

Support for SB 327

Senate Judicial Proceedings Committee

Civil Actions – Financial Exploitation of Vulnerable Adults (Maryland SAFE Act)

February 2, 2021

On behalf of the National Association of Social Workers, Maryland Chapter (NASW-MD), we would like to express our support for Senate Bill 327, Civil Actions – Financial Exploitation of Vulnerable Adults (Maryland SAFE Act.)

Financial abuse of older and vulnerable adults is an epidemic in our state and our country. According to the U.S. Securities and Exchange Commission, up to 6.6% of older adults are victims of financial exploitation. It is also the fastest-growing form of abuse. In Montgomery County, for example, financial exploitation is the second most frequent form of abuse investigated; in 2019 Adult Protective Services investigated 408 cases of financial exploitation, 35% of all investigations in FY 19. Given that most cases go unreported, the numbers are probably much higher. Studies indicate that for every documented case of elder financial exploitation, 44 went unreported.

Financial abuse costs older Americans over \$2.6 billion dollars annually. The harm to older and vulnerable adults goes far beyond money, however. Those who have been financially abused increased morbidity and mortality, depression, and social isolation. Elders who are abused, even modestly, have a 300% greater chance of death each year than those who were not abused.

As social workers in geriatric settings, we have seen heartbreaking cases of elders who lose everything they have, usually at the hands of relatives and others close to them who take advantage of the elder's trust to steal their money and their property. We have seen adult children trick seniors into signing over the deed to their homes, then evict their aged parents. We have seen adult grandchildren convince their grandparents to co-sign loans that the younger people have no intention of repaying, thus saddling the seniors with ruinous debt. We have seen nieces and nephews abuse powers of attorney to clean out their elders' bank accounts, leaving them unable to afford their rent or their medications. We have seen elders stripped of all resources by relatives so that they had to leave their beloved continuing care communities and move to inadequate care homes where they face further abuse and neglect.

Most victims of financial exploitation never recover their losses. They don't have the funds or the knowledge to pursue civil actions against their abusers; often there are no civil or criminal consequences for these crimes. It is critical that other trusted people in their lives be empowered to help them seek justice.

This bill would allow a trusted person, acting on behalf of an elderly or vulnerable adult, to bring a cause of action against the person who committed the exploitation, thus greatly increasing the chances that the victim would recover at least a portion of their losses.

This bill will help elder and vulnerable victims of financial exploitation to regain their assets, their dignity, their lives.

We urge you to vote YES on SB 327.

Thank you,

NASW-MD Committee on Aging