



**Department of Human Services
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POL5500

**Revised:
Next Review:**

**07/01/2019
07/01/2021**

SUBJECT: Adult Protective Services

POLICY

The policy of the Department of Human Services is to protect the welfare of disabled adults and elder persons who are subject to abuse, neglect or exploitation. The Department does this by receiving and investigating reports of suspected abuse, neglect or exploitation of persons who are not residents of long-term care facilities and by providing protective services for adults who consent.

A. Authority

[O.C.G.A. 30-5-1](#) thru [30-5-11](#) (Protection of Disabled Adults and Elder Persons)

B. References

Title XX of the Social Security Act, Social Services Block Grant
[O.C.G.A. 29-5-2](#) Guardians of Incapacitated Adults

C. Applicability

The Adult Protective Services Section within the Division of Aging Services fulfills the requirements of the above-stated DHS policy.

D. Definitions

Abuse is the willful infliction of physical pain, physical injury, mental anguish, unreasonable confinement or the willful deprivation of essential services to a disabled adult or elder person.

Disabled adult is a person 18 years of age or older who is not a resident of a long-term care facility but is mentally or physically incapacitated.

Elder person is a person 65 years of age or older who is not a resident of a long-term care facility.

Exploitation is the illegal or improper use of a disabled adult or elder person or that person's resources for another's profit or gain.

Essential services are social, medical, psychiatric or legal services necessary to safeguard the person's rights and resources and to maintain the physical and mental well-being of such person. These services shall include, but are not limited to, the provision of medical care for physical and mental health needs, assistance in personal hygiene, food, clothing, adequately heated and ventilated shelter, and protection from health and safety hazards but do not include the taking into physical custody of a disabled adult or elder person without that person's consent.

Neglect is the absence or omission of essential services to the degree that it harms or threatens with harm the physical or emotional health of a disabled adult or elder person.

Protective services are services necessary to protect a disabled adult or elder person from abuse, neglect or exploitation. Services include, but are not limited to, evaluation of need for services and mobilization of essential services on behalf of a disabled adult/elder person.

Sexual abuse is the coercion for the purpose of self-gratification by a guardian or other person supervising the welfare or having immediate charge, control, or custody of a disabled adult or elder person to engage in any of the following conduct:

- Lewd exhibition of the genitals or pubic area of any person;
- Flagellation or torture by or upon a person who is unclothed or partially unclothed;
- Condition of being fettered, bound, or otherwise physically restrained on the part of a person who is unclothed or partially clothed unless physical restraint is medically indicated;
- Physical contact in an act of sexual stimulation or gratification with any person's unclothed genitals, pubic area, or buttocks or with a female's nude breasts;
- Defecation or urination for the purpose of sexual stimulation of the viewer; or
- Penetration of the vagina or rectum by any object except when done as part of a recognized medical or nursing procedure.

E. Responsibilities

The Division of Aging Services is responsible for the oversight of the development and update of requirements in the Adult Protective Services Manual, [MAN5500](#)

F. History

This Policy was previously indexed as 3120; it was re-indexed when the Adult Protective Services Program was moved from the Division of Family and Children Services to the Division of Aging Services effective July 1, 2004

G. Evaluation

The Division of Aging Services evaluates the performance measures monthly to assess program results.