

SECTION 4003 – ON-GOING ADULT PROTECTIVE SERVICES – CONSENT TO SERVICE

<p><b>SUMMARY STATEMENT:</b></p>	<p>In accordance with O.C.G.A. § 30-5-5(c), On-going Adult Protective Services (APS) shall be provided as a result of a determination that a disabled adult and/or elder person is at risk of abuse, neglect or exploitation and the adult consents to services.</p>
<p><b>BASIC CONSIDERATIONS</b></p>	<p>Protective services may not be provided under this chapter to any person who does not consent to such services or who, having consented, withdraws such consent. Nothing in this chapter (O.C.G.A. § 30-5-1 thru 10) shall prohibit the department from petitioning for the appointment of a guardian for a disabled adult or elder person pursuant to Chapters 4 and 5 of Title 29. O.C.G.A. § 30-5-5(e)</p> <p>Client's consent or the consent of the legal guardian is required for on-going APS except when a legal intervention i.e. petition for guardianship/conservatorship has been filed. Communication with anyone other than the client or the client's legal guardian shall only be done with the consent of the client or guardian. This applies to all parts of this policy section where discussion of the Ongoing Client's case with any caregivers, family, or providers in mentioned Consent can be withdrawn by client at any time.</p>
<p><b>PROCEDURE</b></p> <p><b>Consent Required</b></p>	<p>The client and/or their legal guardian must demonstrate consent for <u>Standard Ongoing Services</u> through the signing of the Case Plan developed by the Case Manager in accordance with the wishes and needs of the client.</p> <p>Clients who have given verbal consent for APS to make a referral for services through the Aging and Disability Resource Connection (ADRC) may be moved into <u>Short-term Ongoing</u> services for the purpose of follow-up that extends beyond the 45-day investigation period.</p> <p>Cases where Temporary Emergency Respite Fund (TERF) have been used, consent shall extend to <u>Short-Term ongoing</u> services for the purpose of assuring a</p>

**PROCEDURE contd.**

stable living arrangement only. If TERF services exceeds days allowable through the program, and no appropriate and willing individual has been identified to take responsibility for the adult, the Division of Aging Services will assist in finding a more permanent and appropriate living situation for the TERF recipient. Any other service provided to the TERF recipients shall not be given without the written or verbal consent of the adult.

**Consent Not Required**

When APS petitions for the appointment of a Guardian and/or Conservator a case shall be opened for Short-term On-going services pending the decision of the court.

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**REFERENCES**

[Georgia's Disabled Adults and Elder Persons Protection Act, O.C.G.A §30-5-5](#)