

# Elder Abuse

## What Is Elder Abuse?

Although there is not a legal definition, elder abuse means offensive or harmful treatment of someone sixty (60) years of age or older or other vulnerable adults with disabilities. Elder abuse can include physical, emotional, financial, psychological, or sexual abuse. It may also include financial neglect, self-neglect, or abandonment. Seniors commonly experience more than one type of mistreatment at the same or different times. Some types of elder abuse include:

- **Physical Abuse** – Inflicting, or threatening to inflict, physical pain or injury on a senior.
- **Emotional Abuse** – Inflicting mental pain, anguish, or distress on a senior person through verbal or nonverbal acts.
- **Psychological Abuse** – Convincing seniors they are mentally ill or confused when they are not and causing them to stop trusting their own faculties without a legitimate cause.
- **Sexual Abuse** – Non-consensual sexual contact of any kind or coercing an elder to witness sexual behaviors.
- **Financial Abuse** – Illegal taking, misuse, or concealment of funds, property, or assets of a senior or vulnerable adult. Financial abuse can include financial exploitation, which is financial abuse committed by a person whom the senior trusts or a person of authority. Exploitation applies where the abuser improperly uses the senior's property for personal gain or for the benefit of a third-party.
- **Neglect** – Refusal or failure by those responsible to provide food, shelter, health care, or protection for a senior.
- **Self-Neglect** – Inability or refusal to perform self-care due to physical or mental impairment or diminished capacity. This can result in seniors having poor hygiene, failing to take prescribed medications, becoming malnourished, or failing to maintain safe living quarters.

- **Abandonment** – The desertion of a senior by anyone who has assumed the responsibility for care or custody of that person. This includes what is often referred to as “patient dumping,” which is where a medical facility discharges a patient who lacks a safe place to go rather than connecting them with appropriate resources.
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## **How Do I Spot Elder Abuse?**

Elder abuse can be more difficult to spot than other domestic abuse. Signs of aging or dementia may seem like abuse. Physical or sexual abuse may only become apparent in a doctor-patient setting or other similar settings. Sometimes one symptom of abuse may point to another, like withdrawal from social activities may indicate financial, physical, or other abuse. The following warning signs should cause concern:

- Bruises, cuts, burns pressure marks, broken bones, poor hygiene, malnutrition, unusual weight loss, or complaints about being hit or touched inappropriately may all indicate physical abuse.
- Frequent arguments between the senior and caregiver or family member, sudden changes in personality or behavior, withdrawal from normal activities, strained or tense relationships, changes in alertness, unusual depression or anxiety, or isolation may all indicate emotional abuse.
- Sudden changes in financial situations, a caregiver not taking care of basic needs, transfers of property, or large gifts may all indicate financial abuse.

If you believe a person may be a victim, think about ways to address your concerns before taking an action. You may choose to report the abuse, approach the victim to ask questions, or take action based on these signs. When possible, speak to an attorney before taking action to better understand your obligations and options.

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## **Who Is At Risk?**

Risk factors commonly seen in victims include previous abuse, alcohol or drug addiction, disability, loss of independence, lack of medical support or services, lack of access to transportation and/or adequate housing, isolation, and dementia or other mental illness.

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## Who Commits Elder Abuse?

The majority of elder abuse is committed by family members, and in particular adult children. Other common culprits are people in positions of trust or power, such as agents under Powers of Attorney and caregivers.

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## What Can I Do To Protect Myself From Elder Abuse?

You can protect yourself by planning ahead. Education and preparation are the best way to prevent or lessen the effect of abuse. See our information on [Supported Decision-Making](#), [Estate Planning](#), and [Durable Power of Attorney](#) to better understand steps you can take now to protect yourself in the future.

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## How Do I Report And Who Do I Report To?

In Tennessee, everyone is a “mandatory reporter.” This means that if you have a reason to believe a senior citizen or disabled adult has experienced any kind of abuse, you **must** report to someone who can help. Failure to report is a class A misdemeanor.

In an emergency, **call 911**. For other nonemergent reports of abuse, contact one of the following:

- **Nationwide Domestic Violence Hotline** at (800) 799-SAFE or (800) 799-7233 or (800) 787-3224
- **Tennessee Domestic Violence Hotline** at (800) 356-6767
- **Adult Protective Services** at (888) APS-TENN or (888) 277-8366 or you can file a report online at <https://reportadultabuse.dhs.tn.gov/>. We recommend filing your report online. This creates a written record and allows you to track the investigation as it progresses.
- **If the abuse occurs in a nursing home or long-term care facility, report to the District Long-Term Care Ombudsman** at (877) 236-0013

- **Tennessee Area Agencies on Aging and Disability** at 1(866) 836-6678 or visit <https://www.tn.gov/content/tn/aging.html>
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## How Can I Help Victims of Elder Abuse?

As a family or friend of the victim, you can file a Vulnerable Adult Order of Protection on behalf of a victim. This action requires that you be related to the victim, the victim be 18 years or older, and the victim lacks the capacity to file for him/herself.

Anyone can petition for a conservatorship and report to Adult Protective Services, the Long-Term Care Ombudsman, or call the police. Anyone can personally help by spending more time with the senior to prevent isolation, providing seniors with transportation, or paying attention to ways to prevent or lessen risk factors in the future.

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## What Can I Do If I Am A Victim?

You have the right to file a police report or seek a civil remedy in court. To press criminal charges, fill out a police report in the city or county where the abuse happened. Civil options include asking the court for an Order of Protection, filing a lawsuit, or reporting the abuse. Many victim support organizations and legal aid offices can help carry out those options.

If you are a senior or an adult with a disability, seek help by contacting one of the following:

- **In an emergency**, call 911 first.
  - **Adult Protective Services (APS) 24/7** 1-888-APS-TENN or 1-888-277-8366
  - **Tennessee Domestic Violence Hotline** 1-800-356-6767
  - **If the abuse occurs *in a nursing home* or long-term care facility, report to the District Long-Term Care Ombudsman at (877) 236-0013**
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## Are There Other Resources For Dealing With Or Preventing Elder Abuse?

1. Consumer Financial Protection Bureau “Money Smart for Older Adults: Prevent Financial Exploitation”: [http://files.consumerfinance.gov/f/201306\\_cfpb\\_msoa-participant-guide.pdf](http://files.consumerfinance.gov/f/201306_cfpb_msoa-participant-guide.pdf)
2. National Center for State Courts Elder Abuse Resource Guide: <http://www.ncsc.org/topics/children-families-and-elders/elder-abuse/resource-guide.aspx>
3. National Center on Elder Abuse State Resources: <https://ncea.acl.gov/Resources/State.aspx#Tennessee>
4. Tennessee Commission on Aging and Disability, Elder Abuse: <https://www.tn.gov/aging/learn-about/elder-abuse.html>
5. National Council for Aging Care, Elder Abuse Guide: <http://www.aginginplace.org/guide-to-recognizing-elder-abuse/>

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