

**THRESHOLD ELIGIBILITY FOR ADULT PROTECTIVE SERVICES: CRITERIA, PROVISIONS
AND CITATIONS IN ADULT PROTECTIVE SERVICES LAWS, BY STATE**

(Laws current as of 12/31/06)

Prepared by Lori Stiegel and Ellen Klem of the American Bar Association Commission on Law and Aging¹ for
the National Center on Elder Abuse²

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CAUTION: Read the explanation of this chart before relying upon the chart. You can find the explanation
online at <http://www.abanet.org/aging/about/elderabuse.shtml>.

Color code:
Yellow = Age
Turquoise = Condition
Pink = Function
Gray = Lacks Assistance
Bright green = Living Situation
Blue = Receiving Services
Red = Has Guardian or Conservator

STATE	AUTHORIZATION	PERSONS ELIGIBLE	CRITERIA
Alabama	<p>“Protective Services” means “[t]hose services whose objective is to protect an incapacitated person from himself or herself and from others.” Ala. Code § 38-9-2(18)</p>	<p>“Adult in need of protective services” is defined as “a person 18 years of age or older whose behavior indicates that he or she is mentally incapable of adequately caring for himself or herself and his or her interests without serious consequences to himself or herself or others, or who, because of physical or mental impairment, is unable to protect himself or herself from abuse, neglect, exploitation or sexual abuse, or emotional abuse by others, and who has no guardian, relative, or other appropriate person able, willing, and available to assume the kind</p>	<p>Age</p> <p>Condition Function</p> <p>Condition Function</p> <p>Lacks Assistance</p>

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		and degree of protection and supervision required under the circumstances.” Ala. Code § 38-9-2(2)	
Alaska	“‘Protective services’ means services that are intended to prevent or alleviate harm resulting from abandonment, exploitation, abuse, neglect, or self-neglect and that are provided to a vulnerable adult in need of protection.” Alaska Stat. § 47.24.900(11)	“ Vulnerable adult ” is defined as “a person 18 years or older who, because of physical or mental impairment, is unable to meet the person’s own needs or to seek help without assistance.” Alaska Stat. § 47.24.900(16)	Age Condition Function
Arizona	“‘Protective services’ means a program of identifiable and specialized social services that may offer social services appropriate to resolve problems of abuse, exploitation or neglect of an incapacitated or vulnerable adult .” Ariz. Rev. Stat. Ann. § 46-451(A)(8)	“ Vulnerable adult ” is defined as “an individual who is eighteen years of age or older who is unable to protect himself from abuse, neglect or exploitation by others because of a physical or mental impairment.” Ariz. Rev. Stat. Ann. § 46-451(A)(10) “ Incapacity ” is defined as “an impairment by reason of mental illness, mental deficiency, mental disorder, physical illness or disability, advanced age, chronic use of drugs, chronic intoxication, or other cause to the extent that the person lacks sufficient understanding or capacity to make or communicate informed decisions concerning his person.” Ariz. Rev. Stat. Ann. § 46-451(A)(5)	Age Function Condition Age (by reference to authorization) Condition Function
Arkansas (#1) Ark. Code Ann. §§ 12-12-1701 – 12-12-1721 <i>(relating to reporting & investigation)</i>	“The Department of Human Services shall have jurisdiction to investigate all cases of suspected maltreatment of an endangered or impaired person .” Ark. Code Ann. § 12-12-1710(a)	“‘ Endangered person ’ means: (A) A person eighteen (18) years of age or older who: (i) Is found to be in a situation or condition that poses a danger to himself or herself;	Age Condition

STATE	AUTHORIZATION	PERSONS ELIGIBLE	CRITERIA
		<p>and</p> <p>(ii) Demonstrates a lack of capacity to comprehend the nature and consequences of remaining in that situation or condition;</p> <p>or</p> <p>(B) A resident of a long-term care facility who:</p> <p>(i) Is found to be in a situation or condition that poses an imminent risk of death or serious bodily harm to the long-term care facility resident;</p> <p>and</p> <p>(ii) Demonstrates a lack of capacity to comprehend the nature and consequences of remaining in that situation or condition.” Ark. Code Ann. § 12-12-1703(5)</p> <p>“‘Impaired person’ means a person eighteen (18) years of age or older who as a result of mental or physical impairment is unable to protect himself or herself from abuse, sexual abuse, neglect, or exploitation.</p> <p>(B) For purposes of this subchapter, a long-term care facility resident is presumed to be an impaired person;” Ark. Code. Ann. § 12-12-1703(8)(A) & (B)</p>	<p>Function</p> <p>Living Situation</p> <p>Condition</p> <p>Function</p> <p>Age Condition Function</p> <p>Living Situation</p>
Arkansas (#2) Ark. Code Ann. §§ 9-20-101 – 9-20-121 (authorizing APS to take	“‘Protective services’ means services to protect an endangered or impaired adult from: (i) Self-neglect or self-	“‘ Endangered adult ’ means: (A) An adult eighteen (18)	Age

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<p>victims into protective custody)</p>	<p>abuse; or (ii) Abuse or neglect by others. (B) Protective services may include: (i) Evaluation of the need for services; (ii) Arrangements or referrals for appropriate services available in the community; (iii) Assistance in obtaining financial benefits to which the person is entitled; or (iv) As appropriate, referrals to law enforcement or prosecutors;” Ark. Code Ann. § 9-20-103(15)</p>	<p>years of age or older who:</p> <p>(i) Is found to be in a situation or condition that poses a danger to himself or herself;</p> <p>and</p> <p>(ii) Demonstrates a lack of capacity to comprehend the nature and consequences of remaining in that situation or condition; or</p> <p>(B) An adult resident of a long-term care facility who:</p> <p>(i) Is found to be in a situation or condition that poses an imminent risk of death or serious bodily harm to that person;</p> <p>and</p> <p>(ii) Demonstrates a lack of capacity to comprehend the nature and consequences of remaining in that situation or condition;” Ark. Code Ann. § 9-20-103(5)</p> <p>“‘Impaired adult’ means a person eighteen (18) years of age or older who, as a result of mental or physical impairment, is unable to protect himself or herself from abuse, sexual abuse, neglect, or exploitation.</p> <p>(B) For purposes of this chapter, residents of a long-term care facility are presumed to be impaired persons;” Ark. Code Ann. § 9-20-103(8)</p>	<p>Condition</p> <p>Function</p> <p>Living Situation</p> <p>Condition</p> <p>Function</p> <p>Age Condition</p> <p>Function</p> <p>Living Situation</p>

STATE	AUTHORIZATION	PERSONS ELIGIBLE	CRITERIA
California	<p>“Adult protective services means those preventive and remedial activities performed on behalf of elders and dependent adults who are unable to protect their own interests, harmed or threatened with harm, caused physical or mental injury due to the action or inaction of another person or their own action as a result of ignorance, illiteracy, incompetence, mental limitation, substance abuse, or poor health, lacking in adequate food, shelter, or clothing, exploited of their income and resources, or deprived of entitlement due them.” Cal. Welf. & Inst. Code §15610.10 [NOTE: The criteria in this provision are different from the criteria contained in the next column; they are not threshold criteria. Instead they are criteria for determining whether elder or dependent adults need the case management or services that APS can offer. See Explanation of the “Threshold Eligibility Criteria for Adult Protective Services” Chart Series.]</p>	<p>“Elder” is defined as “any person residing in this state, 65 years of age or older.” Cal. Welf. & Inst. Code § 15610.27</p> <p>“Dependent adult means any person between the ages of 18 and 64 who resides in this state and who has physical or mental limitations that restrict his or her ability to carry out normal activities or protect his or her rights, including, but not limited to, persons who have physical or developmental disabilities, or whose physical or mental abilities have diminished because of age.”</p> <p>It also includes “any person between the ages of 18 and 64 who is admitted as an inpatient to a 24-hour health facility, as defined in Sections 1250, 1250.2, and 1250.3 of the Health and Safety Code.” Cal. Welf. & Inst. Code § 15610.23</p>	<p>Age</p> <p>Age</p> <p>Condition</p> <p>Function</p> <p>Condition (continued)</p> <p>Age</p> <p>Living Situation</p>
Colorado	<p>““Protective services” means services provided by the state or political subdivisions or agencies thereof in order to prevent the mistreatment or self-neglect of an at-risk adult.” Colo. Rev. Stat. Ann. § 26-3.1-101(6)</p>	<p>An “at-risk” adult is defined as “an individual eighteen years of age or older who is susceptible to mistreatment as such term is defined in subsection (4) of this section or self-neglect as such term is defined in subsection (7) of this section because the individual is unable to perform or obtain services necessary for the individual’s health, safety, or welfare or lacks sufficient understanding or capacity to make or communicate responsible</p>	<p>Age</p> <p>Function</p>

STATE	AUTHORIZATION	PERSONS ELIGIBLE	CRITERIA
		decisions concerning the individual's person or affairs." Colo. Rev. Stat. Ann. § 26-3.1-101(1)	
Connecticut	No general statement explaining the authority of APS is provided, but the program is known as " Protective Services for the Elderly ." Conn. Gen. Stat. Ann. § 17b-450 et seq.	" Elderly person " is defined "as any resident of Connecticut who is sixty years of age or older ." Conn. Gen. Stat. Ann. § 17b-450(1)	Age
Delaware	"Protective services are services furnished to an infirm or incapacitated adult in an emergency situation as defined in § 3902 of this title." Del. Code Ann. tit. 31, § 3904(a)	" Infirm adult " is defined as "any person 18 years or over who, because of physical or mental disability , is substantially impaired in the ability to provide adequately for the person's own care and custody." Del. Code Ann. tit. 31, § 3902(1). " Incapacitated person " is defined as "a person for whom a guardian of person or property, or both, shall be appointed, under § 3914(a) of Title 12." Del. Code Ann. tit. 31, § 3902(6)	Age Condition Function Age (by reference to authorization) Has Guardian or Conservator
District of Columbia	No general statement explaining the authority of APS is provided, but the program is known as " Adult Protective Services ." D.C. Code Ann. § 7-1901 et seq.	" Adult in need of protective services " is defined as "an individual aged 18 or older who is: (i) Highly vulnerable to abuse, neglect, self-neglect, or exploitation because of a physical or mental impairment, self-neglect, or incapacity ; (ii) Has recently been or is being abused, neglected, or exploited by another or meets the criteria for self-neglect; and (iii) has no one willing and able to provide adequate protection." D.C. Code Ann. § 7-1901(2)	Age Condition Lacks Assistance
Florida	"Protective services means services to protect a vulnerable adult from further occurrences	" Vulnerable adult " is defined as "a person 18 years of age or older whose	Age Function

STATE	AUTHORIZATION	PERSONS ELIGIBLE	CRITERIA
	of abuse, neglect, or exploitation.” Fla. Stat. Ann. § 415.102(20)	ability to perform the normal activities of daily living or to provide for his or her own care or protection is impaired due to a mental, emotional, long-term physical, or developmental disability or dysfunctioning, or brain damage, or the infirmities of aging.” Fla. Stat. Ann. § 415.102(26)	Condition
Georgia	“Protective services means services necessary to protect a disabled adult or elder person from abuse, neglect, or exploitation.” GA Code Ann. § 30-5-3(11)	<p>“Elder person” is defined as “a person 65 years of age or older who is not a resident of a long-term care facility as defined in Article 4 of Chapter 8 of Title 31.” GA Code Ann. § 30-5-3(7.1)</p> <p>“Disabled adult” is defined as “a person 18 years of age or older who is not a resident of a long-term care facility, as defined in Article 4 of Chapter 8 of Title 31, but who is mentally or physically incapacitated.” GA Code Ann. § 30-5-3(6)</p>	<p>Age Living Situation</p> <p>Age Living Situation</p> <p>Condition</p>
Guam	“The [Adult Protective Services] Unit shall be the sole unit responsible for receiving and investigating all reports of elderly or disabled abuse made pursuant to this Article, specifically including but not limited to reports of abuse in facilities operated by the Department and other public or private agencies and in private homes.” 10 Guam Code Ann. § 2955	<p>“Elderly” refers to a person sixty (60) years of age or older.” 10 Guam Code Ann. § 2951(e)</p> <p>“Disabled Adult” is any person over the age of eighteen (18) years who: (1) Has a physical or mental impairment which substantially limits one (1) or more major life activities; or (2) Has a history of, or has been classified as having an impairment which</p>	<p>Age</p> <p>Age</p> <p>Condition Function</p> <p>Condition Function</p>

STATE	AUTHORIZATION	PERSONS ELIGIBLE	CRITERIA
		substantially limits one or more major life activities.” 10 Guam Code Ann. § 2951(n)	
Hawaii	No general statement explaining the authority of APS is provided, but the program is known as “ Dependent Adult Protective Services. ” Haw. Rev. Stat. § 346-221 et seq.	“ Dependent adult ” is defined as “any adult who, because of mental or physical impairment is dependent upon another person, a care organization, or a care facility for personal health, safety, or welfare.” Haw. Rev. Stat. § 346-222	Age Condition Function
Idaho	“The commission [on aging] is directed to investigate allegations of abuse, neglect, self-neglect or exploitation involving a vulnerable adult , to make appropriate referrals to law enforcement, and to arrange for the provision of necessary services.” Idaho Code § 39-5301A(3)	“ Vulnerable adult means a person eighteen (18) years of age or older who is unable to protect himself from abuse, neglect or exploitation due to physical or mental impairment which affects the person’s judgment or behavior to the extent that he lacks sufficient understanding or capacity to make or communicate or implement decisions regarding his person. ” Idaho Code § 39-5302(10)	Age Function Condition Function (continued)
Illinois	“The Department shall establish, design and manage a program of response and services for persons 60 years of age and older who have been, or are alleged to be, victims of abuse, neglect, or financial exploitation.” 320 Ill. Comp. Stat. 20/3(a)	“Eligible adult” is defined as “a person 60 years of age or older who resides in a domestic living situation and is, or is alleged to be, abused, neglected, or financially exploited by another individual.” 320 Ill. Comp. Stat. 20/2(e)	Age Living Situation
Indiana	“As used in this chapter, ‘protective services’ refers to available medical, psychiatric, residential, and social services that are necessary to protect the health or safety of an endangered adult. ” Ind. Code Ann. § 12-10-3-5	“ Endangered adult ” is defined as “an individual who is: (1) at least eighteen (18) years of age ; (2) incapable by reason of mental illness, mental retardation, dementia, habitual drunkenness, excessive use of drugs, or other physical or mental	Age Function Condition

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		incapacity of managing or directing the management of the individual's property or providing or directing the provision of self-care; and (3) harmed or threatened with harm as a result of: (A) neglect; (B) battery; or (C) exploitation of the individual's personal services or property. Ind. Code Ann. § 12-10-3-2(a)	Function (continued)
Iowa	"The department shall establish and operate a dependent adult abuse services program. The program shall emphasize the reporting and evaluation of cases of abuse of a dependent adult who is unable to protect the adult's own interests or unable to perform activities necessary to meet essential human needs." Iowa Code Ann. § 235B.1	"Dependent adult" is defined as "a person eighteen years of age or older who is unable to protect the person's own interests or unable to adequately perform or obtain services necessary to meet essential human needs, as a result of a physical or mental condition which requires assistance from another, or as defined by department rule." Iowa Code Ann. § 235B.2(4)	Age Function Condition
Kansas	No general statement explaining the authority of APS is provided, but the pertinent statutory provisions are titled "Abuse, neglect, or exploitation of certain adults ." Kan. Stat. Ann. § 39-1430 et seq.	"Adult" means an individual 18 years of age or older alleged to be unable to protect their own interest and who is harmed or threatened with harm, whether financial, mental or physical in nature, through action or inaction by either another individual or through their own action or inaction when (1) such person is residing in such person's own home, the home of a family member or the home of a friend, (2) such person resides in an adult family home as defined in K.S.A. 39-1501	Age Function Living Situation Living Situation

STATE	AUTHORIZATION	PERSONS ELIGIBLE	CRITERIA
		<p>and amendments thereto,</p> <p>or</p> <p>(3) such person is receiving services through a provider of community services and affiliates thereof operated or funded by the department of social and rehabilitation services or the department on aging or a residential facility licensed pursuant to K.S.A. 75-3307b and amendments thereto.</p> <p>Such term shall not include persons to whom K.S.A. 39-1401 <i>et seq.</i> and amendments thereto apply.” [NOTE: K.S.A. 39-1401 <i>et seq.</i> addresses abuse, neglect or exploitation of residents of adult care home, medical care facility, state psychiatric hospital or state institution for the mentally retarded.] Kan. Stat. Ann. §39-1430(a)</p>	<p>Receiving Services</p>
Kentucky	<p>“Protective services” means agency services undertaken with or on behalf of an adult in need of protective services who is being abused, neglected, or exploited. Ky. Rev. Stat. Ann. § 209.020(5)</p>	<p>“Adult” is defined as “A person eighteen (18) years of age or older who, because of mental or physical dysfunctioning, is unable to manage his own resources or carry out the activity of daily living or protect himself from neglect, exploitation, or a hazardous or abusive situation without assistance from others, and who may be in need of protective services.” Ky. Rev. Stat. Ann. § 209.020(4)</p>	<p>Age</p> <p>Condition</p> <p>Function</p>

STATE	AUTHORIZATION	PERSONS ELIGIBLE	CRITERIA
<p>Louisiana</p> <p>[NOTE: There is one statute but there are two programs. A separate office handles “persons sixty years of age or older” (EPS) and another handles “disabled persons eighteen years of age or older” (APS).]</p>	<p>“The purpose of this Section is to protect adults who cannot physically or mentally protect themselves and who are harmed or threatened with harm through action or inaction by themselves or by the individuals responsible for their care or by other parties...” La. Rev. Stat. Ann. § 14:403.2(A)(1)</p>	<p>“Adult” is defined as “any person sixty years of age or older, any disabled person eighteen years of age or older, or an emancipated minor.” La. Rev. Stat. Ann. § 14:403.2(B)(2)</p> <p>“Disabled person” is defined as “a person with a mental, physical, or developmental disability that substantially impairs the person’s ability to provide adequately for his own care or protection.” La. Rev. Stat. Ann. § 14:403.2(B)(5.1)</p>	<p>Age</p> <p>Condition</p> <p>Function</p>
<p>Maine</p>	<p>““Protective services’ means services that separate incapacitated or dependent adults from danger.” Me. Rev. Stat. Ann. tit. 22, § 3472(12)</p>	<p>““Dependent adult’ means an adult who has a physical or mental condition that substantially impairs the adult’s ability to adequately provide for that adult’s daily needs. ‘Dependent adult’ includes, but is not limited to: A. A resident of a nursing home licensed or required to be licensed under section 1817; B. A resident of a facility providing assisted living services licensed or required to be licensed pursuant to section 7801; or C. A person considered a dependent person under Title 17-A, section 555.”</p> <p>[NOTE: Title 17-A, section 555 refers to a criminal neglect statute that defines “dependent person” as “unable to perform self-care because of advanced age or physical or mental disease, disorder or defect.”] Me. Rev. Stat. Ann. tit. 22, § 3472(6)</p>	<p>Age</p> <p>Condition</p> <p>Function</p> <p>Living Situation</p> <p>Living Situation</p> <p>Function</p> <p>Condition</p>

STATE	AUTHORIZATION	PERSONS ELIGIBLE	CRITERIA
		<p>“Incapacitated adult” is defined as “any adult who is impaired by reason of mental illness, mental deficiency, physical illness or disability to the extent that that individual lacks sufficient understanding or capacity to make or communicate responsible decisions concerning that individual’s person, or to the extent the adult cannot effectively manage or apply that individual’s estate to necessary ends.” Me. Rev. Stat. Ann. tit. 22, § 3472(10)</p> <p>“Adult” means “any person who has attained 18 years of age or who is a legally emancipated minor.” Me. Rev. Stat. Ann. tit. 22, § 3472(2)</p>	<p>Age</p> <p>Condition</p> <p>Function</p>
Maryland	<p>“To implement the policy set out in § 14-102 of this title, the Secretary, with the advice of the Secretary of Health and Mental Hygiene and the Secretary of Aging, shall develop, supervise, and cause each local department to implement a program of protective services for disabled individuals and vulnerable adults.” Md. Code Ann., Fam. Law § 14-201</p>	<p>“Vulnerable adult means an adult who lacks the physical or mental capacity to provide for the adult’s daily needs.” Md. Code Ann, Fam. Law § 14-101(q)</p> <p>“Disabled person” has the meaning stated in § 13-101(e) of the Estates and Trusts Article.” [NOTE: § 13-101(e) of the Estates and Trusts Article refers to a person other than a minor who has been judged by a court to require a guardian of the person or a guardian of property]. Md. Code Ann., Fam. Law § 14-101(d)</p>	<p>Age</p> <p>Function</p> <p>Age</p> <p>Has Guardian or Conservator</p>
Massachusetts (EPS) Mass. Gen. Laws Ann. ch. 19A, §§ 14 – 26 <i>(applicable to persons who</i>	<p>“Protective services” are “services which are necessary to prevent, eliminate or remedy the effects of abuse to an elderly</p>	<p>“Elderly person” is defined as “an individual who is sixty years of age or over.” Mass. Gen. Laws Ann, ch.</p>	<p>Age</p>

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<i>are 60 or older)</i>	person.” Mass. Gen. Laws Ann, ch. 19A, § 14	19A, § 14	
Massachusetts (APS) Mass. Gen. Laws ch. 19C, §§ 1 – 13 (<i>applicable to persons with disabilities</i>)	“There is hereby established a commission for the protection of disabled persons , to be known as the disabled persons protection commission. The purpose of the commission shall be to provide for the investigation and remediation of instances of abuse of disabled persons in the commonwealth.” Mass. Gen. Laws Ann, ch. 19C, § 2	“ Disabled person ” means “a person between the ages of eighteen to fifty-nine, inclusive, who is mentally retarded , as defined by section one of chapter one hundred and twenty-three, or who is otherwise mentally or physically disabled and as a result of such mental or physical disability is wholly or partially dependent on others to meet his daily living needs.” Mass. Gen. Laws Ann, ch. 19C, § 1	Age Condition Function
Michigan	“Adult in need of protective services” or “Adult” is defined as “a vulnerable person not less than 18 years of age who is suspected of being or believed to be abused, neglected, or exploited.” Mich. Comp. Laws Ann. § 400.11(b)	“ Vulnerable ” is defined as “a condition in which an adult is unable to protect himself or herself from abuse, neglect, or exploitation because of a mental or physical impairment or because of advanced age. ” Mich. Comp. Laws Ann. § 400.11(f)	Age Function Condition
Minnesota	“The legislature declares that the public policy of this state is to protect adults who, because of physical or mental disability or dependency on institutional services, are particularly vulnerable to maltreatment; to assist in providing safe environments for vulnerable adults ; and to provide safe institutional or residential services, community-based services, or living environments for vulnerable adults who have been maltreated.” Minn. Stat. Ann. § 626.557, subd. 1	“ Vulnerable adult ” is defined as “any person 18 years of age or older who: (1) is a resident or inpatient of a facility; (2) receives services at or from a facility required to be licensed to serve adults under sections 245A.01 to 245A.15, except that a person receiving outpatient services for treatment of chemical dependency or mental illness, or one who is committed as a sexual psychopathic personality or as a sexually dangerous person under chapter 253B,	Age Living Situation Receiving Services

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		<p>is not considered a vulnerable adult unless the person meets the requirements of clause (4);</p> <p>(3) receives services from a home care provider required to be licensed under section 144A.46; or from a person or organization that exclusively offers, provides, or arranges for personal care assistant services under the medical assistance program as authorized under sections 256B.04, subdivision 16, 256B.0625, subdivision 19a, 256B.0651, and 256B.0653 to 256B.0656</p> <p>or</p> <p>(4) regardless of residence or whether any type of service is received, possesses a physical or mental infirmity or other physical, mental, or emotional dysfunction: (i) that impairs the individual's ability to provide adequately for the individual's own care without assistance, including the provision of food, shelter, clothing, health care, or supervision; and (ii) because of the dysfunction or infirmity and the need for assistance, the individual has an impaired ability to protect the individual from maltreatment.” Minn. Stat. Ann. § 626.5572, subd. 21</p>	<p>Receiving Services</p> <p>Condition</p> <p>Function</p>
Mississippi	“‘Protective services’ means services provided by the state or other government or private organizations, agencies or	“‘ Vulnerable adult ’ means a person eighteen (18) years of age or older or any minor whose ability to perform the	<p>Age</p> <p>Function</p>

STATE	AUTHORIZATION	PERSONS ELIGIBLE	CRITERIA
	<p>individuals which are necessary to protect a vulnerable adult from abuse, neglect or exploitation.” Miss. Code Ann. § 43-47-5(1)</p>	<p>normal activities of daily living or to provide for his or her own care or protection is impaired due to a mental, emotional, physical or developmental disability or dysfunction, or brain damage or the infirmities of aging.</p> <p>The term ‘vulnerable adult’ also includes all residents or patients, regardless of age, in a care facility for the purposes of Sections 43-47-19 and 43-47-37 only.” Miss. Code Ann. § 43-47-5(m)</p>	<p>Condition</p> <p>Living Situation</p>
<p>Missouri (#1) Mo. Ann. Stat. §§ 660.250 – 660.295 (<i>applicable only to persons who are unable to protect their own interests or adequately perform or obtain services necessary to meet their essential human needs and are either: (1) 60 or older, or (2) between 18 and 59 and have a disability</i>)</p>	<p>“Protective services” means “services provided by the state or other governmental or private organizations or individuals which are necessary for the eligible adult to meet his or her essential human needs.” Mo. Ann. Stat. § 660.250(15)</p>	<p>“Eligible adult” is</p> <p>“a person sixty years of age or older who is unable to protect his or her own interests or adequately perform or obtain services which are necessary to meet his or her essential human needs</p> <p>or</p> <p>an adult with a disability, as defined in section 660.053, between the ages of eighteen and fifty-nine who is unable to protect his or her own interests or adequately perform or obtain services which are necessary to meet his or her essential human needs.” Mo. Ann. Stat. § 660.250(5)</p> <p><u>Disability</u> is a “mental or physical impairment that substantially limits one or more major life activities, whether the impairment is congenital or acquired by</p>	<p>Age Function</p> <p>Age Condition</p> <p>Age (continued) Function</p>

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		accident, injury or disease, where such impairment is verified by medical findings.” Mo. Ann. Stat. § 660.053(6)	
<p>Missouri (#2) Mo. Ann. Stat. §§ 660.300 – 660.321 (<i>these provisions are applicable only to individuals who are receiving “in home services” as defined by § 660.250(9) “through any in-home services provider agency” as defined by § 660.250(11). Missouri does not have two statutes. We established this construct to distinguish in the charts between the provisions applicable to individuals who are receiving in home services and those who are not. The statute indicated that the definitions contained in 660.250 apply to what we have labeled as Missouri #2; 660.300 – 660.321.)</i></p>	<p>“Protective services” means “services provided by the state or other governmental or private organizations or individuals which are necessary for the eligible adult to meet his or her essential human needs.” Mo. Ann. Stat. § 660.250(15)</p>	<p>"In-home services client", an eligible adult who is receiving services in his or her private residence through any in-home services provider agency; Mo. Ann. Stat. § 660.250(9)</p> <p>"Eligible adult" is</p> <p>“a person sixty years of age or older who is unable to protect his or her own interests or adequately perform or obtain services which are necessary to meet his or her essential human needs</p> <p>or</p> <p>an adult with a disability, as defined in section 660.053, between the ages of eighteen and fifty-nine who is unable to protect his or her own interests or adequately perform or obtain services which are necessary to meet his or her essential human needs.” Mo. Ann. Stat. § 660.250(5)</p> <p><u>Disability</u> is a “mental or physical impairment that substantially limits one or more major life activities, whether the impairment is congenital or acquired by accident, injury or disease, where such impairment is verified by medical findings.” Mo. Ann. Stat. § 660.053(6)</p>	<p>Receiving Services Living Situation Receiving Services (continued)</p> <p>Age Function</p> <p>Age Condition Age (continued) Function</p>

STATE	AUTHORIZATION	PERSONS ELIGIBLE	CRITERIA
Montana	<p>“The department shall, when appropriate, provide protective services under Title 52, chapter 3, part 2, for an older person or a person with a developmental disability alleged to have been abused, sexually abused, neglected, or exploited.” Mont. Code Ann. § 52-3-804(3)</p>	<p>“Older person” is defined as “a person who is at least 60 years of age.” Mont. Code Ann. § 52-3-803(8)</p> <p>“Person with a developmental disability” is defined as “a person 18 years of age or older who has a developmental disability as defined in 53-20-102.” Mont. Code Ann. § 52-3-803(9)</p>	<p>Age</p> <p>Age Condition</p>
Nebraska	<p>“Adult protective services shall mean those services provided by the department for the prevention, correction, or discontinuance of abuse. Such services shall be those necessary and appropriate under the circumstances to protect an abused vulnerable adult, ensure that the least restrictive alternative is provided, prevent further abuse, and promote self-care and independent living.” Neb. Rev. Stat. § 28-352</p>	<p>“Vulnerable adult” is defined as “any person eighteen years or older who has a <u>substantial mental or functional impairment</u> or for whom a guardian has been appointed under the <u>Nebraska Probate Code.</u>” Neb. Rev. Stat. § 28-371</p> <p>“<u>Substantial mental impairment</u>” is defined as “a <u>substantial disorder of thought, mood, perception, orientation, or memory</u> that grossly impairs judgment, behavior, or ability to live independently or provide self-care as revealed by observation, diagnosis, investigation, or evaluation.” Neb. Rev. Stat. § 28-369</p> <p>“<u>Substantial functional impairment</u>” is defined as “a <u>substantial incapability, because of physical limitations, of living independently or providing self-care</u> as determined</p>	<p>Age</p> <p>Has Guardian or Conservator</p> <p>Condition</p> <p>Function</p> <p>Function Condition Function (continued)</p>

STATE	AUTHORIZATION	PERSONS ELIGIBLE	CRITERIA
		through observation, diagnosis, investigation, or evaluation.” Neb. Rev. Stat. § 28-368	
Nevada	“Protective services” means “services the purpose of which is to prevent and remedy the abuse, neglect, exploitation and isolation of older persons . The services may include investigation, evaluation, counseling, arrangement and referral for other services and assistance.” Nev. Rev. Stat. Ann. § 200.5092(6)	“ Older person ” is defined as “a person who is 60 years of age or older .” Nev. Rev. Stat. Ann. § 200.5092(5)	Age
New Hampshire	““Protective services’ means services and action which will, through voluntary agreement or through appropriate court action, prevent neglect, abuse or exploitation of incapacitated adults .” N.H. Rev. Stat. Ann. § 161-F:42(I)	“ Adult ” means “any person 18 years of age or older .” N.H. Rev. Stat. Ann. § 161-F:1(I). “ Incapacitated ’ means that the physical, mental or emotional ability of a person is such that he is unable to manage personal, home or financial affairs in his own best interest, or he is unable to act or unable to delegate responsibility to a responsible caretaker or caregiver .” N.H. Rev. Stat. Ann. § 161-F:43(VII)	Age Condition Function
New Jersey	““Protective services’ means voluntary or court-ordered social, legal, financial, medical or psychiatric services necessary to safeguard a vulnerable adult's rights and resources, and to protect a vulnerable adult from abuse, neglect or exploitation.” N.J. Stat. Ann. § 52:27D-407	“ Vulnerable adult ” is defined as “a person eighteen years of age or older who resides in a community setting and who, because of a physical or mental illness, disability or deficiency , lacks sufficient understanding or capacity to make, communicate, or carry out decisions concerning his well-being and is the subject of abuse, neglect, or exploitation.” N.J. Stat. Ann. § 52:27D-407	Age Living Situation Condition Function

STATE	AUTHORIZATION	PERSONS ELIGIBLE	CRITERIA
New Mexico	<p>“Protective services are services furnished by the department or a protective services agency or its delegate to an incapacitated or protected person with the person's consent or appropriate legal authority.” N.M. Stat. Ann. § 27-7-21(A)</p>	<p>“Incapacitated adult” is defined as “any adult who demonstrates over time partial or complete functional impairment by reason of mental illness, mental deficiency, physical illness or disability, chronic use of drugs, chronic intoxication or other causes to the extent that he is unable to manage his personal affairs or he is unable to manage his estate or financial affairs, but does not include a person who refuses services without other evidence of incapacity.” N.M. Stat. Ann. § 27-7-16(M)</p> <p>“Protected adult’ means an adult for whom a guardian or conservator has been appointed or other protective order has been made or an abused, neglected or exploited adult who has requested protective services.” N.M. Stat. Ann. § 27-7-16(Q)</p> <p>“Adult” is defined as “a person eighteen years of age or older.” N.M. Stat. Ann. § 27-7-16(B)</p>	<p>Age Function</p> <p>Condition</p> <p>Function (continued)</p> <p>Age Has Guardian or Conservator</p>
New York	<p>No general statement explaining the authority of APS is provided, but the pertinent statutory provisions are titled “Adult Protective Services.” N.Y. Soc. Serv. Law, Art. 9B, § 473 et seq.</p>	<p>“In addition to services provided by social services officials pursuant to other provisions of this chapter, such officials shall provide protective services in accordance with federal and state regulations to or for individuals without regard to income who, because of mental or physical impairments, are unable to</p>	<p>Age (by reference to authorization)</p> <p>Condition</p> <p>Function</p>

STATE	AUTHORIZATION	PERSONS ELIGIBLE	CRITERIA
		<p>manage their own resources, carry out the activities of daily living, or protect themselves from physical abuse, sexual abuse, emotional abuse, active, passive or self neglect, financial exploitation or other hazardous situations without assistance from others and have no one available who is willing and able to assist them responsibly.” N.Y. Soc. Serv. Law Art. 9B, § 473-1</p>	<p>Lacks Assistance</p>
North Carolina	<p>“The words ‘protective services’ shall mean services provided by the State or other government or private organizations or individuals which are necessary to protect the disabled adult from abuse, neglect, or exploitation. They shall consist of evaluation of the need for service and mobilization of essential services on behalf of the disabled adult.” N.C. Gen. Stat. § 108A-101(n)</p>	<p>“Disabled adult” is defined as “any person 18 years of age or over or any lawfully emancipated minor who is present in the State of North Carolina and who is physically or mentally incapacitated due to mental retardation, cerebral palsy, epilepsy or autism; organic brain damage caused by advanced age or other physical degeneration in connection therewith; or due to conditions incurred at any age which are the result of accident, organic brain damage, mental or physical illness, or continued consumption or absorption of substances.” N.C. Gen. Stat. § 108A-101(d)</p> <p>“A ‘disabled adult’ shall be ‘in need of protective services’ if that person, due to his physical or mental incapacity, is unable to perform or obtain for himself essential services and if that person is without able, responsible, and willing persons to perform or obtain for his essential</p>	<p>Age</p> <p>Condition</p> <p>Function</p> <p>Lacks Assistance</p>

STATE	AUTHORIZATION	PERSONS ELIGIBLE	CRITERIA
		services.” N.C. Gen. Stat. § 108A-101(e)	
North Dakota	<p>“‘Adult protective services’ means remedial, social, legal, health, mental health, and referral services provided for the prevention, correction, or discontinuance of abuse or neglect which are necessary and appropriate under the circumstances to protect an abused or neglected vulnerable adult, ensure that the least restrictive alternative is provided, prevent further abuse or neglect, and promote self-care and independent living.” N.D. Cent. Code § 50-25.2-01(3)</p>	<p>“Vulnerable adult” is defined as “an adult who has a substantial mental or functional impairment.” N.D. Cent. Code § 50-25.2.01(17)</p> <p>“Substantial mental impairment” is defined as “a substantial disorder of thought, mood, perception, orientation, or memory that grossly impairs judgment, behavior, or ability to live independently or provide self-care as revealed by observation, diagnosis, evaluation, or assessment.” N.D. Cent. Code § 50-25.2-01(16)</p> <p>“Substantial functional impairment” is defined as “a substantial incapability, because of physical limitations, of living independently or providing self-care as determined through observation, diagnosis, evaluation, or assessment.” N.D. Cent. Code § 50-25.2-01(15)</p> <p>“‘Adult’ includes a minor emancipated by marriage.” N.D. Cent. Code § 50-25.2.01(2)</p>	<p>Age</p> <p>Condition</p> <p>Function</p> <p>Function</p> <p>Function</p> <p>Condition</p> <p>Function</p> <p>(continued)</p>
Ohio	<p>“‘Protective services’ means services provided by the county department of job and family services or its designated agency to an adult who has been determined by evaluation to require such services for the prevention, correction, or discontinuance of an act of as</p>	<p>“Adult” is defined as “any person sixty years of age or older within this state who is handicapped by the infirmities of aging or who has a physical or mental impairment which prevents the person from providing for the person’s own care or</p>	<p>Age</p> <p>Condition</p> <p>Function</p>

STATE	AUTHORIZATION	PERSONS ELIGIBLE	CRITERIA
	<p>well as conditions resulting from abuse, neglect, or exploitation.” Ohio Rev. Stat. Ann. § 5101.60(N)</p>	<p>protection, and who resides in an independent living arrangement. An ‘independent living arrangement’ is a domicile of a person’s own choosing, including, but not limited to, a private home, apartment, trailer, or rooming house. Except as otherwise provided in this division, ‘independent living arrangement’ includes a community alternative home licensed pursuant to section 3724.03 of the Revised Code but does not include other institutions or facilities licensed by the state, or facilities in which a person resides as a result of voluntary, civil, or criminal commitment. ‘Independent living arrangement’ does include adult care facilities licensed pursuant to Chapter 3722 of the Revised Code.” Ohio Rev. Stat. Ann. § 5101.60(B)</p>	<p>Living Situation</p>
Oklahoma	<p>“‘Protective services’ means services which are necessary to aid a vulnerable adult in meeting the essential requirements for mental or physical health and safety that the vulnerable adult is unable to provide or obtain without assistance.” Okla. Stat. Ann. tit. 43A, § 10-103(A)(1)</p>	<p>“Vulnerable adult” is defined as “an individual who is an <u>incapacitated person</u> or who, because of physical or mental disability, incapacity, or other disability, is substantially impaired in the ability to provide adequately for the care or custody of himself or herself, or is unable to manage his or her property and financial affairs effectively, or to meet essential requirements for</p>	<p>Age</p> <p>Condition</p> <p>Function</p>

STATE	AUTHORIZATION	PERSONS ELIGIBLE	CRITERIA
		<p>mental or physical health or safety, or to protect himself or herself from abuse, verbal abuse, neglect, or exploitation without assistance from others.” Okla. Stat. Ann. tit. 43A, § 10-103(A)(5)</p> <p>“<u>Incapacitated person</u>” is defined as “(a) any person eighteen (18) years of age or older: (1) who is impaired by reason of mental or physical illness or disability, dementia or related disease, mental retardation, developmental disability, or other cause, and (2) whose ability to receive and evaluate information effectively or to make and to communicate responsible decisions is impaired to such an extent that such person lacks the capacity to manage his or her financial affairs or to meet essential requirements for his or her mental or physical health or safety without assistance from others,</p> <p>or</p> <p>(b) a person for whom a guardian, limited guardian or conservator has been appointed pursuant to the Oklahoma Guardianship and Conservatorship Act .” Okla. Stat. Ann. tit. 43A, § 10-103(A)(4)</p>	<p>Age Condition</p> <p>Function</p> <p>Has Guardian or Conservator</p>
<p>Oregon (EPS) Or. Rev. Stat. §§ 124.050 – 124.095 (<i>applicable to persons 65 or older who are not residents of long-</i></p>	<p>No general statement explaining the authority of EPS is provided, but the pertinent statutory provisions are titled “Elderly Persons and Persons with</p>	<p>“Elderly person” is defined as “any person 65 years of age or older who is not subject to the provisions of ORS 441.640 to 441.665.”</p>	<p>Age Living Situation</p>

STATE	AUTHORIZATION	PERSONS ELIGIBLE	CRITERIA
<i>term care facilities)</i>	Disabilities Abuse Prevention Act.” Or. Rev. Stat. § 124.005 et seq.	[NOTE: ORS 441.640 refers to resident of a long term care facility.] Or. Rev. Stat. § 124.005(2)	
Oregon (APS) Or. Rev. Stat. §§ 430.735 – 430.768 (<i>applicable only to persons 18 or older who are mentally ill or developmentally disabled and receive services from a community program or facility</i>)	““Adult protective services’ means the necessary actions taken to prevent abuse or exploitation of an adult , to prevent self-destructive acts and to safeguard an adult’s person, property and funds.” Or. Rev. Stat. § 430.735(3)	““ Adult ’ means a person who is mentally ill or developmentally disabled , who is 18 years of age or older and receives services from a community program or facility .” Or. Rev. Stat. § 430.735(2)	Condition Age Receiving Services
Pennsylvania	“Protective services” means those activities, resources and supports provided to older adults under this act to detect, prevent, reduce or eliminate abuse, neglect, exploitation and abandonment.” 35 Pa. Cons. Stat. Ann. § 10225.103	“ Older adult ” is defined “a person within the jurisdiction of the Commonwealth who is 60 years of age or older .” 35 Pa. Cons. Stat. Ann. § 10225.103	Age
Puerto Rico	The Department of the Family “...shall be responsible for the prevention, identification, investigation, protecting supervision and social treatment of all elderly persons who are victims of abuse, institutional abuse, abuse by negligence and/or abuse by institutional negligence, and their families, including the bringing and presenting of the pertinent legal actions before the court.” 8 P.R. Laws Ann. § 346i	“Aged person” is defined as a “person who is sixty (60) years of age or older .” 8 P.R. Laws Ann. § 342(a)	Age
Rhode Island	““Protective services’ means services and/or action intended to prevent and/or alleviate the abuse or neglect of elderly persons .” R.I. Gen. Laws § 42-66-4.1(6)	“ Elderly persons ” is not defined in the statute, but several provisions of the law refer to persons sixty (60) years of age or older .	Age
South Carolina	““Protective services’ means those services whose objective is to protect a vulnerable adult from harm caused by the vulnerable adult or another.” S.C. Code Ann. § 43-35-10(9)	“ Vulnerable adult ” is defined as “a person eighteen years of age or older who has a physical or mental condition which substantially impairs the person from adequately providing for his or her own	Age Condition Function

STATE	AUTHORIZATION	PERSONS ELIGIBLE	CRITERIA
		<p>care or protection. This includes a person who is impaired in the ability to adequately provide for the person's own care or protection because of the infirmities of aging including, but not limited to, organic brain damage, advanced age, and physical, mental or emotional dysfunction. A resident of a facility is a vulnerable adult." S.C. Code Ann. § 43-35-10(11)</p>	<p>Living Situation</p>
South Dakota	<p>There is no APS statute but the state's APS program is authorized by S.D. Codified Laws Ann. § 28-1-44.</p>	None	None
Tennessee	<p>"Protective services' means services undertaken by the department with or on behalf of an adult in need of protective services who is being abused, neglected, or exploited." Tenn. Code Ann. § 71-6-102(11)</p>	<p>"Adult" is defined as "a person eighteen (18) years of age or older who because of mental or physical dysfunctioning or advanced age is unable to manage such person's own resources, carry out the activities of daily living, or protect such person from neglect, hazardous or abusive situations without assistance from others and who has no available, willing, and responsibly able person for assistance and who may be in need of protection services." Tenn. Code Ann. § 71-6-102(2).</p> <p>"Advanced age' means sixty (60) years of age or older." Tenn. Code Ann. § 71-6-102(3).</p>	<p>Age Condition Function Lacks Assistance</p>
Texas	<p>"Protective services' means the services furnished by the department or by a protective services agency to an elderly or disabled person who has been</p>	<p>"Elderly person" is defined as "a person 65 years of age or older." Tex. Hum. Res. Code Ann. § 48.002(a)(1)</p>	<p>Age</p>

STATE	AUTHORIZATION	PERSONS ELIGIBLE	CRITERIA
	determined to be in a state of abuse, neglect, or exploitation.” Tex. Hum. Res. Code Ann. § 48.002(a)(5)	“ Disabled person ” is defined as “a person with a mental, physical, or developmental disability that substantially impairs the person’s ability to provide adequately for the person’s care or protection and who is: (A) 18 years of age or older; or (B) under 18 years of age and has had the disabilities of minority removed.” Tex. Hum. Res. Code Ann. § 48.002(a)(8)	<p>Condition</p> <p>Function</p> <p>Age</p>
Utah	““Adult Protective Services’ means the unit within the division responsible to investigate abuse, neglect, and exploitation of vulnerable adults and provide appropriate protective services.” Utah Code Ann. § 62A-3-301(5)	<p>“Vulnerable adult” is defined as “an elder adult,</p> <p>or</p> <p>an adult who has a mental or physical impairment which substantially affects that person’s ability to: (a) provide personal protection; (b) provide necessities such as food, shelter, clothing, or mental or other health care; (c) obtain services necessary for health, safety, or welfare; (d) carry out the activities of daily living; (e) manage the adult’s own resources; or (f) comprehend the nature and consequences of remaining in a situation of abuse, neglect, or exploitation.” Utah Code Ann. § 62A-3-301(26)</p> <p>“Elder adult” is defined as “a person 65 years of age or older.” Utah Code Ann. § 62A-3-301(9)</p>	<p>Age</p> <p>Age</p> <p>Condition</p> <p>Function</p>
Vermont	““Protective services’ means services, action, or intervention that will, through voluntary agreement or through appropriate court action, prevent	<p>““Vulnerable adult” means any person 18 years of age or older who:</p> <p>(A) is a resident of a</p>	<p>Age</p> <p>Living</p>

STATE	AUTHORIZATION	PERSONS ELIGIBLE	CRITERIA
	<p>further neglect, abuse or exploitation of vulnerable adults.” Vt. Stat. Ann. tit. 33, § 6902(9)</p>	<p>facility required to be licensed under chapter 71 of this title;</p> <p>(B) is a resident of a psychiatric hospital or a psychiatric unit of a hospital;</p> <p>(C) has been receiving personal care services for more than one month from a home health agency certified by the Vermont department of health or from a person or organization that offers, provides, or arranges for personal care;</p> <p>or</p> <p>(D) regardless of residence or whether any type of service is received, is impaired due to brain damage, infirmities of aging, or a physical, mental, or developmental disability: (i) that results in some impairment of the individual's ability to provide for his or her own care without assistance, including the provision of food, shelter, clothing, health care, supervision, or management of finances;</p> <p>or</p> <p>(ii) because of the disability or infirmity, the individual has an impaired ability to protect himself or herself from abuse, neglect, or exploitation.” Vt. Stat. Ann. tit. 33, § 6902(14)</p>	<p>Situation</p> <p>Living Situation</p> <p>Receiving Services</p> <p>Condition</p> <p>Function</p> <p>Function</p>

STATE	AUTHORIZATION	PERSONS ELIGIBLE	CRITERIA
Virgin Islands	No general statement explaining the authority of APS is provided, but the pertinent statutory provisions are titled “ Elderly and Disabled Adult Protection. ” 34 V.I. Code Ann. § 451 et seq.	<p>“Elderly person” is defined as “an individual who is sixty (60) years of age or over.” 34 V.I. Code Ann. § 451(6)</p> <p>“Disabled adult” is defined as “a person eighteen (18) years of age or older who because of mental or physical dysfunctioning or advanced age is unable to manage his own resources, carry out the activities of daily living or protect himself from neglect, hazardous or abusive situations without assistance from others and who has no available, willing and responsibly able person to assist him.” 34 V.I. Code Ann. § 451(5)</p>	<p>Age</p> <p>Age</p> <p>Condition</p> <p>Function</p> <p>Lacks Assistance</p>
Virginia	“Each local board, to the extent that federal or state matching funds are made available to each locality, shall provide, subject to supervision of the Commissioner and in accordance with regulations adopted by the Board, adult protective services for adults who are found to be abused, neglected or exploited and who meet one of the following criteria: (i) the adult is 60 years of age or older or (ii) the adult is 18 years of age or older and is incapacitated.” Va. Code Ann. § 63.2-1605(A)	<p>“Adult” is defined as “any person 60 years of age or older,</p> <p>or</p> <p>any person 18 years of age or older who is <u>incapacitated</u> and who resides in the Commonwealth; provided, however, ‘adult’ may include qualifying nonresidents who are temporarily in the Commonwealth and who are in need of temporary or emergency protective services.” Va. Code Ann. § 63.2-1603</p> <p>“<u>Incapacitated person</u>” is defined as “any adult who is impaired by reason of mental illness, mental retardation, physical illness</p>	<p>Age</p> <p>Age</p> <p>Condition</p>

STATE	AUTHORIZATION	PERSONS ELIGIBLE	CRITERIA
		<p>or disability, advanced age or other causes to the extent that the adult lacks sufficient understanding or capacity to make, communicate or carry out responsible decisions concerning his or her well-being.” Va. Code Ann. § 63.2-1603</p>	<p>Function</p>
<p>Washington</p>	<p>““Protective services’ means any services provided by the department to a vulnerable adult with the consent of the vulnerable adult, or the legal representative of the vulnerable adult, who has been abandoned, abused, financially exploited, neglected, or in a state of self-neglect.” Wash. Rev. Code Ann. § 74.34.020(11</p>	<p>“Vulnerable adult’ includes a person:</p> <p>(a) Sixty years of age or older who has the functional, mental, or physical inability to care for himself or herself;</p> <p>or</p> <p>(b) Found incapacitated under chapter 11.88 RCW [NOTE: chapter 11.88 RCW is the guardianship statute];</p> <p>or</p> <p>(c) Who has a developmental disability as defined under RCW 71A.10.020;</p> <p>or</p> <p>(d) Admitted to any facility;</p> <p>or</p> <p>(e) Receiving services from home health, hospice, and home care agencies licensed or required to be licensed under chapter 70.127 RCW;</p>	<p>Age [applies to the entire definition except sub-part(a)] Age Function</p> <p>Has Guardian or Conservator</p> <p>Condition</p> <p>Living Situation</p> <p>Receiving Services</p>

STATE	AUTHORIZATION	PERSONS ELIGIBLE	CRITERIA
		<p>or</p> <p>(f) Receiving services from an individual provider.” Wash. Rev. Code Ann. § 74.34.020(13)</p> <p>“For the purposes of this chapter, the term ‘vulnerable adult’ includes persons receiving services from any individual who for compensation serves as a personal aide to a person who self-directs his or her own care in his or her home under chapter 336, Laws of 1999.” Wash. Rev. Code Ann. § 74.34.021</p>	<p>Receiving Services</p> <p>Receiving Services</p>
West Virginia	<p>“The department shall develop a plan for a comprehensive system of adult protective services including social casework, medical and psychiatric services, home care, day care, counseling, research and others to achieve the goals of this article. It shall offer such services as are available and appropriate in the circumstances to persons who, other than for compensation, have or intend to have the actual, physical custody and control of an incapacitated adult and to such incapacitated adults or to adults who may request and be entitled to such protective services.” W.Va. Code § 9-6-7.</p>	<p>“Incapacitated adult’ means any person who by reason of physical, mental or other infirmity is unable to independently carry on the daily activities of life necessary to sustaining life and reasonable health.” W.Va. Code § 9-6-1(4)</p>	<p>Age Condition</p> <p>Function</p>
Wisconsin (EPS) Wis. Stat. Ann. § 46.90 (applicable to persons who are 60 or older)	<p>“Each elder-adult-at-risk agency shall develop a policy for notifying other investigative agencies, including law enforcement officials in appropriate cases, and shall establish an elder abuse reporting system to carry out the purposes of this section.” Wis. Stat. Ann. § 46.90(3)(a)</p>	<p>“Elder adult at risk’ means any person age 60 or older who has experienced, is currently experiencing, or is at risk of experiencing abuse, neglect, self-neglect, or financial exploitation.” Wis. Stat. Ann. § 46.90(1)(br)</p>	<p>Age</p>

STATE	AUTHORIZATION	PERSONS ELIGIBLE	CRITERIA
<p>Wisconsin (APS) Wis. Stat. Ann. §§ 55.001 – 55.23 (<i>applicable to adults with disabilities</i>)</p>	<p>“(a) The department shall do all of the following: 1. Cooperate with county departments to develop and operate a coordinated, statewide system for protective services and protective placement. 2. Monitor and supervise the implementation and operation of the protective services and protective placement system. 3. Provide technical assistance to county departments providing protective services and protective placement. 4. Evaluate the protective services and protective placement system. (b) The department may provide protective services and protective placement directly or contract for the provision of protective services or protective placement.” Wis. Stat. Ann. § 55.02(1)</p>	<p>“‘Adult at risk’ means any adult who has a physical or mental condition that substantially impairs his or her ability to care for his or her needs and who has experienced, is currently experiencing, or is at risk of experiencing abuse, neglect, self-neglect, or financial exploitation.” Wis. Stat. Ann. § 55.01(1e)</p>	<p>Age Condition Function</p>
<p>Wyoming</p>	<p>“‘Protective services’ means those emergency services provided by the department to assist vulnerable adults to prevent or terminate abuse, neglect, exploitation or abandonment until the vulnerable adult no longer needs those services.” Wyo. Stat. Ann. § 35-20-102(xii)</p>	<p>“‘Vulnerable adult’ means any person eighteen (18) years of age or older who is unable to manage and take care of himself of his property without assistance as a result of advanced age or physical or mental disability.” Wyo. Stat. Ann. § 35-20-102(a)(xviii)</p>	<p>Age Function Condition</p>

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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