



Protection From Financial Abuse

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Human Options

Safe Options For Seniors Program



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**WORLD ELDER ABUSE
AWARENESS DAY**

Goals & Objectives

- ▶ Define elder abuse
 - Prevalence
 - Vulnerability factors
 - Types
- ▶ Define financial abuse
- ▶ Scams
- ▶ Tips
- ▶ Who Do I Report To

Penal Code 368 - Elder Abuse

- ▶ The crime of elder and dependent adult abuse refers to the infliction of **unjustifiable physical pain or mental suffering** upon an elder or dependent adult or to **theft or embezzlement** by a caretaker.
- ▶ A caretaker is any person who has the care, custody or control of, or **stands in a position of trust** with an elder or dependent adult. This includes paid or unpaid caretakers.

National Prevalence

- ▶ 1 in 9 seniors reported being abused, neglected or exploited in the past year; the rate of financial exploitation is extremely high, with 1 in 20 older adults indicating some form of financial mistreatment occurring in the recent past.
- ▶ Elder abuse is vastly under-reported; only 1 in 44 cases of financial abuse is ever reported.
- ▶ Abused seniors are three times more likely to die prematurely and elder abuse victims are four times more likely to go into a nursing home.
- ▶ 90% of abusers are family members or trusted others
- ▶ Almost 1 in 10 financial abuse victims will turn to Medicaid/Medicare as a direct result of their own monies being stolen from them.

▶ NAPSA (National Adult Protective Services Association, 2016)

Prevalence in Orange County

- ▶ Orange County Adult Protective Services took 10,846 reports of abuse in 2015.
- ▶ In elder abuse cases, 65% of alleged abusers in Orange County were family members.
- ▶ The most common form of abuse reported in 2015 by APS in Orange County was “financial abuse”.

▶ (Orange County, CA, APS, 2015)

Types of Elder Abuse

- ▶ Physical
- ▶ Sexual
- ▶ Financial
- ▶ Neglect/Self-neglect
- ▶ Abandonment
- ▶ Isolation
- ▶ Abduction
- ▶ Psychological

Definition of Financial Elder Abuse

Any situation in which a person who stands in a position of trust to an elder or dependent adult takes their money for any wrongful use or with the intent to defraud.

Welfare and Institutions Code 15610.3



Vulnerability Factors

- ▶ “Nest egg”
 - Retirement \$
 - Own their own home
- ▶ Grief
 - Depression, loneliness
- ▶ May be more trusting
 - Raised during an era where you could trust neighbors, not lock your door

Vulnerability Factors continued...

- ▶ May have a disability or impairment
 - Physical
 - Hearing/Vision impaired
 - Cognitive
 - May believe the scam is real
 - May be a poor historian on details

Vulnerability Factors continued...

- ▶ Saying “no” is not polite
- ▶ May be less likely to report
 - May not know they were scammed
 - Too embarrassed or ashamed
 - Do not want others to think they do not have the mental capacity to take care of themselves

Financial Abuse Scams

- ▶ IRS tax debt scam
- ▶ Jury duty scam
- ▶ Lottery/sweepstakes scam
- ▶ Grandparent scam
- ▶ Investment scam
- ▶ Medi-Cal/Medicare fraud
- ▶ Funeral/cemetery scam
- ▶ Home repair scams

IRS Scam

- ▶ “There is a case against you”
 - **By phone**
- ▶ A scammer calls and tells you the IRS has a case against you, or you owe money to the IRS and it needs to be paid immediately.
- ▶ https://www.youtube.com/watch?v=A6yAylo_DNY

IRS Scam continued...

▶ What you should know:

- The IRS does not call you on the phone unless you have reached out to them first
- The IRS will not email you
- The IRS will not sue you or take you to court, they have their own collection methods

IRS Scam continued...

► To Report:

- Obtain the employee's name, badge number, and caller ID if available
- Call **(800) 366-4484** to see if the person is actually from the IRS
- Send an email to: **phishing@irs.gov** with subject line "IRS Scam"

IRS Scam continued...

- ❖ Correspondence is normally through the mail. If the letter looks fake, have someone else call the number for you, or call with you to make sure it is legitimate.
- ❖ Never give out personal or credit card information when you receive an unsolicited phone call.
- ❖ Hang up! Don't worry about being polite or that you may offend someone. It's not rude to hang up with a scammer.

Jury Duty Scam

- ▶ “You missed jury duty and now there’s a warrant out for your arrest”
 - **By phone**
- ▶ **Need to get verification**
 - May ask for your birth date, social security number, and possibly a credit card number

Jury Duty Scam continued...

- ▶ Solution
 - Pay a fine via credit card to avoid being arrested
- ❖ Tip - Court officers normally do not call over the phone; they correspond with prospective jurors through the mail

Lottery/Sweepstakes Scams

- ▶ “You have won the lottery”
 - **By phone, direct mail, or email/internet**
 - Fees & Taxes
 - “You must pay ‘fees and taxes’ before collecting your grand prize”
 - Custom Fees
 - “Your prize is being held up at customs and you need to send a money order to get it”

Lottery/Sweepstakes Scams continued...

- ▶ After Fees have been paid:
 - Fake “lottery winnings” check is sent to you
 - You deposit it into your bank account
 - Check bounces
 - rejected after deemed fraudulent
 - Money removed from bank account
 - Meanwhile, scammer has cashed the original check for “fees or taxes” or “customs fees” and is long gone.

Lottery/Sweepstakes Scams continued...

- ❖ If you are offered a “prize”, “loan”, or “investment” that sounds too good to be true, it probably is...hang up or destroy the letter.
- ❖ Never give out personal or credit card information when you receive an unsolicited phone call.

Grandparent Scams

- ▶ Pretending to be a grandchild or great grandchild
 - By phone or email
- ▶ “Hi, grandma! Don’t you know who this is?”
 - They get you to say a name
 - Pretend to be that person
 - Ask for assistance in the form of money

Grandparent Scams continued...

- ▶ It doesn't sound like you?
 - Bad reception
 - Blame it on cell phones or Bluetooth
- ▶ How do they know?
 - Facebook or other social media websites
 - Where they go on vacation
 - Where their grandchildren live

Grandparent Scams continued...

- ▶ Reasons they need money:
 - Arrested/In jail
 - Need to get bailed out
 - Hospital
 - Sick or had an accident
 - Stolen wallet
 - Need to get home
- ▶ Hang up!

Investment Scams

- ▶ Planning for retirement or managing your savings
- ▶ Beware of:
 - Con artists posing as financial advisors
 - Ponzi schemes like Bernie Madoff
 - Advanced fees
- ▶ Obtain a salesperson's name, business identity, telephone number, street address, mailing address, and business license number before you do business. Always verify this information because scammers will give fake information.

Investment Scam continued...

- ▶ Always ask for and wait to get written material before making costly investments and go to someone you trust for financial advice to review it.
- ▶ Before you make an investment make sure you know what percentage goes to commissions and what percentage goes to the investment.
- ▶ Check out the investment before investing by calling the Department of Business Oversight (DBO): **(866) ASK-CORP** or **(866) 275-2677** or on their website: **www.dbo.ca.gov**
- ❖ BDO regulate and license financial service providers

Medi-Cal/Medicare Fraud

- ▶ Medical Equipment
 - Manufacturers will offer “free products”
 - Then bill the individual’s insurance
 - Products may not be needed
 - Products may not be received
 - Physicians must sign off on and all medical equipment, therefore fraudulent acts may include fake signatures.

Medi-Cal/Medicare Fraud continued...

▶ Fake Health Exams

- “Rolling labs” where individuals are offered “fake” health exams at various places like health clubs or shopping malls and their insurance provider is billed.

▶ Services Not Performed

- Insurance providers are billed for services the customer never received.

Medi-Cal/Medicare Fraud continued...

- ▶ Do not give your Medicare or Medi-Cal card or numbers to anyone other than your medical professional
- ▶ Do not do business with door-to-door salesmen who tell you medical equipment or other products are “free”
- ▶ If you are in need of medical equipment make sure you have asked your medical provider what they will charge and what you will be responsible for out-of-pocket

Medi-Cal/Medicare Fraud continued...

- ▶ If you receive a wheelchair or any assistive device you did not ask for report it immediately to the Medicare/Medi-Cal hotline phone number printed on your card.
- ▶ Never sign blank or incomplete forms claim forms

Obituary Scams

- ▶ Through obituaries the scammer calls the decedent's family to demands money for unpaid debts.
- ▶ Sends a package to the home of the recent decedent as “cash-on-delivery” stating they ordered something and it needs to be paid for immediately.

Funeral Scams

- ▶ Trying to have you pay for an expensive casket or saying you need an expensive casket even for cremation, when a less expensive casket will do.
- ▶ Embalming is governed by state laws. It is not legally required for cremations.

Cemetery Scams

- ▶ Cemetery
 - Adding on unnecessary charges
 - Shop around, get things in writing before making a decision
 - Know the difference between basic fees and what is additional
- ▶ Tip - Verify sales pitches for funeral arrangements with the Cemetery and Funeral Bureau at (916) 574-7870 or www.cfb.ca.gov (what is required and not required by law)

Home Repair Scams

- ▶ Solicited
 - Needs things repaired at home
 - Hire a handyman

Home Repair Scams continued...

▶ Various Scams

- Overcharging for the work and doing a dissatisfactory job
- Handyman asking for money up front
 - Once paid they never come back
 - May start work and never return to finish
- ❖ Tip - Do not pay in advance for services. Pay after services have been completed

Home Repair Scams continued...

▶ Unsolicited Phone/Email

- May receive a call saying “your new air conditioner has arrived and we are ready to come install it but we need your credit card to make the payment before installation can be made”.
- May pay because they are too embarrassed to admit they forgot they ordered it.

Home Repair Scams continued...

- ▶ Unsolicited - In person
 - Can work in teams of 2 or more
 - Say they are from your local cable, phone, or electric company and that a problem has been found at your residence.

Home Repair Scams continued...

- ▶ First, they investigate and say they found a more serious problem
 - ask for payment up front
 - may pretend to fix it
- ▶ One worker distracts the person while the other pretends to make the repairs but instead is stealing money and other valuables.
- ▶ Use obituaries and go to the address saying something needs to be fixed, like a hole in the roof or clogged drainpipe.
 - ❖ Tip - Before doing a home improvement project contact Contractors State License Board (800) 321-2752³⁸ (www.cslb.ca.gov)

Tips

- ▶ Do not allow yourself to be pressured into making decisions including purchases (big or small), signing contracts, or sending/wiring money.
- ▶ Carefully read any and all contracts or purchasing agreements.
- ▶ Do not sign documents you do not completely understand without first consulting with an attorney or family member you trust.
- ▶ Always check your own bank, credit, and insurance statements. Make sure there are not any charges you are unaware of.
- ▶ To prevent identity theft, tear up or shred credit card receipts, bank statements, and financial records before disposing of them in the trash.

Tips continued...

- ▶ Before you send money ask yourself, “What guarantee do I have that this person will use the money in the way we have agreed upon.
- ▶ If you have been victimized be suspicious of those calling to offer you help in recovering your losses for a fee paid in advance.
- ▶ Beware of fake charities. To find out if a charity is registered check the following website (<https://oag.ca.gov/charities>) or check with your Better Business Bureau (www.bbb.org).
- ▶ Check out unfamiliar businesses through the Better Business Bureau (www.bbb.org), the State Attorney General (<https://oag.ca.gov/bmfea>), the National Fraud Information Center (<http://www.fraud.org/>), or other watchdog groups, but unfortunately not all bad businesses can be identified.

Tips continued...

- ▶ Be suspicious of companies that want to send a courier to your home to pick up money claiming that is included in their service. Scammers like to use this method so that there is no trace of who they are or where they can be reached.
- ▶ Get on the Do Not Call Registry: www.donotcall.gov
- ▶ or call (888) 382-1222.
- ▶ Get caller ID on your phone and only pick up if you recognize the caller. Allow other calls to go to voicemail. You can always call the person back if it is someone you want to speak to.

Tips continued...

- ▶ When buying prescriptions online make sure to get them from a reputable source. Individuals have received fake prescriptions or other medications in place of what they were supposed to receive that could have dangerous consequences if taken.
- ▶ If you hire someone for personal assistance services or in-home care services, make sure they have been properly screened with criminal background checks. Ask for certifications when appropriate.
- ▶ Whether you have a family member in a care facility or an in-home caregiver be involved in their care and check-in frequently.

Tips continued...

- ▶ Do not give in to family members who are asking for financial assistance you can not provide...get help if they become threatening.
- ▶ Make sure your assets are protected by getting a revocable trust.
- ▶ Durable power of attorney for finances
- ▶ Advanced Health Care Directive for healthcare
- ▶ If you have any information about fraud or a scam, report it to your state, federal or local law enforcement agencies.

Who Do I Report To?

▶ IRS Scams

- Call (800) 366-4484 to see if the person is actually from the IRS
- Send an email to: **phishing@irs.gov** with subject line “IRS Phone Scam”

▶ Medicare Scams

- Senior Medicare Patrol Fraud Hotline: (855) 613-7080 or **www.smpresource.org**

Who Do I Report To?

▶ Medi-Cal Scams

- Report to the Attorney General
- Hotline for fraud: (800) 722-0432
- File a complaint: <https://oag.ca.gov/bmfea>

▶ Scams, identity theft, unwanted telemarketing

- Report to the Federal Trade Commission
- Call 1-877-FTC-HELP or visit <https://www.ftccomplaintassistant.gov/>

Who Do I Report To?

- ▶ Report elder abuse to:
 - Adult Protective Services
 - (800) 451-5155
- ▶ Local law enforcement (Police/Sheriff)

Who Do I Report To?

- ▶ Do Not Call Registry: www.donotcall.gov or call (888) 382-1222
- ▶ Financial Fraud Enforcement Task Force
 - List of other agencies to report to:
 - <http://www.stopfraud.gov/report.html>