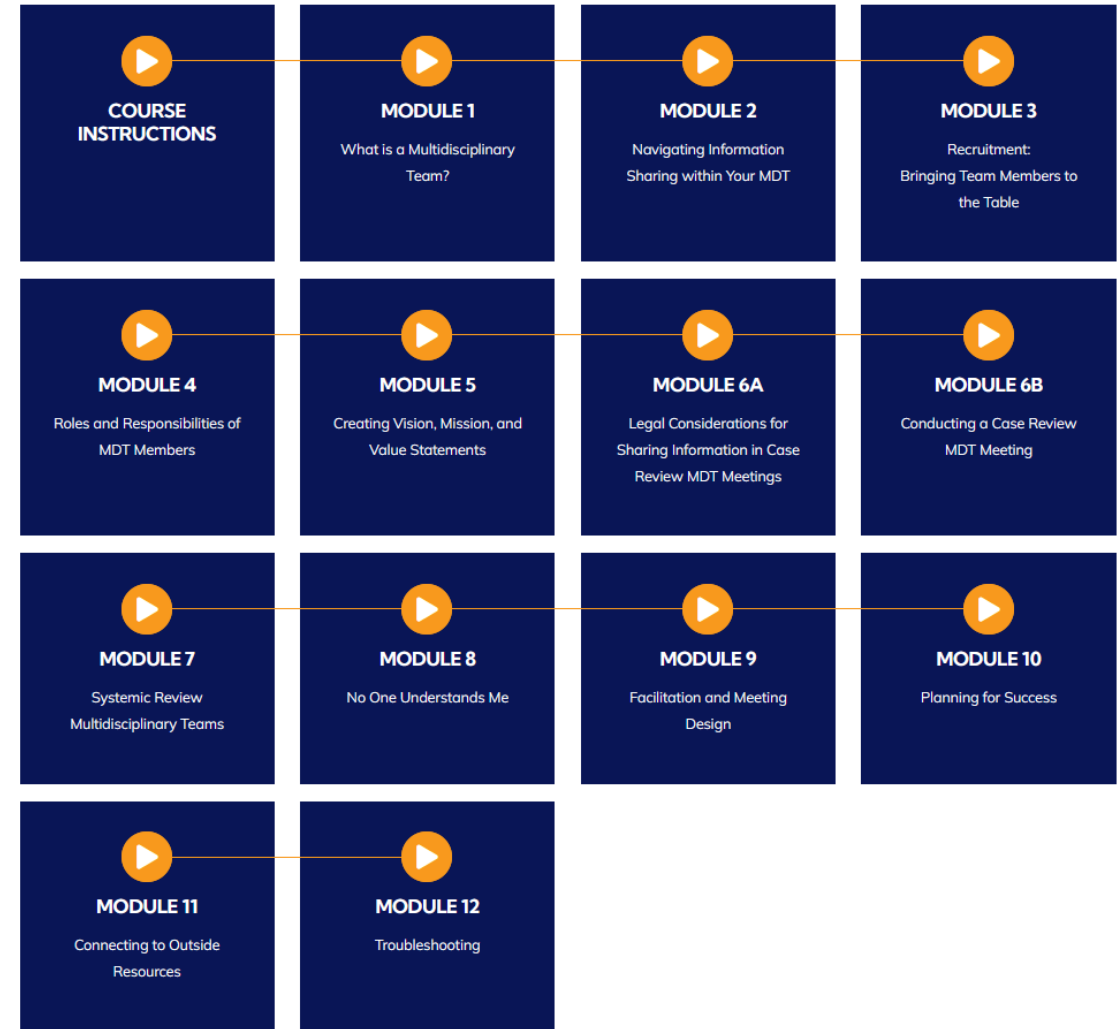
Important Background and Disclaimers

- The complexity of confidentiality laws can often be seen as a barrier to information-sharing in elder abuse cases. Many of the applicable laws allow information-sharing in specific circumstances, but they can be challenging to identify, interpret, and apply. In order to facilitate appropriate information-sharing, five Quick Reference Guides were developed that highlight circumstances that may arise when information about an older adult is being shared between the following actors.
- Department of Social Services (DSS) and Law Enforcement
- DSS and Health Care Providers
- Health Care Providers and Law Enforcement
- DSS and Financial Institutions
- DSS and Parties Involved in Guardianship Proceedings

These Quick Reference Guides are intended to provide a quick snapshot of the law and therefore should serve only as the starting point for legal analysis. The guides are not comprehensive. Specifically:

Building Adult Protection MDTs – Module Series

The "Building Adult Protection MDTs" series offers a guide to creating, growing, and expanding adult protection MDTs.



Beyond the Basics: Strengthening Adult Protection MDTs— Module Series



The "Beyond the Basics: Strengthening Adult Protection MDTs" series offers five interactive webinars that explore key tools engaged by adult protection MDTs and the roles of the professionals who serve on these teams.

Adult Protection Network Help Desk

We are here to help.

Contact us at 919-966-4247 or kpreston@sog.unc.edu

Members of the adult protection community can access information and direct questions related to establishing and maintaining strong multidisciplinary teams (MDTs) through the Adult Protection Network Help Desk. The work of the Help Desk is supported through a grant from the Division of Social Services at the North Carolina Department of Health and Human Services.

Contact us when you are facing challenges. You may want ideas about how to strengthen your team. Or perhaps you need coaching on taking your first steps in forming an MDT. Some of you may need help managing dynamics among your team members or maybe you need to access specific legal expertise in managing a current case. The Help Desk is here to support you in all of these situations.

Across the state MDTs are in various stages of development. Some counties have fully functioning MDTs. Some counties want to re-invigorate their efforts and some counties haven't gotten off the ground yet. The Help Desk is here for all of you – every community, and everyone who participates in the MDT.



How can I find out more?

- ❑ Sign up to receive weekly emails from the Adult Protection Network at <https://protectadults.sog.unc.edu/>
- ❑ Learn more about MDTs operating in your jurisdiction at Find My Peers, <https://protectadults.sog.unc.edu/peers/>
- ❑ Reach out to Kristy Preston, Adult Protection Network Director, for assistance at kpreston@sog.unc.edu



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Questions

?





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