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September 13, 2016

The Honorable Ernest J. LiCalsi
Presiding Judge
Madera, County Superior Court
200 S. G Street
Madera, CA 93637

Subject: Response to the 2015-16 Grand Jury Report entitled "Madera County Adult Protective Services"

Honorable Judge LiCalsi:

Pursuant to the California Penal Code 933.05, the Madera County Board of Supervisors submits this response to the findings and recommendations in the 2015-16 Madera County Grand Jury Report entitled, "Madera County Adult Protective Services." See Attachment #1.

The following are the Grand Jury's findings and recommendations and the Board of Supervisors' responses:

Finding 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 to Finding 1:

Respondent partially disagrees with the finding. (Penal Code § 933.05 (a)(2).) Under separate cover, the Director of Social Services has responded to this finding and stated:

"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."

The response of the Director of Social Services to the above Finding is considered appropriate and is submitted as the Board of Supervisors' response.

Finding 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 to Finding 2:

Respondent partially disagrees with the finding. (Penal Code § 933.05 (a)(2).) Under separate cover, the Director of Social Services has responded to this finding and stated:

"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."

The response of the Director of Social Services to the above Finding is considered appropriate and is submitted as the Board of Supervisors' response.

Finding 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 to Finding 3:

Respondent agrees with the finding. (Penal Code § 933.05 (a)(1).)

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 to Finding 4:

Respondent partially disagrees with the finding. (Penal Code § 933.05 (a)(2).) Under separate cover, the Director of Social Services has responded to this finding and stated:

"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."

The response of the Director of Social Services to the above finding is considered appropriate and is submitted as the Board of Supervisors' response.

Recommendation 1:

The Grand Jury recommends that APS review and revise their Intake Decision Process to eliminate the possibility of future Response Priority mistakes.

Response to Recommendation 1:

The recommendation has been implemented. Under separate cover, the Director of Social Services has responded to this finding and stated:

"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."

The response of the Director of Social Services to the above recommendation is considered appropriate and is submitted as the Board of Supervisor's response.

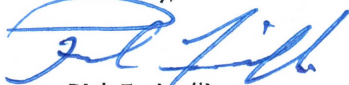
Recommendation 2:

The Grand Jury recommends that all APS personnel be thoroughly trained on the revised intake decision process and completion of all forms.

Response to Recommendation 2:

The recommendation has been implemented. All APS staff members have been trained on this new procedure and forms and all CWS/APS Hotline staff members have been trained on the new forms.

Sincerely,



Rick Farinelli

Chairman of the Board of Supervisors