

RECENT CHANGES TO TENNESSEE LAW AROUND ELDER ABUSE AND EXPLOITATION

Tennessee Federation for the Aging, Annual Conference
“Aging with Grit, Grace and Gratitude”

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Elder Financial Exploitation: Common Issues Across States

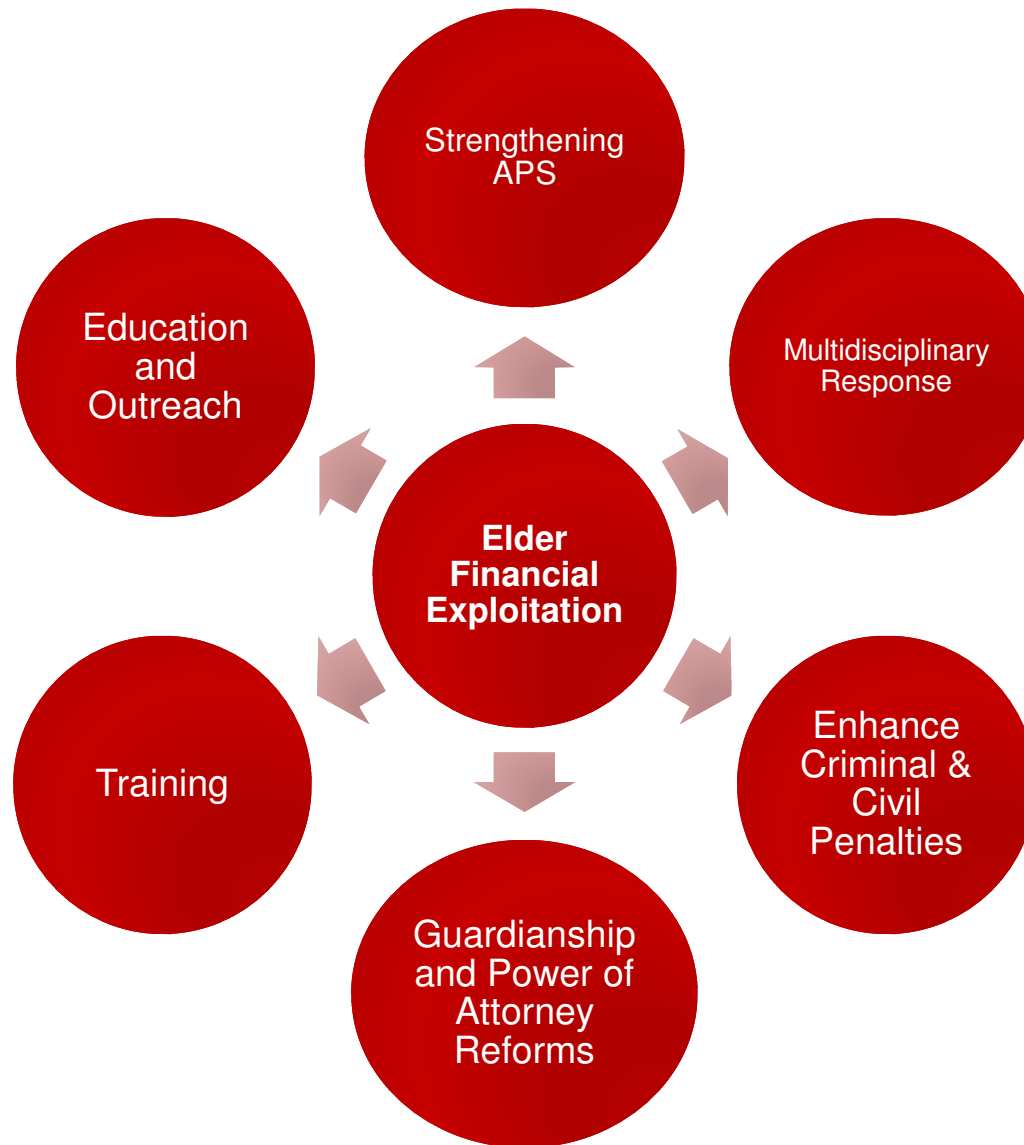
- Caregiving
- Typically a bi-partisan issue that stretches across all branches of government
- Issue isn't "hot"...UNLESS there's a crisis or tragedy
- Broad issue with many tentacles
- No One-Size-Fits-All Solution
- Lack of Data
- Overlap with other vulnerable adult issues, like guardianship
- Policy wonks aren't necessarily the same as on the ground/frontline workers and vice versa



Current National Trends in Reform

- More collaboration and taskforces
- State Courts are taking on a more active role (ex. [WINGS](#))
- Adult guardianship oversight/monitoring reforms to prevent abuse/exploitation
- Increase in education and outreach
- More uniformity with powers of attorney

Combatting Elder Financial Exploitation



AARP State Advocacy

- AARP Tennessee State Office located in Nashville
- Full-time Advocacy Director
- Legislative priorities include
 - Caregiving
 - Livable communities
 - Property tax relief for low-income elderly
 - Protecting older adults from exploitation
 -and more.



LEGISLATIVE WINS:

2017 Tennessee General Assembly

Elderly and Vulnerable Adult Financial Exploitation Prevention Act

- Allows bank to pause transactions
- Banks are protected from liability
- Banks can offer elderly the opportunity to submit and periodically update authorized persons list

Elderly and Vulnerable Adult Protection Act

- Increases punishment for financial exploitation
- Freezes assets of perpetrator if charge includes loss exceeding \$5,000 in value

Additional Background Checks

- Requires background checks for facility volunteers
- Adds background check requirement for assisted-care facility employees

Resources

- AARP Tennessee: www.aarp.org/tn
- Tennessee Commission on Aging and Disability: www.tn.gov/aging
- Managing Someone Else's Money (Texas): <https://protecttheirmoneytx.org>
- National Association of Attorneys General
- American Bar Association Commission on Law and Aging
- Consumer Financial Protection Bureau
- National Adult Protective Services Association
- National Guardianship Association
- U.S. Department of Justice, Elder Justice Initiative



Contact for More Information

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