

**NEW YORK STATE OFFICE FOR THE AGING**

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Kathy Hochul, Governor

Greg Olsen, Acting Director

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**INFORMATION MEMORANDUM**

**Number 21-IM-01**

**Supersedes N/A**

**Expiration Date N/A**

**DATE:** November 4, 2021

**TO:** AAA Directors; Elder Abuse Interventions and Enhanced Multidisciplinary Team (E-MDT) Initiative Statewide Leads; and E-MDT Regional Hub Leads

**SUBJECT: New Legislation – Elder Abuse Enhanced Multidisciplinary Team Program**

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**PURPOSE:** The purpose of this Memorandum is to clarify certain provisions of Chapter 223 of New York’s Laws of 2021, which created a new Section 225 in NYS Elder Law authorizing the New York State Office for the Aging (NYSOFA) to establish an Elder Abuse Enhanced Multidisciplinary Team (E-MDT) program.

**BACKGROUND:** The Elder Abuse E-MDT model was piloted in eight counties from 2012-2016 using federal grant funds awarded to NYSOFA from the U.S. Administration on Aging (AoA)/Administration for Community Living (ACL). During 2016-2017, New York State (NYS) provided funding to sustain the existing E-MDTs and establish or enhance teams in five additional counties, for a total of thirteen. Starting in 2017, the New York City Department for the Aging (DFTA) also began funding E-MDTs in New York City.

Building upon this success, in September 2017 the NYS Office of Victim Services (OVS) and NYSOFA partnered to establish and implement the Elder Abuse Interventions and E-MDT Initiative to establish E-MDTs in every county. The Elder Abuse E-MDT Initiative is overseen by NYSOFA and coordinated statewide by Lifespan of Greater Rochester Inc. (Lifespan.) Lifespan and the New York City Elder Abuse Center (NYCEAC)/Weill Cornell Medicine (WCM) work together to provide technical assistance and training to E-MDTs across New York State and with NYSOFA to provide strategic planning for the Initiative. DFTA continues to also fund E-MDTs in New York City.

The Elder Abuse E-MDT Initiative is implemented in New York State through a network of regional organizations that administer program implementation and provide E-MDT Coordinator services for each county in an established region. Eleven regions have been established for the Elder Abuse E-MDT Initiative (Attachment: Elder Abuse E-MDT Regions Map). County-based E-MDTs bring together professionals in that county to stop all forms of elder abuse - financial exploitation, physical abuse, psychological abuse, sexual abuse, and neglect by others - at the earliest possible juncture. The primary focus for team meetings is to review, discuss, and intervene in cases of elder abuse, restoring safety and security of older adults, and protecting their assets. Together, team members achieve this through coordinated case reviews and tailored responses to each situation.

Chapter 223 of the Laws of 2021, which went into effect on July 1, 2021, created a new Section 225 of the New York State Elder Law. Section 225 authorizes NYSOFA to establish an Elder Abuse E-MDT program consisting of teams established at the regional or county level. The purpose of the teams is to provide a coordinated response to complex cases of elder abuse. Each team is made up of professionals from selected public, private, and voluntary agencies representing different disciplines. Section 225 also provides for and identifies the role of an Elder Abuse E-MDT coordinator for each such team. Section 225 allows for the sharing among team members of client-identifiable information regarding victims of elder abuse for purposes of facilitating team activities.

### Intent

The Elder Abuse E-MDT Initiative lacked the statutory authorization, protections, and clarifications afforded to similar programs, such as child abuse MDTs authorized by Subdivision 6 of Section 423 of the Social Services Law. For instance, county and other local organizations participating on county-based Elder Abuse E-MDTs had expressed concern around the sharing of victim information during case discussions absent explicit allowance for such disclosures. This had created uncertainties that at times made it difficult for county Elder Abuse E-MDTs to effectively review and intervene in complex elder abuse cases. Chapter 223 is intended to address these issues, thereby allowing the Elder Abuse E-MDT Initiative to continue operating in the most effective and efficient manner to help address complex cases.

### Authorization for NYSOFA to establish an Elder Abuse E-MDT program

Section 225 authorizes NYSOFA to establish an Elder Abuse E-MDT program. Subdivision 1 of Section 225 states “the Office is hereby authorized, subject to appropriation of funds for the program, to establish an elder abuse enhanced multidisciplinary team program . . .” Subdivision 5 of Section 201 states that whenever “office” is used in Elder Law, it “shall refer to the state office for the aging.”

Team Membership

Subdivision 2 outlines the Elder Abuse E-MDT members that serve on county-based teams. E-MDTs shall consist of professionals representing a variety of public, private, not-for-profit, and voluntary agencies. These may include, but are not limited to, the local Office for the Aging and other aging service providers, Adult Protective Services, mental health professionals, health care providers, social workers, human services providers, banking/financial institutions, civil legal services, district attorney’s offices, law enforcement agencies, and forensic accountants. Professionals participating in Elder Abuse E-MDT meetings should generally be authorized to make decisions on behalf of their agency.

E-MDT Coordinator

Subdivision 3 establishes the role of the Elder Abuse E-MDT Coordinator. The E-MDT Coordinator provides case consultations to professionals making referrals to the E-MDTs, triages cases, facilitates E-MDT meetings, monitors the progress of each case, and facilitates coordination and cooperative action planned by professionals and agencies for the provision of appropriate services to elder abuse victims. There may also be other duties associated with the role, such as making required reports to funders.

Information Sharing

Subdivision 4 authorizes members of an Elder Abuse E-MDT—despite any other laws to the contrary—to share with other team members client-identifiable information concerning elder abuse victims as appropriate to facilitate team review to develop recommendations on action steps and other activities, with confidentiality provisions in place. This provision was modeled on a similar provision in Subdivision 6 of Section 423 of the Social Services Law authorizing child abuse MDTs.

Attachment: Elder Abuse E-MDT Regions Map

- PROGRAMS AFFECTED:**
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|--------------------------------------|--|--|
| <input type="checkbox"/> Title III-B | <input type="checkbox"/> Title III-C-1   | <input type="checkbox"/> Title III-C-2 |
| <input type="checkbox"/> Title III-D | <input type="checkbox"/> Title III-E   | <input type="checkbox"/> CSE           |
| <input type="checkbox"/> SNAP        | <input type="checkbox"/> Energy  |  |
| <input type="checkbox"/> EISEP       | <input type="checkbox"/> NSIP  | <input type="checkbox"/> Title V       |
| <input type="checkbox"/> HIICAP      | <input type="checkbox"/> LTCOP   |  |
| <input type="checkbox"/> NY Connects | <input checked="" type="checkbox"/> Other: OVS/VOCA Elder Abuse Enhanced Multidisciplinary Team (E-MDT) Initiative |  |

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Attachment: Elder Abuse E-MDT Regions Map

