



Committee On Finance

Max Baucus, Chairman

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STATEMENT OF CHAIRMAN MAX BAUCUS SENATE FINANCE COMMITTEE HEARING ON ELDER JUSTICE

Over the years, the Finance Committee has held many hearings to examine the programs that serve and protect our senior citizens – Social Security, Medicare, Medicaid, and programs funded by the Social Services Block Grant. In this hearing, we will explore a problem that cuts across all of these programs: elder abuse and neglect. Elder abuse and neglect is a tragic problem that – like child abuse and domestic violence – requires a coordinated response from health care, long-term care, social service and law enforcement programs.

As a subject matter, this problem does not fit neatly into a single Finance Committee box. Elder abuse and neglect occurs in nursing homes, in private homes, and in every other residential setting. It is committed by family members and by professional caregivers. By those who are overwhelmed but well-meaning and by those who have malicious intent. When it is identified – and experts tell us that the vast majority of cases are never reported – it may be detected by loved ones, doctors, social workers, or police.

My colleague Senator Breaux and others have coined a term for efforts to fight elder abuse and neglect. They call it “Elder Justice.” It is a compelling term. Promoting “Elder Justice” means improving our ability to prevent, identify, and intervene in situations involving elder mistreatment. It is a critically important task as our society ages.

As we will hear today, our efforts on Elder Justice are in their infancy. We don’t know how often elder mistreatment occurs. We don’t know very well how to spot it. Doctors who treat the elderly are not trained to tell the difference between a bruise caused by a fall and a bruise caused by a beating. And our efforts at intervention can be misguided. Health care professionals often don’t know who to call when they suspect elder abuse. They may fear bringing punishment onto a well-meaning but poorly trained care giver, or causing a community nursing home to be shut down. Police may view elder abuse in the home as a social service problem that does not require a strong law enforcement response.

These are just a few examples of the gaps in our response to elder mistreatment. We will hear many more today. These gaps may be especially troubling in rural states like Montana where seniors tend to be poorer, sicker, and more physically isolated from the systems that may help protect them.

I want to thank all of our witnesses for coming today from all over the country to share their expertise. Bob Blancato is President of the National Committee for the Prevention of Elder

Abuse, and he is up first. We will also hear from Professor Catherine Hawes from Texas A&M University, an expert on abuse and neglect in long-term care settings.

Dr. Carmel Dyer is a geriatrician from Baylor University. She will talk about how our health care system could better address elder mistreatment issues. Joanne Otto, a former Adult Protective Services Administrator, will talk about the role of APS. Randy Thomas, a law enforcement educator, will tell us about the law enforcement perspective. Finally, Professor Richard Bonnie will tell us about a newly published study from the National Research Council which outlines how narrow our knowledge is on this important subject.

Senator Breaux has announced a proposal on “Elder Justice” to address many of the problems we will hear about today. I applaud his leadership and advocacy on this issue. I also thank him for sharing the responsibility for chairing this important hearing today. Elder abuse and neglect cause great suffering among our senior citizens, and they strike fear into the heart of all of us who understand the vulnerability that may come with advancing age. I look forward to continued work in the Finance Committee to promote Elder Justice and to protect our seniors.