

SECTION 3004 – CLIENT INTERVIEW

<p>SUMMARY STATEMENT:</p>	<p>A visit shall be made to the adult who is the alleged victim of the A/N/E report as provided for in O.C.G.A. § 30-5-5(a). The case manager will observe and interview the adult who is the subject of the APS report in private within 10 calendar days of the report date. During the interview and observation, the case manager must focus on reported incidents of A/N/E, as well as any additional risks that may have not been reported.</p>
<p>BASIC CONSIDERATIONS</p>	<p>There may be links between the A/N/E allegations reported, and other types of maltreatment that might not have been reported. Abuse, neglect and exploitation are not always mutually exclusive of each other. For example, a person who is found to be neglected by their caregiver might also be financially exploited by the same caregiver, even though this was not reported at the point of intake. Case managers complete a thorough investigation and assessment by not only addressing the allegations reported but drawing possible links to other areas of risk.</p> <p>As provided under O.C.G.A. § 30-5-5 an investigation shall include a visit with the vulnerable adult. If the APS investigator is unable to gain access to the vulnerable adult as a result of interference by another person, APS may petition the court for an order authorizing the investigation and prohibiting interference. Any person willfully violating the order shall be in contempt of court and may be punished accordingly by the judge of the court issuing the order.</p>
<p>PROCEDURES</p> <p><u>Prepare for the initial visit</u></p>	<ul style="list-style-type: none"> • <u>Review</u> referral, directions and safety concerns • Read all previous APS history available • Check client status in other Aging Programs • Determine if a combined visit with a provider, collateral sharing the same concern, another APS staff member or law enforcement is needed. • Make unannounced visit <p>Note: Unannounced visits are optional for self-reported cases.</p>

PROCEDURES

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Interviewing the
Alleged Victim

APS Case Managers shall:

- Identify themselves to the client, caregivers and others, providing name, title and official identification.
- Explain the APS program, mandates to investigate, purpose of the investigation and give the client an idea of what to expect during the investigation.
- Observe and interview the client, addressing allegations, other areas of A/N/E and additional risks identified (i.e. hazardous living environment, existing medical/psychological conditions and lack of essential needs).
- Assess client for any functional and/or cognitive impairments. (*Refer 3003 DON-R and SLUMS*)
- Discuss adherence to confidentiality under the federal Health Information Portability and Privacy Act (HIPAA). Give the client a copy of the HIPAA Notice of Privacy Practices form and request that the client, Guardian or Power of Attorney sign a copy that will be kept in the client's case record.
- Request that a Release of Information (ROI) for medical providers, mental health providers and/or financial institutions with information be signed by the client.

Note: A ROI is not required during an APS investigation due to provisions in O.C.G.A § 30-5-1, et seq. However, use of the ROI may aid in the acquisition of documents.

- Summarize the interview with the client and explain next steps in the investigation, such as the need for collateral contacts.

All attempted, but unsuccessful contacts with the client and collateral contacts must be documented in detail in the electronic data system.

PROCEDURES

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**Interference
with Access to
Client**

If a case manager is denied access to the vulnerable adult by a third party:

- The case manager shall explain to the individual(s), i.e., "third party", the Agency's role/relationship, legal mandate, and that a court order can be obtained to gain access to the client. (Refer to O.C.G.A. § 30-5-5)
- If imminent danger is alleged immediately contact local law enforcement for assistance.
- If imminent danger is not alleged repeat contact shall be made no later than the following business day.
- If the case manager is again denied contact due to the interference of a third party, local law enforcement shall be contacted for assistance.
- If the case manager is still unable to gain access to the vulnerable adult, the case manager shall consult with his/her supervisor to determine if a petition to the court in accordance with O.C.G.A. § 30-5-5, for an order authorizing such services and prohibiting interference therewith should be filed by the SAAG
- If it is determined that a petition to gain access should be filed, the case manager shall contact the DAS Associate General Counsel who will work with the SAAG to file the petition with the appropriate court of jurisdiction.
- If the order is granted, the case manager should visit the client accompanied by law enforcement.

**Engaging Resistant
Clients**

Adult Protective Services has the authority to investigate all reports of A/N/E per O.C.G.A. § 30-5-1 through 10. The following steps shall be taken to engage resistant clients:

- Determine if scheduled face-to-face contact is preferred by the client
- Document attempts to engage the client.
- Gather other information i.e., collateral contacts to obtain information about the client's situation and possible risks.

- Contact the reporter and/or service providers to facilitate access to client.
- Consult with the supervisor.

REFERENCES

[O.C.G.A. §30-5-5](#)
*HIPAA Notice of Privacy Practices form
Release of Information*