

***Dependent Adult Abuse in Iowa***

***Speaker: Lori Reeves***

“Dependent adult” abuse allegations involve people who are aged 18 or over, and are incapable of adequate self-care due to physical or mental conditions, and require assistance from other people. Dependent adults may be elderly, or may have diminished physical or mental capacities that prevent them from meeting their own needs adequately. Researchers estimate that only 1 in 14 incidents of elder abuse actually come to the attention of law enforcement or human service agencies. Elder abuse is one of the most under-recognized and under-reported social problems in the United States. It is far less likely to be reported than child abuse because of the lack of public awareness. Nationally, it is estimated that over 55% of elder abuse is due to self-neglect. Such abuse can happen anywhere – in private homes, at health care facilities, and in the community at large. Iowa has an increasing proportion of people who are aged 60 or over. The number of persons 80 or over is increasing more rapidly than any other age group. Iowa’s proportion of older adults in the population exceeds that of the United States as a whole. Nationwide, Iowa ranks 2nd in the percentage of persons over 75 and 85.

Dependent adults also include those who have diminished physical or mental capacity. People who have a diminished ability to protect themselves and are dependent on others for basic needs are particularly vulnerable to mistreatment, physical violence, threats of assault, verbal abuse, financial exploitation, physical or emotional neglect, and sexual abuse. Iowa has a sizable population of adults who are dependent, but who are not elderly.

Iowa Code Section 235B, “Dependent Adult Abuse,” took effect on January 1, 1983, and has been amended yearly since then. This law authorized the Department of Human Services, or DHS, to accept reports of suspected dependent adult abuse, evaluate those reports, complete an assessment of needed services, make referrals for services, and maintain a central registry of abuse information. DHS has legal authority to conduct evaluations and assessments of alleged dependent adult abuse that occurs in the community when it is alleged. DHS conducts approximately 1600 evaluations of dependent adult abuse annually.

Under Iowa Code Chapter 235E, the Department of Inspections and Appeals, or DIA, is now responsible for accepting reports of suspected dependent adult abuse, and for completing evaluations of these reports when the abuse is reported to have occurred in a facility. These facilities include licensed health care facilities, hospitals, elder group homes, assisted living facilities and programs, and adult day care service programs. Reports of abuse in the community or homes are still handled by DHS.

Other laws provide other means of protection for dependent adults, including substitute decision makers and, when necessary, the involuntary commitment of adults for substance abuse or mental health reasons. Services can be provided for dependent adults. However all adults have a right to self-determination. This means that the dependent adult can refuse services unless a court determines that the person is not competent to make decisions or is threatening his or her own life or that of others.

Additionally, dependent adult abuse may be a crime. Often the evaluating worker and law enforcement work together. Criminal laws provide for the prosecution of alleged perpetrators in cases where a criminal act has been committed.

Iowa Code section 235B.4 creates a central registry in DHS to provide a single source for the statewide collection, maintenance, and dissemination of abuse information. The Central Abuse Registry includes report data, investigative data, and disposition data relating to reports of abuse. The purpose of the Registry is to facilitate the identification of victims or potential victims of abuse by making available a single, statewide source of data. It also facilitates research on abuse by making available a single, statewide source of dependent adult abuse data.

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