Ageism: Exploring the Impacts on our Work

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MINNESOTA ELDER JUSTICE CENTER
Good afternoon!

Our themes today: ageism, entitlement, opportunism, safety, autonomy, advocacy, client-patient-resident-participant service

Our hope: to connect these themes with your work collaborating with older adults and families
The Minnesota Elder Justice Center

• Mission: Mobilizing communities to prevent and alleviate abuse, neglect and financial exploitation of older and vulnerable adults.

• Focus on:
  • Public Awareness
  • Professional Education
  • Public Policy
  • Direct Service
Our website:

www.elderjusticemn.org
Victim Services at the Minnesota Elder Justice Center

A cornerstone of MEJC’s work is direct victim services. We work to provide victim-centered services:

- Supportive Listening
- Safety Planning
- Systems Navigation
- Domestic Violence Support
- Economic Advocacy
- Community Support Groups
- Limited Legal Representation
Defining “Elder Abuse”

In general, elder abuse is any knowing, intentional, or negligent act by a caregiver or any other person that causes harm or a risk of harm to an older adult. Usually there is an ongoing relationship with an expectation of trust.
Elder Abuse as Domestic Violence

At MEJC, the majority of our callers have questions about elder abuse in later life. In 2018:

• In 55.7% of contacts, the perpetrator is a family member, spouse/intimate partner, or friend.

• By far the most frequent type of victimization reported is financial exploitation, at 68.4% of calls. Bear in mind—many callers experience more than one type of victimization.
National Prevalence

• 1,000,000 – 2,000,000 adults in later life in U.S. are victims of abuse\(^1\)
• 1 in 10 persons over the age 60 are victims of elder abuse\(^2\)
• Victims of elder financial abuse in U.S. lose close to $3 Billion each year\(^3\)

\(^1\) National Center of Elder Abuse: 2005 Elder Abuse Prevalence and Incidence
\(^2\) National Institute of Justice: Elder Abuse as a Criminal Problem
\(^3\) Blancato, Robert: Violence Against Older Women and The Elder Justice Act; 3/04/12 – from MetLife
According to the World Health Organization, the most socially acceptable prejudice in the world is *ageism.*
The Administration on Aging expects that by 2030, the U.S. population over age 65 will have doubled from 2000, with older adults representing 19% of the population.
Pillemer, et al study

- Meta-analysis of studies that used intergenerational groupings shifted the younger attitudes about older adults.
  - Ageist attitudes may be relatively malleable
Dr. Becca Levy research

• Older people who see aging in positive terms are much more likely to recover from disability than those who believe negative age stereotypes

• They’re also more likely to practice preventive health measures such as eating well and exercising. They experience less depression and anxiety

• They live longer
Dr. Becca Levy research

“With negative stereotypes, older people have a higher risk of dementia,”

“They have greater accumulations of plaques and tangles in the brain, the biomarkers of Alzheimer’s disease, and a reduced size of the hippocampus,” the part of the brain associated with memory.
Anonymous asked: “I am 65 years old. My 35-year-old dentist made a mistake. She carelessly did not check my records which documented the work to be done and as a result, she replaced a $1,500 restoration on the wrong tooth. (Hard to distinguish exactly which tooth is being worked on when your mouth is frozen!) Flabbergasted when I looked in the mirror, I pointed out she had replaced the wrong restoration. She responded by patting my arm, and saying "No, dear. Don't you remember that we talked about which tooth?"
Frameworks Institute Analysis
Frameworks Gaps Analysis: Aging

<table>
<thead>
<tr>
<th>Ideal vs. Real: aging as opportunity vs. aging as deterioration</th>
<th>Inefficient Government: Social Security and other benefits are “doomed”</th>
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<tr>
<td>Us vs. Them: the older as “other”</td>
<td>Fatalism: aging is a process of inevitable decline</td>
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<td>Individualism: we are responsible for our own choices and planning</td>
<td>Inattention to social determinants and demographics</td>
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## Frameworks Gaps Analysis: Elder Abuse

<table>
<thead>
<tr>
<th>Framework</th>
<th>Description</th>
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<td>1. Salience</td>
<td>Priority Problem vs. Off the Radar</td>
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<td>2. Self-Neglect</td>
<td>Included vs. Excluded</td>
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<td>3. Sexual Abuse</td>
<td>Explainable vs. Hard to Think</td>
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<td>4. Older Americans</td>
<td>Subjects to Empower vs. Objects of Care</td>
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<td>5. Type of Explanation</td>
<td>Scientific vs. Moralized</td>
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<td>6. Level of Explanation</td>
<td>Structural vs. Individualized</td>
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<td>7. Increased Mortality Risk</td>
<td>Known vs. Unknown Effect</td>
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<td>8. Societal Effects</td>
<td>Salient vs. Unnoticed</td>
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<td>9. Solutions</td>
<td>Systemic vs. Individualized</td>
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<td>10. Locus of Responsibility</td>
<td>Collective vs. Everyone/No One</td>
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<td>11. Orientation</td>
<td>Forward vs. Backward</td>
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<td>12. The Problem</td>
<td>Solvable vs. Unsolvable</td>
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Implicit Assumptions about the Impacts of Age

• For example, missing or limited evidence to support imposition of guardianship/conservatorship:
  • Mild depression and advanced age (In re Estate of Wagner, 367 N.W.2d 756)
  • Grief over husband’s death, advanced age, undue influence (Buffler v. Buffler, 577 So.2d 904)
  • Not incompetent, but older and engaged in uncharacteristic spending (Cummings v. Stanford, 388 S.E.2d 729)

From “Ageism in our Own Backyard,” by Prof. Linda Whitton, Valparaiso
Implicit Assumptions about the Impacts of Age

• The judge in a Kansas conservatorship case wrote: “As all of us grow older, we gradually lose our faculties, both physical and mental. The longer we live and the older we become, the more we lose.”

-In re Citizens State Bank and Trust Co. of Hiawatha, 601 P.2d 1110 (1115).

From “Ageism in our Own Backyard,” by Prof. Linda Whitton, Valparaiso
Implicit Assumptions about the Impacts of Age

- Presumptions regarding the need for comprehensive assistance (plenary powers)

- Lack of willingness to genuinely explore less restrictive alternatives (because of presumed “decline”)
  - including supported decision making

- Decision not to proceed with particular matter/charge/course of treatment

- Others? Timeline matters?
  …instances in which our “decline and fail” thinking impacts our practical approach.
Strategies for Professionals

• Presume capacity, and be confident about capacity determinations
  • How can the “yes/no” of the law begin to incorporate the continuum of capacity (or sliding scale approach of clinical capacity assessment)?

• Self-examination regarding attitudes toward age and aging

• Allow enough time to engage with clients

• Other strategies you use?
Connections with Victim Advocacy

• Autonomy as a protective factor against abuse
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Case Study: The Teacher

• Caller is retired teacher and administrator; career in special education and disability advocacy
• Mom befriended someone in retirement community; paid for lunches out, gifts
• Caller and sibling wanted to petition for conservatorship “before things got out of hand”
Case Study: Support Group

Participant observes:

In interactions with professionals, I never get the benefit of the doubt. If something is mis-remembered, it’s assumed that my memory of the conversation or commitment is incorrect.
Ageism, Entitlement and Exploitation

• Some expressions of entitlement have their roots in ageism.

• With the majority of financial exploitation perpetrated by individuals in trust relationships with victims (i.e. family), it’s interesting to consider entitlement as a risk factor.

• Marlene Stum, PhD, at the University of Minnesota, is currently conducting research into this issue.
Ageism, Entitlement and Exploitation

• Dr. Stum presented preliminary findings at the 2017 International Association of Gerontology and Geriatrics conference.

• Among her insights is a proposed spectrum for entitlement…
Dr. Stum’s Proposed Spectrum of Entitlement

• Normative Entitlement
  • Everyday, normal obligations and expectations about resource-sharing (collaborative)

• Justified Entitlement
  • Beliefs serve as excuses, take advance control of resources believed to be “rightfully” theirs, deserve to be compensated or rewarded for caregiving or other contributions

• Exploitive Entitlement
  • Illegal, unauthorized or improper use of an older adults resources
Ageism and Entitlement Within Complex Relationships

- Long, complicated parent/child, sibling relationships
- Power and control battles, conflict
- Sibling rivalries and estrangements
- Histories of dependency, unaccountability, lack of responsibility, bullying, manipulative
- Privacy and secrecy
Barriers to Reporting

Victims are often reluctant to seek help or report their experiences.

• Pride/Shame
• Fear
• Concern about outcomes for family member
• Communication barriers
Reporting Barriers: Social-Ecological Model

- **Societal**
  - Policies
  - Misunderstanding of Laws
  - Ageism
  - Social Norms

- **Community**
  - Cultural Boundaries
  - Community Relationships
  - Resource Availability

- **Relationship**
  - Fear
  - Dependency
  - Desire to Protect Relatives
  - History of Violence

- **Individual**
  - Cognitive Impairment
  - Shame or Embarrassment
  - Dental
  - Technology
  - Depression
  - Feelings of deservedness
Resources Available If You Suspect Abuse

- Law Enforcement
- Ombudsman’s Office
- Adult Protective Services
- Social Security Administration
- Courts
- Banks
- Consumer Financial Protection Bureau
- Other advocacy organizations…
Professional Considerations to Combat Ageism

• Orient communication toward participant regardless of age
• Precise and appropriate planning strategies based on goals AND circumstances, not just circumstances
• Comprehensive advice, referral, informational resources
• Seek opportunities to facilitate conversations that center our older clients; support their communication
Professional Considerations to Combat Ageism

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  • How can the “yes/no” of the law begin to incorporate the continuum of capacity (or sliding scale approach of clinical capacity assessment)?

• Self-examination regarding attitudes toward age and aging

• Allow enough time to engage with clients

• Other strategies you use?
21st Century Problem?

• Demographic change, ageism, entitlement, and opportunity certainly support that assertion…
21st Century Opportunity!

• ...but using the tools, insights, and strategies we explore in concert with our professional expertise and experience, we have the opportunity to affect a **paradigm shift**.

• Supporting autonomy, recognizing capacity where we can, and facing down ageism by working collaboratively with participants to achieve safe structures is well within our capability!
Thank you!

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