



DEPARTMENT OF SOCIAL SERVICES COUNTY OF MADERA

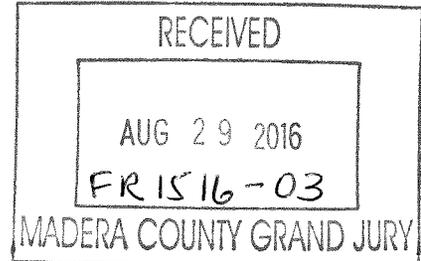
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KELLY WOODARD, Director

An Equal Opportunity Employer

August 19, 2016

The Honorable Dale J. Blea
Presiding Judge of the Superior Court
Madera County Superior Court
200 South "G" Street
Madera, CA 93637



RE: *Response to 2015-16 Madera County Grand Jury Complaint Regarding the Madera County Adult Protective Services, Department of Social Services, Final Report*

Dear Honorable Presiding Judge Blea:

In accordance with California Penal Code § 933.05(a) and (b), this letter addresses all **Findings and Recommendations** in the above-referenced report which address subjects under the control of the Department of Social Services.

A. Response to Grand Jury Findings

1. On July 25, 2013, hospice contacted APS to investigate a case of suspected elder abuse involving a man dying of colon cancer. The formal procedure for filling out an SOC-341 indicated an immediate response was warranted under the conditions described.

Response: Agree in part. DSS acknowledges that the Adult Protective Services ("APS") Intake Assessment Form, as completed in this case, contains notations indicating that a Level 1 response was needed. However, further assessment of the referral led DSS to the conclusion that the matter did not, in fact, warrant an immediate response. Even if the Intake Assessment form had been completed correctly, the response would not have been immediate because neglect and financial abuse are 10-day response scenarios.

2. Because of an error on the Response Priority Decision Tree, neither the elder nor his caretaker was contacted in time to conduct an investigation of abuse before the elder died five days later.

Response: Agree in part. DSS acknowledges that the Adult Protective Services ("APS") Intake Assessment Form, as completed in this case, contains notations indicating that a Level 1 response was needed. However, even if the Intake Assessment form had been completed correctly, the response would not have been immediate because neglect and financial abuse are 10-day response scenarios. Even so, as set forth in the Final Report, APS made contact with the subject elder on July 29, 2013 to make an appointment on August 1, 2013.

3. Hospice clearly stated the danger to the abused elder in their initial contact with APS on July 25, 2013. APS was again contacted by hospice on July 26, 2013 and July 29, 2013 to emphasize their concerns.

Response: DSS agrees with this finding.

4. A subsequent internal investigation conducted by APS confirmed that the failure to respond was due to an error in completing the Response Priority Decision Tree.

Response: Agree in part. DSS agrees that there was an error in completing the Response Priority Decision Tree. However, even if the Intake Assessment form had been completed correctly, the response would not have been immediate response because neglect and financial abuse are 10-day response scenarios.

B. Response to Grand Jury Recommendations

1. That APS review and revise their Intake Decision Process to eliminate the possibility of future Response Priority mistakes.

Response: DSS agrees with this recommendation.

a. DSS recognizes the need for clarification in regards to the "Adult Protective Services Intake Assessment" form, and has taken the steps recommended by the Grand Jury to revise the form and has trained the APS staff on the revised form. The revised form Adult Protective Services Intake Assessment (attachment 1), along with the revised Adult Protective Services Intake Procedure APS #01-16 (attachment 2) and an updated Dependent Adult Definition Chart-Abuse/Neglect by Another (attachment 3) were introduced to all Social Worker Staff in May 2016.

2. That all APS personnel be thoroughly trained on the revised intake decision process and completion of all forms.

Response: DSS agrees with this recommendation.

- a. All APS staff members have been trained on this new procedure and forms.
- b. All CWS/APS Hotline staff members have been trained on the new forms.

Respectfully,


Kelly Woodard, Director

Cc: Darin McCandless

