

Explanation of the “Mandatory Training for Adult Protective Services Professionals: Provisions and Citations in Adult Protective Services Laws, by State” Chart

(Laws current as of 12/31/06)

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Research conducted on Westlaw compliments of West Group

The chart addresses the adult protective services (APS) laws for each state, the District of Columbia, Guam, Puerto Rico, and the Virgin Islands. This explanation and the chart refer to these jurisdictions generically as “state” or “states.”

Unless otherwise indicated, this explanation (1) uses the term “abuse” generally to include abuse, neglect, and exploitation, and (2) uses “elder abuse” to include elder abuse and adult abuse.

CAUTION: This chart is based only on the state APS laws; APS regulations were not reviewed. It is important to recognize that there may be other state laws or regulations or federal laws or regulations that address the issue covered by this chart.

NOTE: A few states have multiple laws. Some of those states have separate elder protective services (EPS) laws and APS laws, and those laws are designated in the chart by following the state abbreviation with “EPS” or “APS.” Some states have more than one APS law, and those laws are designated in the chart by following the state abbreviation with #1 or #2. Unless otherwise indicated in this explanation or the chart, both APS and EPS laws will generally be referred to as APS laws.

I. Why We Developed This Chart

Adult protective services professionals do very challenging work. They need to have knowledge of multiple issues, including: state laws, regulations, and policies governing the APS program; ethics; legal issues such as consent and capacity; issues related to physical, sexual, and psychological abuse, financial exploitation, neglect, self-neglect; community resources; and much more. Training for new and experienced workers is imperative.

State and federal legislative staff, other policy makers, program administrators, practitioners, educators, researchers, reporters, and others often want to know how many states have laws mandating training of APS professionals and what those laws say. The “Mandatory Training for Adult Protective Services Professionals: Provisions and Citations in Adult Protective Services Laws, by State” chart offers the answers to those questions, but only from the APS laws.

NOTE: It is not necessary to have a law mandating training of APS professionals for such training to occur. There are many states and communities that have regulations or program policies requiring and/or providing for training, even though there is no mandating provision in the state APS law.

II. Detailed Explanation of the “Mandatory Training for Adult Protective Services Professionals: Provisions and Citations in Adult Protective Services Laws, by State” Chart

This chart contains the following two columns:

1. State. This chart only includes states that have provisions on mandatory training for APS professionals.
2. Statutory Provision(s) and Citation(s). The pertinent statutory provision(s) and citation(s) governing mandatory training for APS professionals are presented in this column. They are copied verbatim from the state laws.

III. If You Find an Error

We strived to be consistent in our interpretation and categorization of the statutes. Despite our best efforts, we may have made errors. It is also possible that APS or other professionals interpret a statute differently than we did or there are state regulations or policies that lead to a different interpretation. Additionally, state laws may have changed since December 31, 2006. If you think we erred or your state has a regulation or policy that leads to a different interpretation, please contact Lori Stiegel of the American Bar Association Commission on Law and Aging at lstiegel@staff.abanet.org or 202-662-8692.

¹ The views expressed herein have not been approved by the House of Delegates or the Board of Governors of the American Bar Association and, accordingly, should not be construed as representing the policy of the American Bar Association.

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