



Innovative APS Practice

The Philadelphia APS Bank Reporting and Loss Prevention Program

Project Overview

Working in partnership, local banks and APS entities have provided cross-training to increase financial fraud protection for vulnerable elderly persons. From 2003 through 2007, the Philadelphia APS Bank Reporting and Loss Prevention Program prevented the loss of \$2.2 million, protected \$62.5 million in assets and investigated over 3,000 cases. In partnership with Wachovia, the program expanded from a city-wide pilot project to a 14-state initiative. This partnership resulted in the development of a national banking training toolkit. The Philadelphia APS Bank Reporting and Loss Prevention Program continues to develop and maintain relationships with banking institutions.

Project Narrative - Phase I

History

In 2000, Joe Snyder, the Director of Older Adults Protective Services at the Philadelphia Corporation for Aging, the private, non-profit Area Agency on Aging for Philadelphia County, noticed that financial exploitation was the fastest rising category of APS elder abuse reports. Recognizing that this was a growing phenomenon, he began researching best practices for fraud prevention. However, there were few resources. Operating with little know-how, Snyder attempted to create a pilot project that involved an APS/local bank partnership in the city of Philadelphia. But he made little headway. The banking staff he approached expressed little interest, privacy concerns stymied the dialogue, and Snyder's own unfamiliarity with financial lingo made it difficult to bridge the professional divide.

But in 2001, the U.S. Administration on Aging (AoA) awarded the Pennsylvania Department of Aging \$100,000 to explore ways to prevent the financial exploitation of aging persons. Fifty thousand of those dollars were given to the Philadelphia Corporation for Aging (PCA) and the other half was distributed to Allegheny County. Snyder decided that in order to bridge with the banking industry, he needed a staff member with financial expertise to develop an APS/banking partnership. He went outside of the social work field to recruit for the position, figuring that he could teach a financial expert how to be an APS investigator. Snyder used the funds received from AoA to develop a new position and subsequently hired an insurance fraud business expert.¹ Snyder's new hire was soon able to

Major Aspects of Project

The project documented that millions of older persons' dollars were saved or protected through a well-developed relationship between APS and a major bank. The project has evolved into a city-wide financial exploitation task force which includes several major banks, law enforcement, prosecutors and APS. The key to the project's success was APS developing positive working relationships with financial institutions, starting with understanding their terms.

¹ A job description of the Financial Fraud Expert is located in the attachments.

establish relationships with the local banks. A connection with a staff member in the Wachovia Loss Prevention Unit led to a meeting between their two bosses, Snyder and Linda Mill, Vice President of Loss Prevention with Wachovia. This, in turn, led to a meeting with higher level Wachovia banking officers and legal staff. It became clear that the loss prevention unit of the bank and APS shared similar concerns; both agreed that a partnership should be formed between the bank and APS. The Wachovia home office gave their stamp of approval, viewing an APS/Wachovia partnership as a win/win: it would help older persons from being exploited and would save money for both the client and the bank.

Expanding From Local to National Program

In 2003, the APS/Wachovia partnership was initiated with a pilot project in Philadelphia. Snyder was asked to “train the trainers” jointly with Linda Mill of Wachovia in four locations. With each training event, Snyder found that bank tellers and staff were often unfamiliar with issues that were a common entry point for financial predators, such as the establishment of guardianship and aging issues such as mild cognitive impairment. Unexpectedly, Snyder found himself embraced by the banking staff, who consistently verbalized their relief about having access to additional resources for action. Once the format for the training was established, Mill took over the training internally. Mill proceeded to train Wachovia staff in the State of Pennsylvania, expanding the program throughout the state in 2003. In 2004, the APS/Wachovia elder exploitation partnership expanded to include 14 states across the nation.

During the program’s national expansion, Snyder and Mill were asked to present the program to BITS, the fraud section of the Financial Services Roundtable, a consortium of major financial services companies. The then-president of BITS, Katherine Allen, perceived the need and helped to enable the creation and distribution of a BITS Fraud Protection Toolkit.² The toolkit became a nation-wide vehicle for other banks to participate in the bank reporting program. Snyder and his team continue to be able to offer the toolkit to every bank they visit.

The Program

The bank reporting program consists of training bank employees on ways to recognize vulnerable adult abuse, including verbal or physical mistreatment and financial exploitation. Typical instances of financial exploitation include misusing a vulnerable adult’s banking funds, forging checks, and coercing an older person into signing checks. In these instances, bank employees are trained to delay suspicious transactions and to report suspected incidences to the bank’s loss prevention department. The loss prevention department reports all suspected cases to their local APS. The bank continues to partner with APS

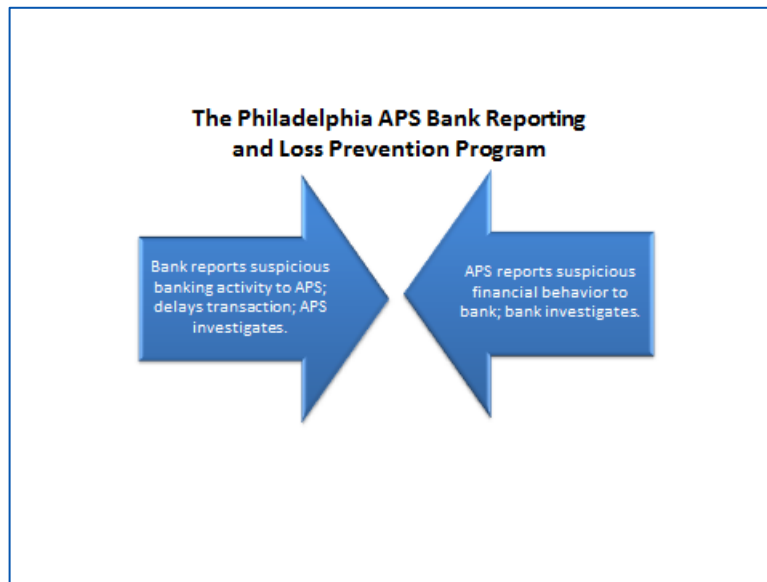
“I am finding that we [Philadelphia APS] have an unusual arrangement with the banks. It shouldn’t be that way. [This partnership] should be more prevalent.

“I’m hoping to use the momentum from this program to spur similar programs along with the banking industry.”

Joe Snyder, Project Director

² The training toolkit is currently available on-line at www.BITS.org/Publications/Fraud.

following the report by providing appropriate records and maintaining contact if needed. All services provided to the banks by APS such as trainings, materials, and consultations are provided free of charge.



Key Stakeholders

- Joe Snyder, Director of Older Adults Protective Services, Philadelphia Corporation for Aging
- Philadelphia Corporation for Aging
- Wachovia Bank
- Pennsylvania Department of Aging
- US Administration on Aging

Budget

The first year of funding for the APS financial exploitation expert at the Philadelphia Corporation for Aging was provided by AoA. Due to the success of the APS/banking partnership, the full-time position was retained and added to the APS budget. The initial position, budgeted at \$44,000, is now budgeted at \$49,000. Bank trainings and consultations are provided through APS staff time.

Successes and Challenges

Challenges

The challenge of financial privacy concerns.

It is not uncommon for a bank to report a financial fraud suspicion to its local APS and, when APS returns the call, for the bank to indicate that it cannot share that information due to financial privacy restrictions. However, the challenge goes both ways as often APS

responds to a bank's queries in a similar way. Misperceptions about financial privacy regulations can be clarified with a thorough understanding of *The Right to Financial Privacy Act of 1978*.

According to the American Bar Association (ABA) Commission on Aging, *The Right to Financial Privacy Act of 1978* applies only to federal agencies requesting consumer information from financial institutions. Further, the Gramm-Leach-Bliley Act applies to federal, state and local agencies, but it contains several exemptions that permit disclosure, including protecting against or preventing actual or potential fraud, unauthorized transaction, claims, or other liability. In addition, 49 states and the District of Columbia include immunity provisions in their APS laws that protect individuals who make reports in good faith. These immunity provisions may be interpreted as overriding the restrictions in applicable state privacy laws.³

The challenge of bridging professional divides.

Maintaining an APS/banking partnership takes ongoing communication. It is important for both the bank and APS entities to learn each other's processes and language. Additionally, it is important to set up communication structures. In the APS partnership with Wachovia, if bank employees ran into problems when communicating with APS, they were instructed to report this to higher-ups. APS implemented the same policy regarding communications with the bank staff. When in receipt of a problem, bank higher ups were expected to call and speak about the issue with their equivalent at APS and vice versa. Additionally, management from the top down was instructed to continually encourage their employees to work with their outside partners. "If management is persistent," Snyder reports, "it pays back one hundred fold." "Don't look at them as the bad guy, but as people who don't know the issue," encourages Snyder. "Find out why they do what they do. Treat them as partners and stakeholders." For example, Pennsylvania law allows APS to share information if it is a part of the care plan for a client. This provides leeway for APS to let the banks know if a case reported by the bank is substantiated. While state mandates vary across the nation, APS units need to find a way to provide ongoing communication with banks in whatever way is legally possible.

The challenge of understanding the banking structure.

Establishing a partnership can be stalled when you talk with the wrong banking department. The loss prevention unit of each banking entity tends to share the same concerns as APS staff. However, it is extremely important to have a staff member who knows the banking business, lingo, and culture. A staff member who can easily navigate a financial statement is crucial for successful investigations.

³ Presenter Joe Snyder (2011, September). *What Banks Can Do*. Paper presented at the 2nd Annual National Summit on Elder Financial Exploitation, Buffalo, New York.

Successes

The success of developing a positive relationship.

Because the relationship has been so well established between the Philadelphia APS and local banks, they are almost never charged a fee when requesting bank records.

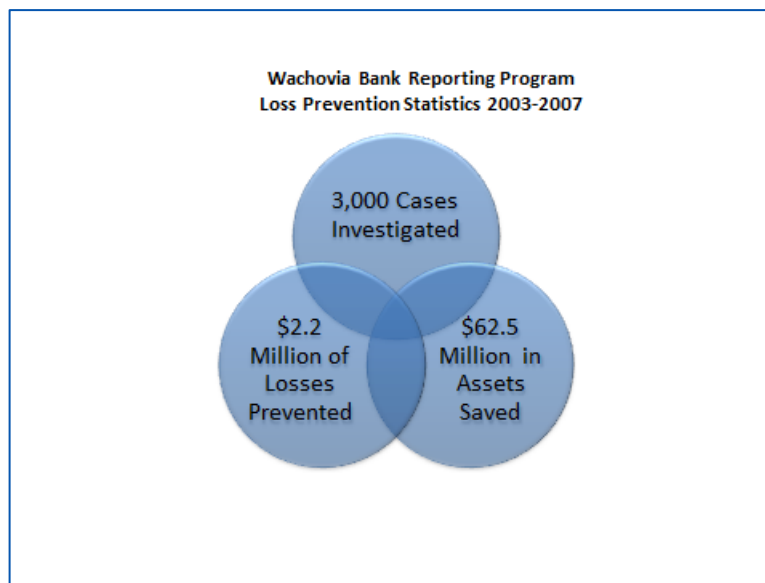
The success of the Bank Reporting Program led to the development of the Philadelphia Financial Exploitation Prevention Taskforce.

This is a multi-disciplinary group of professionals who work together to prevent, detect and prosecute those who prey upon the elderly. (More information on the Task Force is provided below.)

Project Outcomes

From 2003 to 2007, over 3,000 cases were investigated. In addition there were \$2.2 million of losses that were prevented along with the protection of \$62.5 million in assets.⁴

Additionally, there has been an increase in the numbers of prosecutions of elder abusers. This number continues to rise because of the focused efforts of the Philadelphia Exploitation Prevention Taskforce.



Current Status of Project

In 2009, Wells Fargo purchased Wachovia, and while parts of the partnership continued, others elements have been dropped. This year's White House Event commemorating World

⁴ Protected funds are assets of older victims which would have been at risk if the exploitation had continued.

Elder Abuse Awareness Day (WEAAD) presented a networking opportunity for adult protective services, financial industry, governmental agencies, and other.⁵ Snyder was able to continue the dialogue with executives from Wells Fargo as was the National Adult Protective Services Association. Other banks have also expressed interest in the bank reporting program, although, in general, from the perspective of many within the APS community, the banking industry is behind the curve when it comes to preventing financial fraud of the elderly. While most banks will report the incident to APS, what is also needed is for the bank to delay suspicious transactions and to provide investigative support as happened in the PCA/Wachovia partnership.

Snyder is currently looking for private and non-profit funding sources in Philadelphia to initiate a public awareness campaign to further help prevent the financial exploitation of seniors.

Key Take Home Message

“Having a change agent on the other side of the door is really important. Take some of the successful programs already out there and study up. Be ready to look at your own confidentiality and privacy issues and how they may be an impediment to the process.

The National Adult Protective Services Association (NAPSA) is a great resource. If we have a bank that wanted to be a national leader in helping to prevent financial exploitation, NAPSA can arrange for a 50-state call. They have the ability and resources.”

Joe Snyder, Director, Older Adults Protective Services, Philadelphia Corporation for Aging

The Financial Exploitation Prevention Task Force - Phase II

History

In 2010, Mill arranged a meeting with the Deputy Mayor of Public Safety for the city of Philadelphia. This resulted in an invitation to Mill and Snyder to present at a breakfast sponsored by the Mayor entitled “A Conversation on Financial Exploitation of the Elderly.” Invitees included the CEOs of the seven financial institutions with the largest market share in the Philadelphia region, the District Attorney (DA), the Police Commissioner, and other officials from the city and the Philadelphia Corporation for Aging. While cognizant of the scope of the elder abuse issue, key city leaders recognized that greater advances could be accomplished jointly. Together with Mill and Snyder, they formed The Philadelphia Financial

⁵ On June 14 2012, The World Elder Abuse Awareness Day Event at the White House brought together all of the allied professions to celebrate and forge stronger partnerships. Snyder attended and spoke briefly about his work in Philadelphia.



Exploitation Prevention Task Force. Soon thereafter, the Task Force started meeting and goals were set.

One current goal of the task force is cross-training police officers and detectives as well as others who work with the elderly, including Philadelphia housing counselors, Social Security Administration personnel, Blue Cross/Blue Shield Medicare staff, and the DA's Office staff. Task Force goals include increasing prosecutions of elder fraud and creating an elder justice DA position in the City of Philadelphia. Further, a representative specializing in navigating the legislative process was recently added. It is hoped that the task force can use this expertise to influence the creation of new legislation to protect vulnerable elderly from financial fraud and abuse.

"The great thing for [the banks is that], we're offering all of the expertise for free. But it's for the public good. The opportunity is there.

Be persistent! There will be obstacles."
Joe Snyder

Funding

PCA has contracted with a former financial crimes specialist from Wachovia to coordinate the multidisciplinary training initiative. The task force coordinator supervises the task force and ensures that their work moves forward. PCA secured an additional \$10,000 grant from Verizon to train professionals in detecting and reporting financial exploitation

An Ongoing Challenge

Communication in multi-disciplinary groups can be challenging. Focusing on shared goals and similarities can help overcome testy moments.

Unexpected By-product

The APS/banking partnership in Philadelphia led to the hiring of Linda Mill, an original partner and former Vice President from Wachovia into the field of adult protective services. Linda first started with PCA as a consultant and trainer. She now works for The Institute on Protective Services at Temple University in conjunction with the Pennsylvania Department of Aging where she provides training and consultation to protective service staff throughout the State of Pennsylvania.⁶ Snyder recently welcomed a former financial crime specialist from the financial services industry to replace Mill on the PCA PS staff.

⁶ For further information on the Institute on Protective Services at Temple University, see their website at: www.instituteonps.org. The Institute is funded by the Department of Aging of Pennsylvania and operates in collaboration with Temple University.

For More Information

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APPENDIX: JOB DESCRIPTION

TITLE: OAPS FINANCIAL EXPLOITATION SPECIALIST

DEFINITION: Reporting to the Protective Service Intake Supervisor. This position is responsible for providing investigation, assessment, and care management services for clients age 60 and above who are at risk of abuse, neglect, exploitation, or abandonment. This position carries the responsibility for short-term care management, assessment, and care planning for older adults at risk. This position will provide training to rest of staff and develop ongoing relationships with pertinent entities. The investigator is a consumer advocate guided by the principles of client's self-determination and least restrictive alternative.

QUALIFICATIONS:

Education: BA/BS/BSW or MA/MS/MSW

Experience: Candidates must have 3 years' experience in conducting complex financial exploitation investigations. Experience in accounting, bookkeeping or a field related to financial exploitation is preferred.

Personal Characteristics:

- High energy level; able to manage a variety of tasks simultaneously.
- Well developed interpersonal and communication skills.
- Well organized.
- High level of flexibility.
- Possesses advocacy skills and a sense of professional ethics with a commitment to confidentiality.

Additional Requirements:

- Pre-employment physical.
- Drug testing required.
- Criminal history check required.
- Availability via cell phone at all times during schedule working hours including lunchtime, meetings, etc.
- Completion of Pennsylvania Department of Aging's Older Adult Protective Service training set forth in the regulations. Signing the Pennsylvania Department of Aging's confidentiality statement.

Goals:

To determine whom is an older adult in need of protective services as defined by the state of Pennsylvania. To help resolve complex cases involving financial exploitation and to train staffs in how to better resolve financial exploitation cases. Investigator, as a skilled professional, maintains the highest level of professional ethics, continually seeking opportunities for growth and development.

DUTIES AND FUNCTIONS:

- a. Receives and investigates reports of abuse, neglect, exploitation, and abandonment of individuals age 60 and above as described in the Older Adults Protective Services Law and the regulations accompanying this law.
- b. Determines if reports are substantiated or unsubstantiated and makes referrals to appropriate agencies and services. Conduct an assessment and develops a care plan designed to remove the imminent risk to consumer.
- c. References PCA Data base on all reports and inputs and updates data in the client system.
- d. Assesses the need for emergency intervention including petitioning for involuntary mental health commitments, protection from abuse orders, emergency intervention and access orders, when appropriate. Testifies in court as needed.
- e. Provides on-going case management to older adults in need of protective services as defined by the Older Adult Protective Services law reassessing as required.
- f. Documents all case activity in accordance with State regulations, agency policies, and best practice.
- g. Coordinates case planning with other service providers and other service delivery systems.
- h. Coordinates investigations in institutions with appropriate State licensing agencies and Ombudsman.
- i. Arranges case conferences with supervisory approval.
- j. Participates in orientation and training, as assigned, in-service training, and attends regular staff meetings.
- k. Uses regular conferences with supervisor to evaluate work, improve job performance, and enhance professional growth.
- l. Develops ongoing relationship with legal, state and federal law enforcement as well as banks and other financial institutions.
- m. The effective management of a caseload of complex financial exploitation cases.
- n. Assists other investigators in resolving their financial exploitation cases and conducts training as needed.
- o. Performs other related duties as assigned.

PERFORMANCE EXPECTATIONS:

- Meets agency and state standards of timely and thorough investigation.
- Records and reports are legible, timely, accurate, complete and relevant.
- Ability to establish rapport with PCA staff, consumers, providers, families, and outside agencies.
- Bring problems and possible resolutions to supervisory conference.
- Participate in special projects as assigned.
- Does training in specialty area as needed.
- Assignment of special cases as needed.

CUSTOMERS:

- Consumers who are 60 years of age or older in Philadelphia County.
- Families and informal support systems of consumers and service providers
- Staff of Older Adult Protective Service Unit

Grade: 16

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