

## SECTION 3002 – INVESTIGATION

<b>SUMMARY STATEMENT:</b>	The investigation of an APS report (allegations of abuse, neglect or exploitation) is mandatory and does not require the client's consent.
<b>LEGAL BACKGROUND</b>	<p>“When the director receives a report that a disabled adult or elder person is in need of protective services, he or she shall conduct or have conducted a prompt and thorough investigation to determine whether the disabled adult or elder person is in need of protective services and what services are needed.” O.C.G.A. §30-5-5 (a).</p> <p>“A report that a disabled adult or elder person who is not a resident of a long-term care facility as defined in Code Section 31-8-81 is in need of protective services or has been the victim of abuse, neglect, or exploitation shall be made to an adult protection agency providing protective services as designated by the department and to an appropriate law enforcement agency or prosecuting attorney.” O.C.G.A. § 30-5-4(b)(1)</p>
<b>PROCEDURES</b>	The APS staff shall complete an <u>investigation</u> to establish facts to determine if maltreatment occurred, who was responsible (if anyone) and to prevent reoccurrence through the provision of protective services.
<b>General Procedures</b>	<p>APS field staff shall within one business day:</p> <ul style="list-style-type: none"> <li>• acknowledge the receipt of the report from APS Central Intake and assign for investigation</li> <li>• forward all accepted reports of A/N/E to local law enforcement in accordance with O.C.G.A. §30-5-4</li> </ul>
<b>Initiation of Investigation</b>	<p><i>Standard Reports</i> require an initial <b>face to face visit</b> with the client <b>no later than 10 calendar days</b> from the date of the APS report.</p> <p><i>Priority Report (as described in 2002 of this manual)</i> requires a <b>face to face visit within 2 business days</b> of report date and may indicate a need for other intervention including but not limited to:</p> <ul style="list-style-type: none"> <li>• initial contact to client by telephone to assess the situation,</li> <li>• possible contact with the reporter, or</li> </ul>

**PROCEDURES  
Cont'**

- referral to first responders (e.g., hospital/medical providers; mental health crisis, law enforcement/safety check etc.).

*New Reports/Allegations* made to APS Central Intake on an open APS case will be investigated within 5 business days of the new report/allegation.

**Note:** Reasonable determination of A/N/E discovered at any point during the investigation will be forwarded Law Enforcement, no later than one business day.

**Diligent Effort to  
Locate**

If APS is unable to locate the adult during the initial visit a diligent effort to locate must be made. Diligent effort shall consist of the following, when applicable:

- Making 1 or more additional visits to the client's reported location during different times of the day during the timeframe for initiation.
- Calling the client
- Attempt to interviewing neighbors who might have information as to the location of the client.
- Calling the reporter to verify reported information and to attempt to obtain additional information.
- Checking with the post office and utility companies to obtain information on the client.
- Contacting medical providers
- Calling other individuals, as appropriate, listed on the intake report to obtain information on the client.
- Contacting any known relatives.
- Contacting local, county or state law enforcement agencies to check their records for information about the client.
- Researching previous APS records.
- Researching local directories and the internet for address information.
- Contacting the landlord, if applicable.
- Conferring with the supervisor to determine the next course of action or closure approval.

The "Diligent Effort" Assessment, in the DAS Data System, must be completed when there has been an unsuccessful effort to locate or when efforts extend beyond the prescribed timeframe.

**PROCEDURES  
Cont'**

**Note:** Do not leave a voice mail message or business card if the investigation alleges abuse, neglect and exploitation by an alleged perpetrator with access to the client's home and phone.

**Determination of  
Unable to Locate**

The status of the case shall be designated as 'Inconclusive-Unable to Locate' when diligent efforts have failed to produce successful client contact.

**Client Relocation prior  
to initial contact**

The adult has relocated to another state or will be out of the state of Georgia for an extended period of time. If the new address is known to APS a referral should be made to the state where the adult currently resides.

**Completing  
Investigation by  
Allegation**

All investigations shall include the following:

- Face to face contact for interview and observation with the client, alone and apart from undue influence.
- Visit to current living arrangement.
- Review prior APS intervention and investigation outcomes.
- Screen the DAS Data System for client history in other Division of Aging programs.
- Collateral Contacts including but not limited to:
  - reporter;
  - alleged perpetrator;
  - all formal service providers;
  - household members over the age of 18;
  - all persons with knowledge about the circumstances/risk
- Upon completion of the investigation, the APS case manager shall have a discussion with the client to help determine next steps.
  - Discuss referral and any formal or informal services that have or need to be arranged on behalf of the client.
  - When additional assistance and referrals are declined provide the client with contact information for APS Central Intake, the ADRC (Aging and Disability Resource Center) and any other available and applicable resources.

**PROCEDURES  
Cont'**

Additionally, the APS case manager shall communicate with providers, and relevant individuals providing care/support the minimum information necessary to:

- Promote continued protection and safety of the client;
- Provide for continuity of services; or
- Ensure implementation of services.

**Note: Communication with those closely involved with the client is valued. However, in accordance with O.C.G.A § 30-5-7, details of the investigation shall not be shared.**

**When applicable**

- When required action by APS staff have not been taken staff will document reason for noncompliance.
- Obtain medical / mental health records or obtain information from medical / mental health professionals who are believed to have information about the client.
- Review client's financial records / information to determine if indicators are a sign of neglect, self-neglect and/or exploitation or as a result of a lack of resources.
- Determine if the client has a Power of Attorney (POA), Representative Payee or a conservator with authority over person in a fiduciary capacity that manages finances or property on behalf of the client.
- Take photographs/video of the client and the client's circumstances if relevant to the allegations. This action should not be taken if it is thought to impede the investigation by agitating the client or if the client requests that video/photos not be taken.

**Required Actions  
Sexual Abuse  
Investigations**

- Notify law enforcement by phone within one business day of receipt of report date if sexual assault is alleged for the purpose of medical evaluation and to request a joint interview.

**Required Actions  
Financial Exploitation  
Investigations**

- Obtain copies of financial information and identify the location of institutions where the client's assets may be located.
- Determine if the client has a Power of Attorney (POA), Representative Payee or a Conservator with authority in a fiduciary capacity that manages finances or property on behalf of the client.
- Determine if the allegation of exploitation has affected the client's ability to provide for his / her essential needs which may include but is not limited to:
  - Mortgage/rent
  - Home utilities
  - Medication
  - Food

**Note:** Utilize the Financial Worksheet for all alleged financial exploitation cases.

**REFERENCES**

[O.C.G.A. §30-5-4](#)  
[O.C.G.A. §30-5-5](#)  
[Financial Worksheet](#)  
[Investigation Matrix](#)