

Pocket Guide on Elder Investment Fraud and Financial Exploitation

Should I be concerned?



Red Flags in patient/client history:

- Social Isolation
- Bereavement
- Dependence on another to provide care
- Financially responsible for adult child or spouse
- Alcohol or drug abuse
- Depression or mental illness

Red Flags from clinical observations:

- Cognitive problems
- Fearful, emotionally labile, or distressed
- Suspicious, delusional
- Change in appearance, poor hygiene
- Accompanied by caregiver who is overly protective; dominates patient/client
- Change in ability to perform activities of daily living, including self-care, daily finances, medication management



How do I ask about financial capacity?

Introductory question:

We find that some older adults worry about money; may I ask you a few questions about this?

Questions you can ask:

1. Who manages your money day to day? How is that going?
2. Do you run out of money at the end of the month?
3. Do you regret or worry about financial decisions you've recently made?
4. Have you given power of attorney to another person?
5. Do you have a will? Has anyone asked you to change it?

If answers raise suspicion, see the following four referral sections or probe for further details by using the Financial Concerns Checklist. This checklist may also be added to the patient/client information packet and completed during intake.

What types of referral may be needed?

1. Further social assessment, help with managing money, or other care.

Poor resource management or limited resources available — needs assistance with finances, meals, transportation, ADL's.

2. Legal advice or protection.

Needs assistance with financial planning or legal documentation.

3. Fraud and exploitation may have occurred.

In most states, reporting to APS is required by law. It can be reported orally and confidentially without civil or criminal liability.

4. Further medical evaluation.

Needs assessment for cognitive, neurological, or other conditions.

Resources for social services and investor protection:

National Center on Elder Abuse

ncea.acl.gov

United Way

www.211.org

Aging Life Care Association

www.aginglifecare.org

Case Management Society of America

www.cmsa.org

North American Securities Administrators Association

www.nasaa.org

Investor Protection Trust

www.investorprotection.org

Resources for legal advice or protection:

National Academy of Elder Law Attorneys (NAELA)

www.naela.org

Resources for potential fraud or exploitation:

Adult Protective Services (APS)

www.napsa-now.org/get-help/help-in-your-area/

Resources for further medical evaluation:

Specialists such as a geriatrician, neurologist, psychiatrist, or psychologist may be warranted. The MiniCog (<http://geriatrics.uthscsa.edu/tools/MINICog.pdf>) and Financial Capacity Instruments (<http://n.neurology.org/content/90/3/126>) may be useful tools for use to screen for vulnerability to EIFFE.

Financial Concerns Checklist

Are you having any of the following common concerns?

- I have trouble paying bills because the bills are confusing to me.
- I don't feel confident making big financial decisions alone.
- I don't understand financial decisions that someone else is making for me.
- I give loans or gifts more than I can afford.
- My children or others are pressuring me to give them money.
- People are calling me or mailing me asking for money, lotteries.
- Someone is accessing my accounts or money seems to be disappearing.

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