

## May 2023 APS TARC Podcast Transcript

### The Drivers of APS Final Disposition Study

#### Introduction

**Andrew Capehart:** Welcome to the Adult Protective Services Technical Assistance Resource Center podcast. We come to you with the goal of sharing promising practices and innovations from the APS field, and to highlight what is achievable with new ideas and partnerships to help you envision what may be replicated in your program.

Let's join our host, Jennifer Spoeri APS TARC subject matter expert and guests in conversation.

#### Discussion

**Jennifer Spoeri:** Welcome to the APS TARC podcast. Today we're going to have an interesting discussion regarding the soon to be published study on the drivers of final dispositions in APS cases. According to NAMRS data, 34.2% of APS cases have a final disposition of substantiated or confirmed. This said, the substantiation or confirmation rates in APS cases have wide ranges across the country, across counties, and even within APS programs. Naturally, the APS field is curious about what causes this, and this curiosity led to this project's development by NAPSA's Regional Representative Advisory Board in June, 2020. With me today is Mariah Freark, deputy General Counsel at the Disabled Person Protection Commission, and Dr. Heather Goldsworthy from Temple University, Harrisburg.

They will give us more background into how this project was developed, how the data was collected and analyzed. Mariah, would you please begin by giving our listeners some background on you and how you became involved in this project?

**Mariah Freark:** Sure. I am one of the attorneys at the Disabled Persons Protection Commission, but I also wear a couple other hats and one of those is, helping out with NAPSA projects. So, a couple years ago I was fortunate enough to be involved with the project NAPSA had put together to review abuser registries across the country. And because of my work on that, when the regional reps had come up with this project, Lori Delagrammatikas, NAPSA's former executive director, had reached out to me and asked if I would be interested in, helping to sort of write up the results of the survey, and talk more about what the outcome of the project was. So, that's how I got here.

**Jennifer Spoeri:** Great. Yeah. And you're also on the NAPSA board, so Dr. Goldsworthy, can you briefly explain your background and the research methods you used to analyze all of this data?

**Heather Goldsworthy:** Yes. I'm Heather Goldsworthy. I'm the Associate Director for research and evaluation at Temple University's Harrisburg campus. I got involved in this project, by way of introduction, to Lori Delagrammatikas by a colleague who was at the time working at Temple Harrisburg, Chris Dugal, and Lori

asked if Chris knew of anyone who might be able and interested to analyze the survey data when it came in. And I was so interested in the project and so interested in the data that I volunteered to do the analysis without being in a formal contract or anything like that. So, I got hold of the survey data after it, the survey had already been designed and sent out. And I'll tell you what I did in the simplest of terms, I wanted to look between all of the state responses that we got.

First, to get an idea of what APS practice looks like and how it varies from state to state across the country and, within the responses that we were able to get. I also wanted to look specifically for any factors that might be associated, in the statistical sense, with substantiation rate. So, whether there were any factors that varied systematically across states, related to substantiation. The thing we wanna absolutely emphasize today is that we're talking about association of factors. We're talking about correlation and not causation. We don't know why things look, look the way that they do, but we know that they look a certain way that suggests there may be more digging to do in certain areas. So, of the state responses that we got back, the range, Jen, you alluded to this just a second ago.

The range of substantiation rate across states varied really widely. At our low range, we had about 20% of cases substantiated at the high range, approximately a hundred percent. The average amongst those is around 60%, and that happens to also be the value that splits our sample of states directly in half. In terms of size, they're the same number of states below that 60% mark as there are this number of states above it. So that value, that 60% value, allows us to split the states into two groups that are approximately the same size. They also have the same level of variance. We would say they, the lower group, the group of states with substantiation rates less than the average range from about 20% to 60%.

And then the states above range from 61 to a hundred percent. So, they have the same range of variants and the same size. So, we're able to compare these two groups of states in a way that gives us slightly more confidence in our, in our analysis than if they were a very different sizes or very different variants. So, they're alike in their difference in a way that allows us to compare them with a bit more confidence than we would have otherwise. So, the analysis that we're gonna talk about today is about factors that. Kind of cropped up as areas for further inquiry. We can't say why they shake out this way.

We can't say what causes the difference in substantiation or even how strong the relationship is. We need some more data for that. But what we do know is that there are a few areas that seem to be related to substantiation that we could look a little further at today.

**Jennifer Spoeri:** Great. That's interesting. So, it's kind of like something that just rose up to be looked at further. So, let's dive in. What did we learn from the survey that we wanna learn more about?

**Heather Goldsworthy:** Well, we, we have five factors that showed up as potentially interesting and the, the first one is, the first two actually are about intake workers, and the first one we'll talk about is about the level of education. Oh, I'm sorry. I'm talking about whether field experiences required for intake workers across the

states that reported less than 20% of those states told us that they require their intake workers to have field experience. And when we split the states into our groups above and below the average substantiation rate, we see that requiring field experience is associated with higher substantiation rates among the states that had above average substantiation rates.

Approximately 20% of those states told us that yes, they require field workers to have, uh, intake workers to have field experience and those with below average, only about 5% of those states told us that they required field experience among intake workers.

**Jennifer Spoeri:** Interesting, it's definitely something to dive further into.

**Mariah Freark:** And that kind of links into the second piece of information, where education level also was associated in this survey with, excuse me. Having intake workers with higher levels of education was associated with higher rates of substantiation. This is why, that's right, I'm in charge of the, the numbers in the finance.

**Heather Goldsworthy:** Yes, that's exactly right though, Mariah. So, we asked about level of education required for intake workers and the options were, you know, an associate's degree, a bachelor's degree, or there's no specific requirement; it varies. My county, we found actually that, you know, about 65% of the states that reported said that they require a bachelor's degree of their intake workers. But when we split those groups up into the above and below average substantiation rate, we see that the states that had above average substantiation, about 78% of those states told us they require a bachelor's degree for intake workers. And in the states with below average only 53% required a bachelor's degree. So exactly like Mariah said, higher education requirements are associated with higher substantiation rates.

**Mariah Freark:** Before we go into what's associated with lower substantiation rates, I just kind of wanna toss out there one of the things that makes the survey interesting, but, not super, I don't wanna say reliable, but it's just like, it's not information that we wanna be like basing policy decisions off of. Right. And one of the things that's interesting is these factors are really hard to isolate, so we don't know anything else about these intake workers, right?

Like how many years on the job do they have, we don't know what the on-the-job training looks like. And so, it's entirely possible that there are two factors that coexist together. That are influencing possibly the substantiation rate. So, it's super interesting to look at these initial associations, but I think when we start digging into this stuff, over the coming years with additional research projects, we're gonna find even more interesting information.

**Heather Goldsworthy:** That's actually the perfect use of the word, reliable. Statistically, Maria.

**Mariah Freark:** It's oh, good? Good.

**Heather Goldsworthy:** That was very perfect. Reliable means that we could use it to generalize beyond our initial sample. And so, we can't do that with this particular sample. We need more data. We need more research. We expect that our results are what we call valid meaning that they're real and they're true. They were accurately reported by states, but we don't know that they're reliable for making generalizations beyond this particular group. That's exactly right. So, while not reliable, we assume the research is valid. We assume that people gave us accurate answers in the responses, but you're exactly right. We may find out that the influence of particular factors are not as strong once we remove something else or they're less strong when we get more data, when we have larger groups to compare. That's exactly right.

**Jennifer Spoeri:** All right, so what else did we learn? That we wanna dig in more. This is making me excited for the future. I'm glad for the future, future research.

**Heather Goldsworthy:** Researchers like me are really glad to hear that we learned something about screening tools. Actually, we asked states in the survey whether they use a standardized screening tool and about. A third, a little over a third of states told us that yes, certainly they do use a standardized screening tool. So, of the states that had below average substantiation rates, 50% told us that yes, they do use a standardized screening tool. And of the states that had above average substantiation rates, only a third of those states told us that they use a standardized tool. So, use of standardized tools is associated with lower substantiation, but we don't know why.

**Jennifer Spoeri:** Yeah, that's a very interesting, and this is at intake, so that's, that's a whole nother variable to consider.

**Heather Goldsworthy:** Right. It's not even investigation, it's just about intake.

**Jennifer Spoeri:** All right, so next was something about requiring referrals to law enforcement. I'm intrigued by this.

**Heather Goldsworthy:** Oh, me too. So, we, we asked upon substantiation, are you required to refer a case to law enforcement? And among the state's reporting, 46% told us yes, they are required to refer to law enforcement. When we split the states up, requiring referral to law enforcement is associated with lower substantiation rates. Among states that had above average substantiation rates, 22% told us that yes, they do require referral to law enforcement, but among states that had below average substantiation, over 50%, 53% told us that they do require referral to law enforcement. So, requiring referrals associated with lower substantiation.

**Mariah Freark:** I wanna jump in here and just kind of flag, but none of this means anything on like a moral judgment kind of way, right? So, we're not saying toss out your standardized intake tools and, revise your statute to, reconsider how you interact with law enforcement. A lower, substantiation rate might not be a bad thing because ideally when you do an investigation, you're doing a comprehensive, thorough investigation and sometimes there is just not sufficient evidence and you have to unsubs so, we're using the substantiation rate

sort of as a way to divide groups up, but definitely not to judge one group being better than another group or, you know, one. It's not necessarily great if you know to have a high substantiation rate or a low substantiation rate. It almost depends on the individual case and the individual investigation.

**Jennifer Spoeri:** So, and, and I would say where this case is because different statutes have different qualifications to have this case substantiated, you know, different requirements, vulnerability, age, location. Exactly, all of that. So, seen one APS program, you've seen one APS program.

**Heather Goldsworthy:** Right, exactly. I think, and that's something that's interesting for me as a researcher, because substantiation on its own meant nothing to me when I first came in. It doesn't strike me as a value-laden word. That means anything better or worse. I don't necessarily see low substantiation as a bad thing. It may be that everything that comes in is being appropriately screened so that what's going forward in investigation towards substantiation is exactly what should be there. So, we can't make any assumptions about what lower or higher substantiation rates mean in terms of quality of work or investigation. Nothing like that. It's just another factor in the work that we, that we notice, but it is something that we're interested in and the questions that. These things we're raising, the questions that should crop up from that are, why is that? What does that mean? Not necessarily then let's change all of our practice right away.

Obviously, certainly not, we don't want anyone to, to make those kinds of decisions based on this level of data.

**Mariah Freark:** Well, and especially I think one of the, one of the questions that sort of kicked off this entire project was why is there such a huge, like gap between substantiation rates. If your lowest is 20% and your highest is 99% like, that's a really significant variation. And so, I think we're all really interested in that question. I think what we have learned from this project is that is a very tangled up not of a whole bunch of different threads and strands and all kinds of yarn in there, so.

**Heather Goldsworthy:** Especially given that one of the points of the survey was to map APS practice across the country, just to get a sense of what it sort of looks like. And in some factors, we see that programs across the country resemble each other very much. They have some factors that almost everyone has in common, but substantiation is widely, widely varied, unlike other factors. So, we wonder what causes that level of variation when we see some practices amongst programs that look exactly the same. So, what we're trying to figure out is that relationship between all of those tangled pieces of yarn that are currently all woven together. Yes.

**Jennifer Spoeri:** Yep. And to complicate it even further, wasn't there some information about the central perp registry? That kind of rose to the surface and caused more questions to be needing answers?

**Heather Goldsworthy:** Absolutely, and this is actually a question I'm hoping we'll get a lot more information on shortly in the coming years as more central perpetrator registries are developed. What we found is across the survey, respondent states, 40% of those states told us that they have a central perp registry. However, when we split them up, having a central perp registry is associated with lower substantiation. So, we see that

states with above average substantiation rates, only 22% of those told us that they have a central perpetrator registry. But in states with below average, Substantiation, 63% told us that yes, they have a central perp registry. So interestingly, and quite dramatically, in this particular factor, having a central perp registry is associated with lower substantiation. Very curious.

**Jennifer Spoeri:** It is fascinating. And Mariah, you did work on the perp registry paper, correct?

**Mariah Freark:** I did, and that's something that I was thinking about. With this piece of information that came out of the survey at the time that we did the report on the abuser registries, I think that was 2017, 2018, we had 26 states in the country that had registries. So, one of the things that is interesting about this survey is, I can't remember off the top of my head how many states we had that responded, but it wasn't a hundred percent of states, right? So, if you know 30% of states, I can't do numbers anyway, my point is the overlap of states with registries and states that responded to this survey might or might not totally overlay. So that's something that might have even affected the sort of true answer to this question if I'm making sense.

**Jennifer Spoeri:** Yeah, and it's definitely something to look at in the future because there's several states that are looking at developing perp registries, and there's, I would venture to say, there's a handful that are looking at, do they wanna do away with their registry, so we're all over the map. So yeah, that's an interesting indicator or correlation as we would say.

**Heather Goldsworthy:** We had 28 states provide their substantiation rate. We had more states than that respond to the entire survey. I think over 40 states responded to the entire survey, but only 28 gave us their substantiation rate, and therefore we're only able to compare these factors related to substantiation amongst those states.

**Jennifer Spoeri:** Interesting, so next time we need to get a hundred percent of a hundred percent of everything.

**Heather Goldsworthy:** Boy, we would even just a few more states actually, yeah. Even just a few more states would help us to build. The sample size would increase our level of confidence in the data that we have for sure. And being able to draw out stronger correlations. We had just a few more states to give us some data.

**Jennifer Spoeri:** Gotta get that reliability up, right?

**Heather Goldsworthy:** That's exactly right.

**Jennifer Spoeri:** All right, and last but not least, the, the lesson learned from the survey there was, information about access to multidisciplinary experts.

**Heather Goldsworthy:** Yes, we asked states with the survey whether they have access to multidisciplinary experts in all or most areas, and what we found is that almost three quarters of the responding states told us that they had access to those experts either in all areas or in most areas, but when we split them up, access to

experts is associated with lower substantiation rates in this particular sample. We see that in states with above average substantiation, about two-thirds told us that yes, they have access to multidisciplinary experts in all or most areas, but of the states that had below average substantiation, 80% told us that they had access to, experts in all or most areas. So, access to excerpts is associated with lower substantiation in this particular sample, which is very interesting.

**Jennifer Spoeri:** I can only speculate on the reason for the lower substantiation rate, but I can state for fact how important our multidisciplinary partners are across the country and in the territories everywhere. The multidisciplinary partners are valuable. Absolutely. So, any overarching themes that you really gleaned from all of this work that the both of you have done on this?

**Mariah Freark:** I think that one of the biggies is that foundational criteria of APS including definitions, varies across states, and because it's so varied, that makes it hard to do a true analysis like this because, even how states define abuse, how states define who can be a perpetrator, you know, could a family member be considered a perpetrator? How states define vulnerable adult, you know, is there an age threshold? Do you need a disability? All of that stuff really, because it's so diverse, it makes it really hard to compare one for one. and then I sort of talked already about.

The other big thing is it's so hard, we're talking about these factors one by one, but we know that you kind of can't untangle them and examine them one by one, just because of the nature of the work that we do. And again, sort of the diversity of APS across the country, the two factors sort of amplify each other. It makes for a lot of really interesting questions and we have a whole big other research topics, but I think those are, two of the biggies for me.

**Heather Goldsworthy:** As Jen said earlier, if you've seen one APS program, you've seen one APS program, and exactly what you've said, Mariah. The, the issue of definitions makes it difficult even to ask the same question of everyone across APS we may be defining words differently, and so asking the same question with the same words is actually asking a different question of different people, so it gets very complicated. And all of those factors may be very well tied up together. For instance, access to multidisciplinary experts doesn't exist, just irrespective of anything else going on in the state or in that program. Access to those experts is related to something. It's related to a definition, it's related to funding, it's related to infrastructure, it's related to availability of experts.

It's related to so many different things that. This one factor throws up a flag that says, look further here. It doesn't tell us why it looks that way, what it means that it looks that way, anything like that. But it does say hey, I'm over here, this might be interesting, come look, so.

**Jennifer Spoeri:** Yeah, even thinking Heather, with the, with the five kind of learning lessons learned from the survey. If you have access to multidisciplinary experts, is that because your state refers, requires referrals to

law enforcement? Law enforce, or isn't because of not, I mean, they can be interrelated even so it's a complex issue.

**Heather Goldsworthy:** It is, and I would hope that going forward we could get some interest from states, to say, do this kind of data collection. Less, perhaps through a survey and more through, conversation with a researcher like me so that we can dig further into, well, why is that, that you only have access to these experts? Or what goes along with having to refer to law enforcement, et cetera, so that we could dig deeper and find out which of those factors are tied up together. Meaning, we could understand them, them more as groups of factors rather than individuals and get a much deeper understanding of what drives practice and therefore what hopefully we think drives substantiation rates.

**Mariah Freark:** And I wanna give a plug right on top of what you're saying, Heather, as far as, states sharing data, the NAPSA Research Practice Interest Group is, um, developing what they call the ADDI initiative. So, it's the APS administrative data, I think it's initiative. But it's, it's really thinking deeply about what kind of administrative data do states already collect and how could researchers use that to learn more about APS. So, I think that this dovetails right with that as far as. These are other areas that we're curious about and that we think more research would be super helpful on.

**Heather Goldsworthy:** In excellent news, generally programs have way more data than they think they do, or they know what to do with. So, it isn't even necessarily that there's a giant data collection lift that needs to be done. We just need more people like me with eyes on the data. So that already is there to, to look for the things to pay attention to. Programs collect so much data that they never get to use, and that's where people like me can step in and, and help look at what's already there, rather than increasing the data reporting burden. For programs we just need, right? Our hands on what already exists, right?

**Jennifer Spoeri:** We need APS to come to the R to P, the research to practice meetings and say, here's my data, help me figure out what's going on here.

**Heather Goldsworthy:** 100% Yes. I have stood in a group of APS people and said before, please give me everything you have and I really, really, truly mean it. Give me all of the data you've got, I will help you figure it out. There are many of us that are interested.

**Mariah Freark:** Right, and that's, that's something that I've seen just in the last, you know, 10 years that I've been in the field is research is booming. I love that there are researchers out there, APS researchers out there whose names I don't immediately recognize from the research to practice interest group. That means that you know it, it's starting to get some traction.

**Jennifer Spoeri:** Researchers like complicated things. They like complicated things, and they like to dig in and try to figure it out and man, do we have that?

**Heather Goldsworthy:** We do like complicated; we are complicated people.



**Jennifer Spoeri:** So, what recommendations, recommendations came out of this work? What, where do we go from here?

**Mariah Freark:** The biggie is sort of what we've been talking about as far as the need for additional research. yeah. An equity evaluation of substantiation rates would be really interesting. Looking at factors like age, race, gender of both the perpetrator and the victim. How availability or scarcity of resources might impact APS. Operations, education level of all staff, not just intake staff. And then a salary study, not just among APS, but comparing APS with Child Protective Services. Those are just some of the things that came out of this project. I think the other sort of biggies are, as we know, resources are crucial. You need to have a well-funded APS system for it to be able to serve people. As, as well as you hope it will. And, you know, MOUs and multidisciplinary teams are really important.

We know that just from our day-to-day work. And it's interesting that ACL is working on draft regulations. I think everybody's really curious to see whether that's going to include a recommendation for standard definitions. I think that because of the very wide variety of APS programs that can get a little bit fraught. Like Heather said, we all think of different terms of art in different, pretty specific ways, and so ACL is gonna have an interesting time balancing, you know, the sort of state autonomy and the way that, we're doing what's best for our state with the need for. a little bit more uniformity and, and a little bit more standardization across the field. So that'll be just really interesting to see what shakes out with that.

**Heather Goldsworthy:** I agree that we're at this perfect moment, this precipice, right where we're getting more attention, we're getting more resources to APS, but we have this vast dearth of knowledge about APS. That is just ripe for research in so many different ways at so many different levels, not just at, say, program evaluation level, which we do a lot of across the country, trying to determine whether this single investment program produced these individual results in this single community, but also now increasingly at this kind of public administration and public policy level, like this is about now governance and about deciding what adults and vulnerable adults in this country are entitled to and how we can serve them best.

So, there's this whole public administration part of a growing bureaucracy, essentially. Not, to use that term pejoratively, to use it accurately. It's a new bureaucracy that's growing that will put, could put in place these structures and these procedures that we desperately need to be able to provide supports and assistance to adults and vulnerable adults across the country, right. Then there's also the really deep, philosophical underpinning of APS that we really don't truly understand.

**Mariah Freark:** Or agree on.

**Heather Goldsworthy:** Or agree on, exactly. And it goes back to what you were saying earlier, Mariah, about is APS about getting justice for victims or it is about, prosecuting perpetrators or is it something in between?

Is it both, et cetera. And I have seen in some casual research, an interesting difference of orientation among people who work in APS about whether they're looking for reasons to substantiate or looking for reasons not

to substantiate a claim. And that is a fundamental philosophical underpinning that really shapes the way people do the work is understanding. The very purpose of everything that they're doing and the goal that they're meaning to achieve. Whether to reduce vulnerability or, or increase prosecution or whatever, punishment, whatever it is, but those are fundamental things.

Like there's so much going on in the, the growth and transformation of APS that makes researchers like me just giddy with excitement, trying to understand not just the data, like the gritty data about programs and services and outcomes, but the much deeper stuff about what are we even doing here and what are we trying to achieve, and what is that orientation about what we're trying to achieve change about what we put out into the world toward vulnerable adults. And it's, it's just so interesting. I can't wait to keep digging.

**Mariah Freark:** Well even using, as we did in this project, using the substantiation rate sort of as the bar that we're measuring people against, what is it? Do you want a higher substantiation rate? Or, or do you, is a lower substantiation rate better? Right? Like a higher substantiation rate might or might not be a good thing, and you know, that's, that's like you said, there's, there's so much we really are on the brink of diving into a whole sea of questions, right?

**Jennifer Spoeri:** And as we're on the precipice of federal regulations and asking these questions about where do we do the standardized definitions, how do we come to this consensus? It's, it's really a fun time.

**Mariah Freark:** It's, it's, it's for the nerds involved.

**Heather Goldsworthy:** Yeah, I think we have a bizarre understanding of what might be fun, but, uh.

**Jennifer Spoeri:** Maybe, but as long as we better serve the older adults, the, the people with disabilities, vulnerable adults, we will get to the right place. Talk about a heavy lift. So, what a fascinating conversation. Thank you so much for your time on this project and today for the podcast. Also, wanna give another shout out to the work group who put so much time into this, and we all look forward to seeing the study once published.

**Heather Goldsworthy:** Awesome.

**Mariah Freark:** Thank you for having us.

**Jennifer Spoeri:** Have a great rest of the day.

**Andrew Capehart:** Thanks so much for listening. The APS TARC is a project of the Office of Elder Justice and Adult Protective Services at the Administration for Community Living Administration on Aging Department of Health and Human Services, and is administered by WRMA, Incorporated a TriMetrix Company in partnership with the National Adult Protective Services Association.



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