

Adult Guardianship Education Program: Financial Victimization *Participant Workbook*



THE SUPREME COURT of OHIO
JUDICIAL COLLEGE

INSTRUCTIONS

This workbook has been provided to guide you through this course. Please follow along as instructed in the video and do not work ahead.

As you watch the video, you will respond to a number of questions. These questions are designed to help you engage with the content and apply what you are learning. It's okay if you aren't sure how to answer, as you will receive feedback after you answer, and your responses will not be collected.

This workbook is a reference that you can take home with you. Besides questions, it includes faculty biographies and resources that might be helpful as you continue your work as a guardian.

The course video includes two optional breaks, at the 1:03:20 and 2:02:48 marks. You will need to pause the video if you want to take the break, then restart the video when you are ready to resume, as per the on-screen instructions.

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FACULTY BIOGRAPHIES

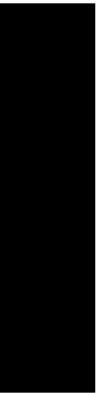
CHARLES ANGERSBACH joined the Ohio Attorney General's Office, Health Care Fraud Section, in 2012 as a Special Agent investigating crimes in long-term care facilities. In 2015, Charles promoted to Special Agent Supervisor and currently supervises a team of Special Agents. Charles conducts presentations throughout the state of Ohio, educating both the private and public sectors, in crimes related to vulnerable adults in long-term care. Charles is also an instructor for agents' firearms and impact weapons trainings. Before joining the Attorney General's Office, Charles was a Support Officer Supervisor with Franklin County. Charles obtained his B.A. in Law and Society from Purdue University.

ROBERT MASCIO is director of investor education outreach for the FINRA Foundation. In this capacity, he cultivates and manages programs to protect consumers from investment and other financial frauds. Mr. Mascio also facilitates FINRA's Investor Issues Committee. He previously managed FINRA's Vulnerable Adults and Seniors Team, including the FINRA Securities Helpline for Seniors, and has experience with both member supervision and market regulation initiatives. Mr. Mascio obtained his MBA from Florida State University and an undergraduate degree from Salisbury University.

ERIN PETTEGREW is the Deputy State Long-Term Care Ombudsman. In that role, she works to improve the experiences of Ohio's long-term care consumers by, among other things, providing training and technical assistance to regional long-term care ombudsmen and assisting in quality improvement and monitoring programs. Erin joined the Ohio Department of Aging in 2005 as a Projects Coordinator and managed the online Ohio Long-Term Care Consumer Guide. She holds a BS and Masters in Political Science from Ohio University.

KATHY STOKES is a nationally recognized leader in the consumer fraud arena. As Director of Fraud Prevention Programs with AARP, Kathy leads AARP's social mission work to educate older adults on the risks that fraud represents to their financial security. Since taking the helm of the AARP Fraud Watch Network in 2019, she and her team have vastly expanded AARP's leadership in this space, including the creation of a new victim support program, a multi-year campaign to end the use of gift cards in fraud, and the formation of a national effort to fundamentally transform how our country addresses consumer fraud. Kathy's career has centered on financial security, both in the realm of public policy and the development of retirement education programming. She was the first executive director of the American Savings Education Council, a program of the Employee Benefit Research Institute. Kathy also worked for Ernst & Young and the Brookings Institution's Retirement Security Project before leading her own communication consulting business for a decade. She currently serves on an advisory council to the board of the International Association of Financial Crimes Investigators and on an advisory council to a committee of the North American Securities Administrators Association. Kathy was recently appointed to the Consumer Education Committee of the Scams Against Older Adults Advisory Group, convened by the Federal Trade Commission. Kathy has a master's degree in American Government from The Johns Hopkins University and an undergraduate degree from the University of Pittsburgh in Rhetoric and Communication.

Questions



Long-Term Care Facilities

ANEM 1. Which of the following qualify as long-term care facilities?

Circle all that apply then turn to the answer key to check your work.

- A. Nursing homes
- B. Assisted living facilities
- C. Group homes
- D. Private homes
- E. State operated residential care facilities

Abuse

ANEM 2. Which statement is true about abuse and neglect?

Circle the best answer then turn to the answer key to check your work.

- A. Both abuse and neglect knowingly cause physical harm or recklessly cause serious physical harm.
- B. Abuse is liable to criminal prosecution, but neglect is not.
- C. Both abuse and neglect are liable to criminal prosecution.
- D. Neither abuse nor neglect are liable to criminal prosecution.

Reporting

ANEM 3. Which of the following can receive reports of abuse, neglect, exploitation, and financial misappropriation?

Circle all that apply then turn to the answer key to check your work.

- A. Facility administration
- B. Police
- C. Ombudsman
- D. Attorney General
- E. Ohio Department of Health

Roles

ANEM 4. Who is **primarily** responsible for defending the interest of the ward?

Circle the best answer then turn to the answer key to check your work.

- A. The probate court
- B. The Attorney General's office
- C. The guardian
- D. The long-term care facility

Authority

LCOP 1. The Ombudsman Code of Ethics addresses which concerns?

Circle all that apply then turn to the answer key to check your work.

- A. Self-determination of consumers
- B. Client's wishes
- C. Confidentiality
- D. Protection of the vulnerable
- E. Information for guardians
- F. Representation of provider interests

Core Services

LCOP 2. Which of the following are core services for the Ombudsman's Office?

Circle all that apply then turn to the answer key to check your work.

- A. Systems advocacy
- B. Public/community education
- C. LTC selection assistance
- D. Provider consultation
- E. Work with resident and family councils

Complaints

LCOP 3. Which of the following are common complaints received by the Ombudsman's Office?

Circle all that apply then turn to the answer key to check your work.

- A. Discharge/eviction
- B. Dignity/respect
- C. Failures to respond
- D. Dietary/meal
- E. Recreational opportunities

Abuse

LCOP 4. Who is a likely source of elder abuse in the community?

Circle all that apply then turn to the answer key to check your work.

- A. Relatives
- B. Neighbors
- C. Caregivers
- D. Residents
- E. Strangers

Involvement

LCOP 5. What are some ways you can be an involved participant in your ward's care?

Circle all that apply then turn to the answer key to check your work.

- A. Monitor care delivery
- B. Attend care conferences regularly
- C. Review quality indicators
- D. Find an advocate
- E. Report abuse, neglect, and financial exploitation

Organizations

F 1. Which AARP division would you contact if you wanted to reach the AARP Fraud Watch Network?

Circle the best answer then turn to the answer key to check your work.

- A. AARP Foundation
- B. AARP Services, Inc.
- C. AARP Enterprise

Fraud

F 2. Which of the following forms of elder financial exploitation represent fraud?

Circle all that apply then turn to the answer key to check your work.

- A. Embezzlement
- B. Denial of access to funds
- C. Imposter scams
- D. Lottery scams
- E. Romance scams

F 3. Which statement is true about fraud?

Circle the best answer then turn to the answer key to check your work.

- A. Young people lose more money to fraud than older people.
- B. Older people lose more money to fraud than young people.
- C. Older people are targeted more often than young people.

Scams

F 4. Which of the following are effective ways of safeguarding against identity fraud?

Circle all that apply then turn to the answer key to check your work.

- A. Freeze your credit.
- B. Install a password manager.
- C. Set up multi-factor authentication.
- D. Set up online account access.

F 5. What are some ways you can help prevent your ward from falling prey to scams?

Circle all that apply then turn to the answer key to check your work.

- A. Block robocalls.
- B. Change phone numbers to contact names.
- C. Write a “refusal” script.
- D. Set up a “trusted contact” with financial institutions.

Response

F 6. Which of the following represents a trauma-informed response to a victim of financial fraud?

Circle the best answer then turn to the answer key to check your work.

- A. Create opportunities to rebuild a sense of control and empowerment.
- B. Ask introspective questions like, “How could you fall for something like that?”
- C. Reassure them that they were never in any physical danger.

- F 7. How can you help victims of financial fraud?
Circle all that apply then turn to the answer key to check your work.
- A. Report incidents of fraud to law enforcement.
 - B. Call out victim-blaming language.
 - C. Let them know why you would not have fallen for that scam.
Remind them that they will know better next time.

PowerPoint Slides





Ohio Judicial College Guardianship Program

Abuse, Neglect, Exploitation &
Misappropriation
In Long-Term Care Facilities



1



DAVE YOST

OHIO ATTORNEY GENERAL

Charles Angersbach
Ohio Attorney General's Office
Special Agent Supervisor
Health Care Fraud

2

Protect Your Wards

- Follow the orders of the probate court, **protecting the ward**, and fulfilling fiduciary responsibilities.
- Must act in the best interest of the ward when making decisions.

3



4


Protected Class



Over 65
OR
Disabled

5

MFCU Federal & State Authority




Title XIX of the Social Security Act...
—Created Medicaid

The 1977 Medicare/Medicaid Anti-Fraud and Abuse Amendment...
—Created nationwide system of MFCUs

42 U.S.C. 1396...
—Authorized MFCUs to investigate Medicaid Fraud

Federal Nursing Home Reform Act of 1987
2012 Nursing Home Action Plan



109.85 O.R.C. authorizes the Ohio Attorney General to investigate Medicaid Fraud.

O.R.C. 109.86 authorizes OAG to investigate patient abuse/neglect.

O.R.C. 3721.18 authorized OAG to investigate alleged violations of chapter 3721

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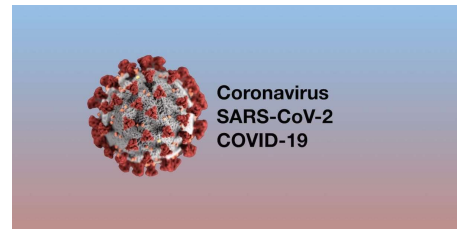
Who We Are...



- Special Agents
- AAGs
- Nurse Analysts
- Health Oversight Agency
- Referrals

7

COVID



8

Pills Missing



9

Advocate

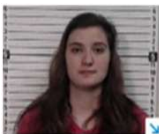
1. Being active and present in the care of your ward; participate in care conferences
2. Know medical conditions and treatments
3. Know management and direct care staff
4. Know your ward's prior financial status
5. If they had prior POAs, did courts address?
6. Know advanced directives (DNR vs Full Code), end of life wishes

10

Abuse

ABUSE - KNOWINGLY CAUSE PHYSICAL HARM OR RECKLESSLY CAUSE SERIOUS PHYSICAL HARM.

STNA



- Punched female resident in the face causing black eyes and skin tear on hand
- Threw water on the resident
- Threatened continued violence

11

Abuse

Woman gets 1 year for nursing home abuse

Jona Ison, Reporter Published 5:05 p.m. ET Feb. 9, 2017 | Updated 15 hours ago

2704 CONNECT TWEET LINKEDIN COMMENT EMAIL MORE

CHILLICOTHE - A Laurelville woman who assaulted her nursing home patient in March will spend a year in prison.

Ross County Common Pleas Judge Scott Nusbaum told Kall Jo Craiglow, 20, if it had been his mother, he would want to "jump over this bench," eliciting sounds of approval from nearly two dozen people in the courtroom.

"You're going to be placed with inmates that are a lot tougher than an 85-year-old. You may be marked ... Don't allow the stress you're under to take drugs or join gangs," Nusbaum told Craiglow. "You've committed a horrendous offense, but your life is not over."

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Neglect

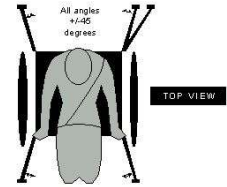
- **Failing** to provide a person with any treatment, care, goods, or service that is necessary to maintain the health or safety of the person when the failure results in physical harm to the person.



13

Neglect

- Aide failed to properly secure wheelchair bound resident in van
- Suffered broken nose, fractured cheek bone, bruising, lacerations
- Pled guilty to M1 Gross Patient Neglect



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Sexual Assault

- Resident reported to his fiancé that nurse sexually abused him.
- PD interviewed/obtained confession
- Nurse confessed to sexually abusing approximately 100 patients over 20 years working in nursing homes.
- AG assisted to find evidence to support confession



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Sexual Assault

Riems makes plea deal on patient abuse charges

By RIKH FULZARWALA | Saturday, January 17, 2009 12:28 PM EST

SANDUSKY

Faced with the possibility of being sentenced to a prison cell for 24 years, John Riems took a last-minute plea deal.

Using what's called an afford plea, Riems pleaded guilty late Friday night to four counts of sexual battery and one count of gross sexual imposition.

For complete coverage of the Riems case, click [HERE](#).



Register photo/LUCY WELLS/John Riems' attorney. They yesterday addressed the bench of the court during court Friday. Riems plead guilty to four counts of sexual battery and one count gross sexual imposition.

- Charged w/ 15 cts. Rape, 3 cts. sexual battery and 1 ct. GSI, 3 cts. p/a, 1 ct. felonious sexual penetration
- Defense argued coerced confession.
- Convicted of 4 cts. of sexual battery and 1 ct. GSI
- Sentenced to 12 ½ yrs.
- Release 6/10/20

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Theft

Camera placed 11:00am, housekeeper takes cash 1:26pm same date.



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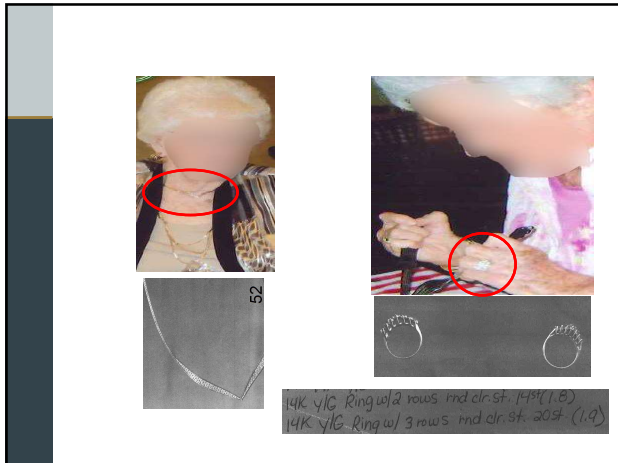
Theft

- Six suspects
- Twenty-two residents
- Dozens of police reports
- 53 pieces of jewelry
- Monetary Loss over 30K***

***true value over 100K



18



19



20

Charges/Convictions

Aide: Over 1.5 years, took **52** pieces of jewelry (total estimated loss of **\$26,398.00**) from **16** residents.

Pled Guilty: 17 Months in Jail
3yr Probation
23K Restitution + Costs,
Fines

Two of her relatives, and three other employees, also pled guilty to charges including theft, receiving stolen property, and safe-cracking. They were sentenced to probation, restitution

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Drug Diversion

- Additional charges
 - Neglect
 - Forgery/Falsification
 - Trafficking
- PRN Schemes
- Pharmacy Delivery
- Shift to Shift
- Wasting

22

Search Warrant

Sprint LTE 2:48 PM 75%

< Messages Amy Details

U hooking me up baby

Hell yeah. She has klonopin tomorrow 1 each

Taking bout pain pills at work

Yes I'm doing bunch of pain pills baby

I always hook you up babe

I know baby

23

Search Warrant

Sprint LTE 11:46 AM 75%

< Messages Amy Details

Smurf juice will have Sunday. Pharmacy hasn't come yet. I'm trying baby

Ok well least I know I have a 100 coming

And Sunday you will have a bottle of smurf juice baby

K

Morning or night

I get here at 7 pm you can come then

Sprint LTE 11:55 AM 75%

< Messages Amy Details

U can say that when ur given me mine Patches LOL love u babe

Love you too

Patches are in my hand

That my girl

Did u get some good shit from the other floor

Yep

Of Course

24

Business Office Manager



Jackson County – BOM Pleads GUILTY
1. One Count Forgery F5
2. One Count Theft from Elderly F3
Restitution of \$21,634.64
Sentenced to 5 yrs. Community Control
Suspended Prison Sentence of 36 months

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To Whom Do I Report???

Depending on the situation...

1. Facility Administration
2. Police
3. Ombudsman (Not APS in LTCF)
4. ODH
5. AGO

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Fiduciary (POA, Guardian) Schemes

POA 
License to Steal

27

State of Ohio v. Paul Kormanik



Former court-appointed guardian Paul Kormanik, middle, pleads guilty to 10 charges related to mistreating his wards. Kormanik was represented by defense attorneys Richard Cline, right, and S. Michael Miller, left. The Columbus Dispatch

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Who's Paul Kormanik?

- Franklin County attorney specializing in guardianships.
- At the time of the allegation, Kormanik was the guardian of approximately four hundred (400) Franklin County residents. The majority of the residents resided in nursing homes.

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Indictment

- 11 counts total
- One (1) count of engaging in a Pattern of Corrupt Activity. (F1)
- One (1) count of Theft from an Elderly Person or Disabled Adult. (F3)
- Two (2) counts of Theft from an Elderly Person or Disabled Adult. (F4)
- One (1) count of Theft from an Elderly Person or Disabled Adult. (F5)
- One (1) count of Theft. (F5)
- Five (5) counts of tampering with records. (F3)

30

Plea

- One (1) count of Theft from an Elderly Person or Disabled Adult. (F3)
 - Two (2) counts of Theft from an Elderly Person or Disabled Adult. (F4)
 - One (1) count of Theft from an Elderly Person or Disabled Adult. (F5)
 - One (1) count of Theft. (F5)
 - Five (5) counts of tampering with records. (F3)
- MAX SENTENCE 23 YEARS

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Sentencing

The screenshot shows a news article from 'The Columbus Dispatch'. The headline is 'Convicted guardianship lawyer died of suicide, attorney says'. The article text states: 'Paul S. Kormanik, a lawyer who was convicted for hiking people he was paid to protect, died this morning. The Franklin County Coroner confirmed his death and said her office is investigating the cause. Kormanik was to appear in Franklin County Probate Court this morning.'

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Sliwinski



Teddy Sliwinski – Attorney, Guardian

1. Theft (1 count): F3
2. Tampering w/Records (2 Counts) : F3



Irene Sliwinski – Wife/RN

1. Theft (2 Counts) : F4
2. Attempted Tampering w/Records: F3



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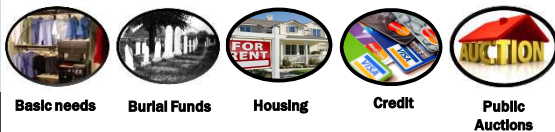
Sliwinski Sentenced

Former Cleveland attorney gets prison for stealing \$300K from clients



34

Fiduciary (POA, Guardian Schemes)



35

YOU are the Defender of Your Ward



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Contacting OAG
Health Care Fraud Section
Medicaid Fraud Control Unit
30 E. Broad St., 23rd Floor
Columbus, OH 43215
(614) 466-0722 or 800-252-0515
www.OhioAttorneyGeneral.gov
About AG>Service Divisions>Health Care
Fraud> Report Patient Abuse or Neglect



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Long-Term Care Ombudsman Program

Erin Pettegrew

Deputy State Long-Term Care Ombudsman

aging.ohio.gov/services/ombudsman

1



Ombudsman Mission

- The Office of the State Long-Term Care Ombudsman advocates for excellence in long-term services and supports wherever consumers live.

2



Who are we?

- Office of the State LTCO, headed by a State LTCO, responsible for a statewide program
- Strict confidentiality provisions
- Specific conflict of interest provisions
- Access to administrative, legal, and other remedies on behalf of residents
- Protected from willful interference
- Access to legal counsel that is free of conflict of interest

3



Legal Authority

- Older Americans Act – Title VII
- Ohio Revised Code & Administrative Code
 - ORC Chapter 173.14
 - OAC Chapter 173-14

4



Code of Ethics

- Self-determination
- Client's wishes
- Protect vulnerable
- Confidentiality



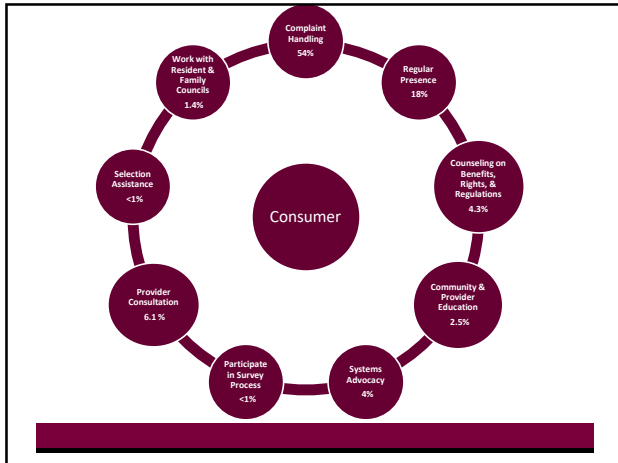
5



Structure

- State Office
- 12 regional programs
- 100 paid staff
- 230 volunteers
- All representatives of the Office

6



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Core Services

- Systems Advocacy
- Public/Community education about their rights and benefits

8

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Advocacy
The act of pleading or arguing in favor of something, such as a cause, policy, or interests or active support of an idea or c

- Work with resident & family councils
- LTC selection assistance

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- Provider consultation & in-service education
- Establishing ombudsman presence
 - Access to facility unimpeded
 - Residents
 - Facility records including
 - Incident reports
 - Council minutes
 - Census
 - Staffing charts

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Residents Rights

- Constitution grants all citizens certain rights
- LTC facility residents and consumers maintain those rights and are guaranteed additional rights specific to their status as LTC consumers

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Conceptual Framework


- Information
- Choice & self-determination
- Participation
- Privacy

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Information

- Billing
- Services




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Choice & Self-Determination

Right to...

- Dignified existence
- Accommodation of individual needs & preferences
- Activities, schedules, & health care consistent with their interests, assessments, and plans of care
- Voice complaints




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Decision-making

- Decisional autonomy
- Informed decision-making
- Alternatives and consequences




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Participation

- Planning
- Resident and family groups
- Activities
- Survey
- Administration



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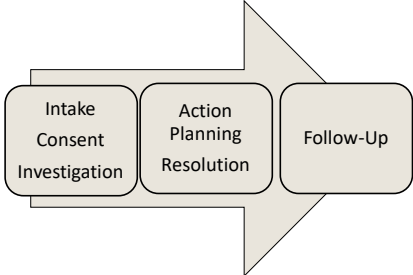
Complaint Handling

- Consent
- Client focus
- Confidentiality
- Non-adversarial
- Improve quality of care and quality of life

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Complaint-Handling Protocol



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    graph LR
      A[Intake  
Consent  
Investigation] --> B[Action  
Planning  
Resolution]
      B --> C[Follow-Up]
  
```


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Common Complaints

<p><u>Nursing Homes</u></p> <ul style="list-style-type: none"> ➤ Discharge/Eviction ➤ Failure to respond to requests for assistance ➤ Dignity, respect - staff attitudes ➤ Care plan inadequate, lacking, not followed ➤ Medications - administration, organization ➤ Personal hygiene (includes nail care and oral hygiene) ➤ Accidental or injury of unknown origin; falls; improper handling 	<p><u>Residential Care (Assisted Living)</u></p> <ul style="list-style-type: none"> ➤ Discharge/Eviction ➤ Medications - administration, organization ➤ Menu - quantity, quality, variation, choice, condiments, utensils ➤ Dignity, respect - staff attitudes ➤ Billing/charges - notice, approval, questionable, accounting wrong or denied ➤ Cleanliness, pests, general housekeeping ➤ Shortage of staff ➤ Accidental or injury of unknown origin; falls; improper handling
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Common Complaints

Residential Facilities Class 2

- Cleanliness, pests, general housekeeping
- Menu - quantity, quality, variation, choice, condiments, utensils
- Discharge/Eviction
- Medications - administration, organization
- Dignity, respect - staff attitudes
- Equipment - disrepair, hazard, poor light
- Personal Property - lost/stolen/used/destroyed/damaged
- Exercise choice/civil or consumer rights
- Privacy - phone, visitors, couples, mail
- Abuse, verbal/psychological


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Ombudsman Case Examples involving Guardians

- Less Restrictive Environment
- Visitations/Phone Calls
- Family Conflict
- Termination/Closure


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Those who Commit Elder Abuse in Facilities are often:

- Caregivers and other facility staff and volunteers
- Other residents
- Spouses and partners
- Family members
- Strangers


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Those who Commit Elder Abuse in the Community are often:

- Relatives
- Neighbors
- Caregivers


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Guardian Responsibilities to the Ward

- Professionalism, character, and integrity
- Exercising due diligence
- Least restrictive alternative
- Person-centered planning
- Ward's support system
- Communication with ward
- Direct services

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Guardian Responsibilities to the Ward

- Monitor and coordinate services and benefits
- Extraordinary medical issues
- End of life decisions
- Caseload
- Duty of confidentiality

04/03/2015

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Signs of financial exploitation in LTC

- Possessions disappear from a resident's room or apartment
- Resident pressured to make a decision or sign a document "now"
- A previously uninvolved person claims authority to manage a resident's care and/or finances but does not provide documentation
- Unpaid facility bills
- Resident's checkbook or check register shows checks made out to "cash" frequently or check numbers out of sequence
- Frequent or costly gifts to friends, staff, or volunteers

04/03/2015


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Preventing elder financial abuse
Guide for nursing homes and assisted living communities

Consumer Financial Protection Bureau 2021:
[cfpb_preventing-elder-financial-abuse_staff-guide.pdf](#)
([consumerfinance.gov/cfpb_preventing-elder-financial-abuse_staff-guide.pdf](#) ([consumerfinance.gov](#)))

04/03/2015

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Questions to Ask

- How do you feel? Do you feel safe? Is anyone hurting you or scaring you?
- Is anyone asking you to do things that you do not understand or that make you uncomfortable?
- Has anyone taken things that belong to you without asking or without your approval?
- Who else do you rely on anyone else for help? What kind of help? Does that person ever fail to help you meet your needs?

*Ask privately in an area where you will not be overheard

04/03/2015

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Be an involved participant in care

- Monitor care delivery
 - Attend care conferences
 - Should be invited for at least quarterly care conference
 - Ask for a new one if needed
 - Visit!
 - Participate in family council

04/03/2015

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Be an involved participant in care

- Review quality indicators
 - CMS Care Compare
 - www.medicare.gov/care-compare/
 - Quality measures – clinical and administrative
 - Inspection results, ownership, SFF status
 - Long-Term Care Consumer Guide
 - www.ltc.ohio.gov
 - Satisfaction surveys

04/03/2015

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Be an involved participant in care

- Find an advocate
 - LTC Ombudsman Program 1-800-282-1206
- Report
 - Adult Protective Services 1-855-644-6277
 - Ohio Department of Health 1-800-342-0553
 - Office of the Attorney General

04/03/2015

31




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Consumer View of Quality

- Kind treatment by staff
- Respect for residents' dignity
- Opportunities for choice & input
- Privacy

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Resources

- Ombudsman
 - www.ombudsman.ohio.gov
- Ohio Person-Centered Care Coalition
 - www.centeredcare.org
- Ohio LTC Consumer Guide
 - www.ltc.ohio.gov
- National Consumer Voice for Quality Long-Term Care
 - www.theconsumervoic.org

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OhioOmbudsman@age.ohio.gov
1-800-282-1206

aging.ohio.gov/services/ombudsman

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Fraud: The Other Pandemic

Kathy Stokes, Director, Fraud Prevention Programs, AARP
Robert Mascio, Director, FINRA Investor Education Foundation




Sept 2022 Guardians

1


Agenda

- About our organizations
- Fraud and its impact on older adults
- Top scams
- Signs of someone being targeted
- How to talk to a fraud target or victim

2

AARP in Three Parts

- AARP Foundation
- AARP Services, Inc.
- AARP Enterprise ← our social mission work & home of the **AARP Fraud Watch Network**




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About the Fraud Watch Network


What We Help You Do



Stay Informed



Find Support



Have a Voice

www.aarp.org/fraudwatchnetwork Fraud Watch Helpline: 877-908-3360
www.aarp.org/fraudsupport

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About FINRA Foundation

The Networks We Strengthen

The FINRA Foundation empowers its partners to reach people where they live, work and learn. It's about building capacity and nurturing support networks that can help you and help you to guide investors through their financial decisions and challenges.

A free tool to research the background and experience of investment professionals and firms.

BrokerCheck
by FINRA

FINRA Securities Helpline for Seniors

It's the number that senior investors can call to get guidance from FINRA's award-winning Helpline staff on financial and investment issues. About fraud, with brokerage accounts and investments.

Help (844) 57-HELPS (844-574-3577)

FINRA
Investor Education
FOUNDATION

www.finrafoundation.org/fraudfighter www.finra.org

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Fraud & Its Impact on Older Adults

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Fraud vs. Elder Financial Exploitation

Illegal, unauthorized or improper act that exploits or deprives an older adult of their resources for monetary or personal benefit, profit or gain

Trusted person or stranger

Defined

Intent to deceive for monetary gain

"Stranger danger"

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Fraud vs. Elder Financial Exploitation

Embezzlement

Falsifying records

Coerced property transfers

Denial of access to assets

Examples

Impostor scams

Romance scams

Lottery scams

Identity fraud...

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Fraud and Older Adults

Criminals target all ages, but...

Older adults hold 70% of US wealth

Younger people reported losing money to fraud **more often than older people.**

Age 20-29: 41%

Age 70-79: 18%

But when people aged 70+ had a loss, the median loss was much higher.

Age	Median Loss
20-29	\$500
70-79	\$900
80+	\$1,500

Younger lose more often

Older lose so much more

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Scope of Fraud

2021

- FTC: \$6.1 billion
- FBI: \$7 billion (cybercrime)
- Javelin: \$52 billion (ID fraud)

Impostor Scam Losses 2017-2021

\$2.3 BILLION in 2021 alone (FTC)

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Top Scams

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The Impostors

GOVERNMENT

- Social Security Administration
- IRS
- Medicare
- FTC
- US Postal Service

BUSINESS

- Amazon
- Utility companies
- FedEx/UPS
- Norton
- Microsoft

WHAT TO KNOW:

- Gov, businesses don't contact you out of the blue about a "problem"
- Concerned? Contact the entity at a trusted phone number
- Make no payments, share no sensitive info

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Sweepstakes

Alaska Woman Lost \$45,000 in Back-to-Back Sweepstakes Scams

Older Americans are top targets in sweepstakes and lottery scams, report says
by Katherine Talbot, AARP, June 10, 2011

You're a winner! Not really – Publishers Clearing House scam is back

By Mary Ellen Hatcher, Identitygig.com, 11/21/2011

RED FLAGS:

- You don't recall entering
- You need to pay an upfront fee to collect the prize

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Online Romance

Scrabble Online

Match.com

Words with Friends

Plenty of Fish

Facebook

RED FLAGS:

- Wants to move to another way of communicating
- Professes love early on
- Never able to meet in person
- Urgent need for money (eventually)

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Identity Theft and Identity Fraud

THEFT: Identity has been compromised

FRAUD: Stolen identity has been used

PROTECTION:

- Freeze your credit
- Use a password manager
- Set up online account access

MITIGATION:

- www.identitytheft.gov

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Investment Fraud

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Signs of Fraud

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Trauma-informed Response

- Assume trauma history, minimize re-victimization
- Understand trauma can affect perceptions of situations, intent, trust, and more
- Emphasize physical, psychological, emotional safety
- Create opportunities for victims to rebuild sense of control & empowerment



Source: Hopper, Bassuk & Olivet, 2010; courtesy of the National Center for Victims of Crime

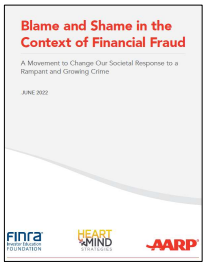
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Changing How We Respond to Fraud

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2022 Study




Download:
www.aarp.org/money/scams-fraud/info-2022/victim-blaming.html

FINRA FOUNDATION HEART & MIND AARP

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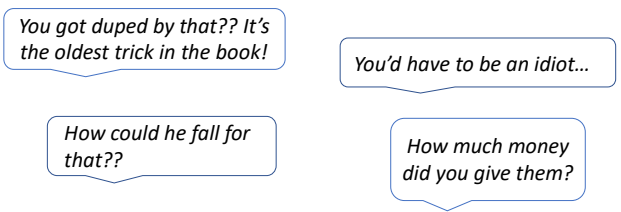
Violent & Property Crimes: How We React



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Financial Crimes: How We React



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How Victims Talk about Themselves

*I can't believe
I fell for this!*

*How could I be
so stupid??*

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Ripped from the Headlines

Suspect in knife-point robbery arrested in SE Portland

KATU Oregon 7/12/2022

Woman scammed of \$35,000

NorthcentralPA.com, 6/21/22

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Why Scams are Successful

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The Illusion of Invincibility



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Drivers of Blame

- Attribution bias
- Just world theory
- Rugged individualism

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Dimensions of Victim Blaming

- Interpersonal
- Institutional
- Societal

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Yes, We Blame. (But we don't really mean it.)

- Less about true sentiment than the words we use and practices we embrace
- Rooted in cultural values, driven by issues we can address – but how?

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Flipping the Narrative

What if we said:

“Falling victim is not your fault. It's the fault of the criminal who perpetrated this crime. **I am sorry you've had to endure this.**”

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Reframe with Our Words

Instead of this:

I can't believe you got duped.
How could you fall for that?
Duped, Swindled, Tricked...

Implies blame;
Inspires shame

Say this:

It's not your fault.
Scammers are good at what they do; you are a victim of a crime.

Shows empathy;
Empowers victim

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Seek Change in the Focus of Scam Coverage

Instead of this:

Woman Scammed of \$35k
Grandma Duped in Lottery Scam

Say this:

Fraud Criminal Steals Woman's Life Savings
Organized Crime Ring - Only Winner in Lottery Scam

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Potential Real-World Outcomes

- More reporting
- Family relationships protected
- Police take it seriously
- Prosecute take more cases
- Policymakers act
- Billions stay in our economy

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Be the Change

- It begins with each of us
- Call out victim-blaming language
- Use words that acknowledge the crime and the sophistication of the criminal
- Respond to victims with empathy and concern
- Report

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Thank You

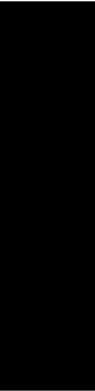
Kathy Stokes, kstokes@aar.org

Robert Mascio, Robert.Mascio@finra.org



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Resources



AARP and FINRA

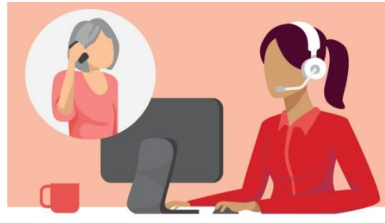
AARP Fraud Watch Network: <https://www.aarp.org/money/scams-fraud/about-fraud-watch-network/>

What We Help You Do



Stay Informed

Knowledge gives you power over scams. The AARP Fraud Watch Network™ equips you with reliable, up-to-date insights, alerts and fraud prevention resources to help you spot and avoid scams and protect your loved ones. We even cover the latest scams in the news.



Find Support

If you've been targeted by scams or fraud, you are not alone. Our trained fraud specialists provide support and guidance on what to do next and how to avoid scams in the future. The AARP Fraud Helpline, 877-908-3360, is free and available to anyone. We also offer online support sessions for further emotional support.



Have a Voice

AARP fights for consumers by advocating for laws and regulations to stop scams and shut down fraud attempts. We also provide a voice to consumer concerns and help shape the public discussion on fraud.

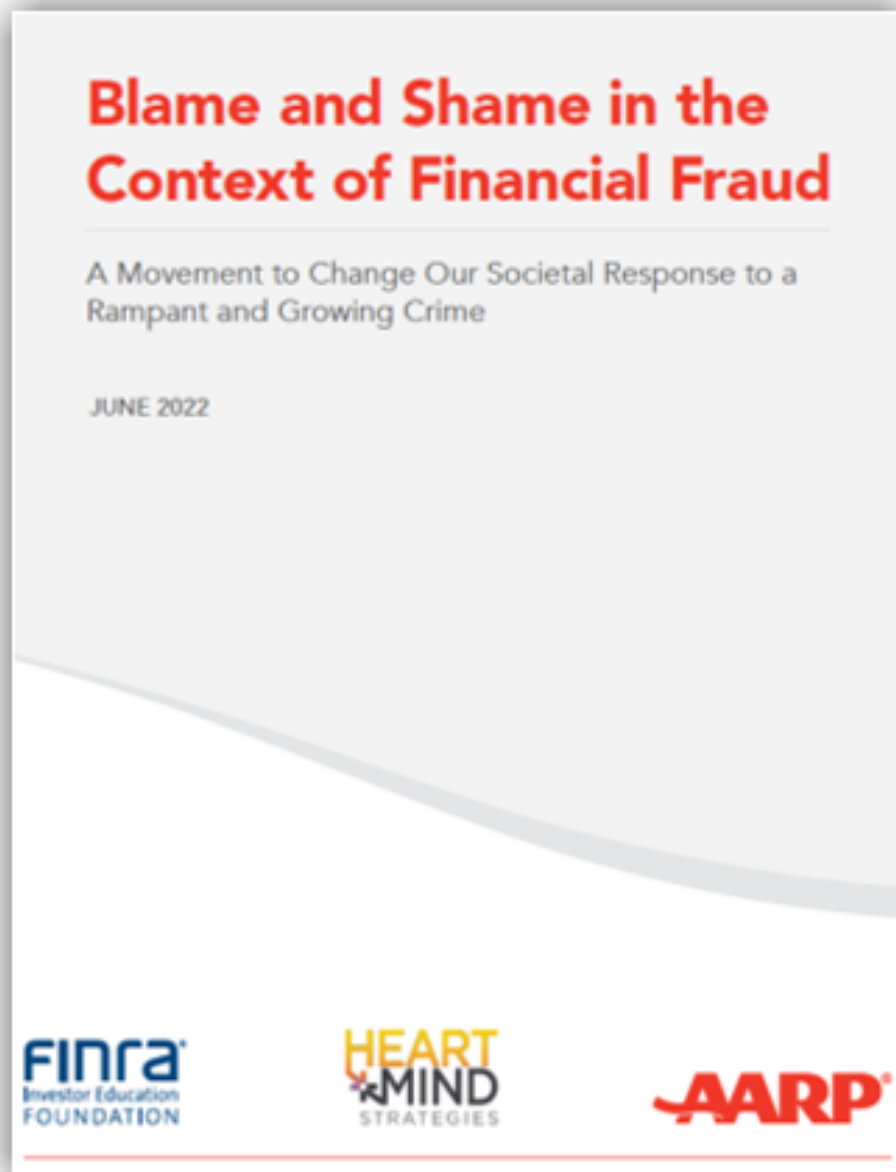
Let's Stop Blaming Victims – AARP Report: <https://www.aarp.org/money/scams-fraud/info-2022/victim-blaming.html>

SCAMS & FRAUD

Let's Stop Blaming Scam Victims, New AARP Report Says

Advocates call for a change in how we talk and think about financial fraud

Blame and Shame in the Context of Financial Fraud – AARP/FINRA Report:
<http://www.aarp.org/money/scams-fraud/info-2022/victim-blaming.html>



Kathy Stokes, Fraud Prevention Programs, AARP: kstokes@aarp.org

FINRA: <https://www.finra.org>



FINRA Financial Investor Education Foundation: <https://www.finrafoundation.org/>



Empowering Fraud Fighters: <https://www.finrafoundation.org/networks-we-strengthen/fighting-fraud>



FINRA Securities Helpline for Seniors – Contact Information

Phone: (844) 574-3577

E-mail: https://tools.finra.org/email_mask/1046/Christine%20Kieffer

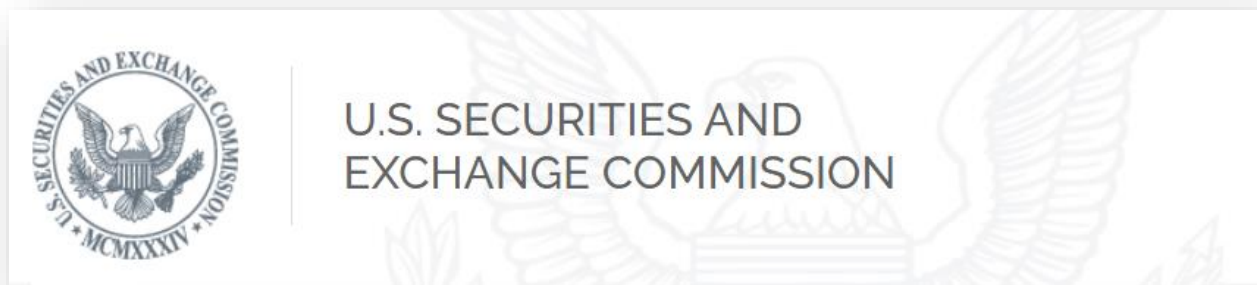
Robert Mascio, FINRA Investor Education Foundation: Robert.Mascio@finra.org

Federal Government

Federal Trade Commission – IdentityTheft.com: <https://www.identitytheft.gov/#/>



Securities and Exchange Commission: <https://www.sec.gov/>



Consumer Financial Protection Bureau: <https://www.consumerfinance.gov>



Preventing elder financial abuse: Guide for nursing homes and assisted living communities: https://files.consumerfinance.gov/f/documents/cfpb_preventing-elder-financial-abuse_staff-guide.pdf



State Government

Ohio Department of Commerce: <https://com.ohio.gov/reportfraud.ftc.gov>



Ohio Department of Aging – Seek an Ombudsman: <https://aging.ohio.gov/care-and-living/get-help/get-an-advocate>



E-Mail: OhioOmbudsman@age.ohio.gov

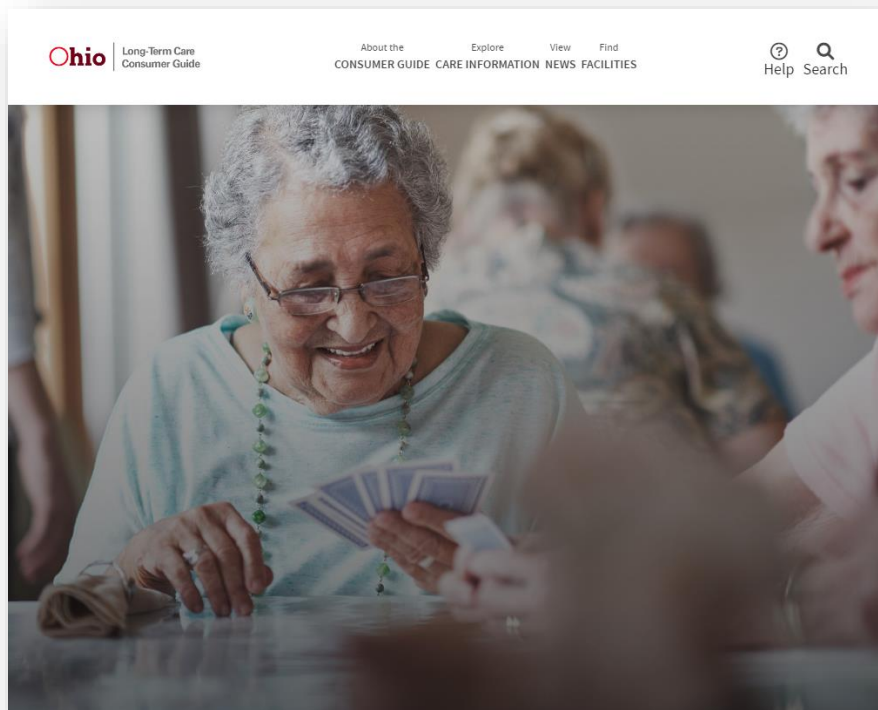
Phone: 1-800-282-1206

Web Site: <https://aging.ohio.gov/services/ombudsman>

Esther's Law: <https://aging.ohio.gov/care-and-living/get-help/get-an-advocate/esthers-law>

Esther's Law, which grants nursing home residents and/or resident representatives the ability to authorize and install electronic monitoring devices in resident rooms to monitor the quality of care received in the home, becomes effective in Ohio on March 23, 2022. The law addresses the resident rights to dignity and privacy where there is a roommate involved, and places requirements on the facility to make reasonable accommodations and prohibits them from retaliating against residents who wish to install these electronic monitoring devices.

Ohio Long-Term Care Consumer Guide: www.ltc.ohio.gov



Ohio Attorney General – Health Care Fraud:

<https://www.ohioattorneygeneral.gov/About-AG/Service-Divisions/Health-Care-Fraud>



Health Care Fraud Section

Medicaid Fraud Control Unit

30 E. Broad St., 23rd Floor

Columbus, OH 43215

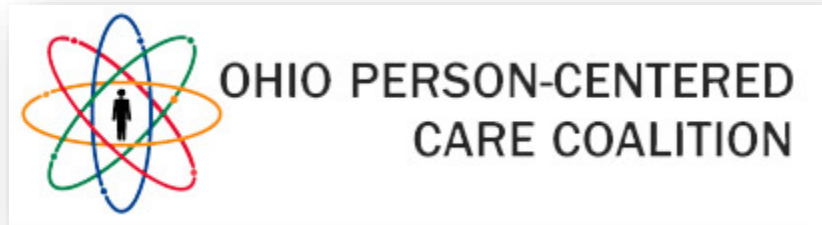
(614) 466-0722 or 800-252-0515

www.OhioAttorneyGeneral.gov

[About AG>Service Divisions>Health Care Fraud> Report Patient Abuse or Neglect](#)

Other

Ohio Person-Centered Care Coalition: <https://www.centeredcare.org/>



The National Consumer Voice for Quality Long-Term Care:
<https://theconsumervoice.org/>



ANSWER KEY

ANEM 1: The correct answer is A, B, C, and E. Nursing homes, assisted living facilities, group homes, and state operated residential care facilities are all examples of long-term care facilities.

ANEM 2: The correct answer is C. Both abuse and neglect are liable to criminal prosecution.

ANEM 3: The correct answer is A, B, C, D, and E. All of these are authorized to receive reports of abuse, neglect, exploitation, and financial misappropriation.

ANEM 4: The correct answer is C. While all of these are involved in defending and protecting the interests of the ward, the guardian bears primary responsibility.

LCOP 1: The correct answer is A, B, C, and D. Self-determination, client's wishes, protection of the vulnerable, and confidentiality are all part of the Ombudsman Code of Ethics.

LCOP 2: The correct answer is A, B, C, D, and E. All of these represent core services of the Ombudsman's Office.

LCOP 3: The correct answer is A, B, and C. Common complaints include discharge/eviction concerns, treating wards with dignity/respect, and failures to respond to calls for assistance.

LCOP 4: The correct answer is A, B, and C. Relatives, neighbors, and caregivers are likely sources of abuse in the community. Residents and strangers are additional sources in facilities.

LCOP 5: The correct answer is A, B, C, D, and E. All of these are ways you can participate in your ward's care.

F 1: The correct answer is C. AARP Enterprise is the division that houses the AARP Fraud Watch Network.

F 2: The correct answer is C, D, and E. Imposter scams, lottery scams, and romance scams are examples of fraud.

F 3: The correct answer is B. While younger people are targeted more often, older people lose more money to fraud.

F 4: The correct answer is A, B, C, and D. All of these are effective means to safeguard against identity fraud.

F 5: The correct answer is A, B, C, and D. All of these are ways you have help your ward avoid being scammed.

F 6: The correct answer is A. Among other things, you should:

- *Minimize re-victimization.*
- *Emphasize physical, psychological, emotional safety.*
- *Create opportunities for victims to rebuild sense of control and empowerment.*

F 7: The correct answer is A and B. You can help fraud victims by:

- *Calling out victim-blaming language*
- *Using words that acknowledge the crime and the sophistication of the criminal*
- *Responding to victims with empathy and concern*
- *Reporting fraud to law enforcement*



THE SUPREME COURT *of* OHIO
JUDICIAL COLLEGE