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September 12, 2024

Members of the Arizona Legislature

The Honorable Katie Hobbs, Governor

Ms. Angie Rodgers  
Arizona Department of Economic Security

Ms. Jennie Cunico  
Arizona Department of Health Services

Ms. Carmen Heredia  
Arizona Health Care Cost Containment System

We have issued an initial follow-up report regarding the implementation status of the recommendations from the September 2023 *Examining the Delivery of Services to Vulnerable Adults in the Arizona Adult Protective Services System* report (see report 23-114) conducted by the independent firm LeCroy & Milligan Associates, Inc. under contract with the Arizona Auditor General. This examination was in response to Laws 2022, Ch. 313, §55, which directed the Arizona Auditor General to engage an independent consultant to examine the current adult protective services system and consider best practices to improve the delivery of services in this state.

The September 2023 report made 13 recommendations to the Arizona Department of Economic Security, including 1 recommendation that also applied to the Arizona Department of Health Services and the Arizona Health Care Cost Containment System. My Office contracted with LeCroy & Milligan Associates, Inc. to conduct an initial followup with these entities, and their status in implementing the recommendations is as follows:

- The Arizona Department of Economic Security was in the process of implementing 5 recommendations, and the remaining 8 recommendations directed to it were not yet applicable.
- The Arizona Department of Health Services was in the process of implementing the 1 recommendation direct to it.

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- The Arizona Health Care Cost Containment System was in the process of implementing the 1 recommendation direct to it.

We will conduct a 24-month followup with these entities on the status of the recommendations that have not yet been implemented.

Sincerely,

*Lindsey A. Perry*

Lindsey A. Perry, CPA, CFE  
Auditor General

**Audit # 23-114**

**Examining the Delivery of  
Services to Vulnerable  
Adults in the Arizona Adult  
Protective System**

**Initial Follow-Up Report**



**LeCroy & Milligan**  
ASSOCIATES, INC.

# Initial Follow Up Report - Audit #23-114

## Submitted to:

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## About LeCroy & Milligan Associates:

Founded in 1991, LeCroy & Milligan Associates, Inc. is a consulting firm specializing in social services and education program evaluation and training that is comprehensive, research-driven, and useful. Our goal is to provide effective program evaluation and training that enables stakeholders to document outcomes, provide accountability, and engage in continuous program improvement. With central offices located in Tucson, Arizona, LeCroy & Milligan Associates has worked at the local, state, and national level with a broad spectrum of social services, criminal justice, education, and behavioral health programs.

The September 2023 audit of the Arizona Adult Protective Services System identified several gaps in the system preventing the effective delivery of services to help ensure vulnerable adults are protected and receive the services they need. We made 13 recommendations to the Arizona Department of Economic Security (DES) Adult Protective Services Program (APS) including 1 recommendation that applied to DES APS, the Arizona Department of Health Service (ADHS), and the Arizona Health Care Cost Containment System (AHCCCS), and the status of implementing the recommendations is as follows:

### Status of recommendations

#### Recommendations for DES APS

- In Process 5
- Not yet Applicable 8

#### Recommendation for ADHS

- In Process 1

#### Recommendation for AHCCCS

- In Process 1

## Chapter Two - Strategic Direction

1. **Establish a working group**—DES should work with the Governor, President of the Arizona Senate, and Speaker of the Arizona House of Representatives to establish and appoint members to a working group to develop a strategic direction for Arizona’s adult protective services system. Specifically, to ensure working group membership adequately represents various system stakeholders, the Governor, President of the Arizona Senate, Speaker of the Arizona House of Representatives, and DES should consider appointing 5 members each, for a total of 20 members, or appointing an alternate number of members with each appointing an equal number. When appointing working group members, the Governor’s Office, President of the Arizona Senate, Speaker of the Arizona House of Representatives, and DES could consider a wide range of stakeholders, such as representatives from AHCCCS, ADHS, and the Attorney General’s Office; public fiduciaries; representatives from local law enforcement; vulnerable adult advocates; Tribal representatives; legislative members; and members from the Arizona House of Representatives’ Ad Hoc Committee on Abuse and Neglect of Vulnerable Adults.

**Implementation in process**—During the 2024 legislative session, the Legislature considered 2 bills that included provisions to establish a working group/study committee related to Arizona’s adult protective services system. DES representatives met with legislative members and staff to discuss the legislation, provided legislative staff with suggested modifications to the legislation, communicated its support to 1 of bill sponsors, and officially signed in to support both bills during the legislative process. DES also reported that DES representatives met with Governor’s Office representatives on a regular basis starting in December 2023 through the end of the legislative session in June 2024 to discuss various legislative issues, including our September 2023 audit of the Arizona Adult Protective Services System and the legislation to establish a working group/study committee.

In April 2024, Laws 2024, Ch. 100, §10, established a 25-member vulnerable adult system study committee, effective September 14, 2024. The study committee consists of:

- Six members appointed by the Speaker of the Arizona House of Representatives, including:
  - Two members of the Arizona House of Representatives from different political parties, one of whom the Speaker shall designate to serve as co-chair of the committee.
  - Two members who represent assisted living facilities.
  - One member who represents a statewide association that advocates on behalf of persons who provide services to persons with developmental disabilities.
  - One licensed health care professional who provides health care services to elderly vulnerable adults.
- Five members appointed by the President of the Arizona Senate, including:
  - Two members of the Arizona Senate from different political parties, one of whom the President shall designate to serve as co-chair of the committee.
  - One member who represents a statewide organization that advocates for elderly vulnerable adults.
  - One member who represents a statewide organization that advocates on behalf of persons affected by Alzheimer's disease.
  - One member who represents a statewide association representing Arizona firefighters.
- Seven members appointed by the Governor, including:
  - One member to represent the Governor's Office.
  - One member who serves as a public fiduciary.
  - Two members who are employed by a local law enforcement agency or who are employed by a statewide organization that represents law enforcement.
  - Two members who represent nursing care institutions.
  - One member who is on the Governor's Advisory Council on Aging.
- One member appointed by the Arizona Attorney General to represent the Arizona Attorney General's Office.
- The DES, ADHS, and AHCCCS directors or their designees.
- The DES Long-Term Care Ombudsman or their designee.
- The Executive Director of the Navajo Area Agency on Aging or their designee.
- The Executive Director of the Intertribal Council of Arizona or their designee.

As of September 9, 2024, the Speaker of the House had appointed his 6 members of the vulnerable adult system study committee, including designating 1 House member to serve as co-chair of the committee; the President of the Senate had appointed his 5 members of the vulnerable adult study committee, including designating 1 Senate member to serve as co-chair of the committee; and the Governor had not yet appointed her 7 members of the vulnerable adult study committee (see the legislature's [website](#) for more information on the committee's membership). In addition, as of September 4, 2024, DES had provided the committee co-chairs with the name of the DES designee to the vulnerable adult study committee. The 24-month follow up will continue to review the vulnerable adult system study committee's activities.

2. **Develop report identifying roles/responsibilities and other needs**—DES in conjunction with the working group should develop a report that identifies the working group's roles and responsibilities and identifies any authority, resources, legislation, or other action needed to ensure the working group's ongoing success in identifying and implementing the strategic direction for Arizona's adult protective services system. DES should submit the report to the Governor, President of the Arizona Senate, Speaker of the Arizona House of Representatives, Senate and House Health and Human Services committees, Joint Legislative Budget Committee, and Arizona House of Representatives' Ad Hoc Committee on Abuse and Neglect of Vulnerable Adults by November 1, 2024.

**Implementation in process**—As discussed in the explanation for Chapter 2, Recommendation 1, Laws 2024, Ch. 100, §10, established a 25-member vulnerable adult system study committee. The vulnerable adult system study committee is responsible for:

- Developing and implementing a coordinated vulnerable adult delivery system that ensures the health and safety of vulnerable adults.
- Recommending best practices relating to responding to and investigating complaints.
- Researching best practices related to adult protective services at the state, municipality, and community levels.
- Researching and making recommendations on how the vulnerable adult system can ensure that vulnerable adults receive services they require after the vulnerable adult system completes its investigatory duties, including assigning a specific agency with the responsibility to provide or coordinate case management.
- Researching and identifying common statewide outcomes.
- Identifying best practices for data collection and data sharing by various entities involved in providing vulnerable adult services.
- Reviewing and recommending changes to statutes and rules that govern vulnerable adult services.
- Addressing the needs of persons with developmental disabilities and persons who are elderly or who have a physical disability, including the training requirements for persons who are caring for these populations.

The study committee is required to provide a report of its findings and recommendations to the Governor, President of the Arizona Senate, and Speaker of the Arizona House of Representatives by October 1, 2025.

As of September 9, 2024, the vulnerable adult system study committee had not yet met, and thus had yet to identify any authority, resources, legislation, or other action needed to help it meet its responsibilities; however, Laws 2024, Ch. 100, §10, requires the study committee to submit a status update of its progress, including any recommended statutory changes, to the Senate and House Health and Human Services Committees by December 31, 2024. The 24-month follow up will continue to review the vulnerable adult system study committee's activities.

3. **Develop a strategic direction**—Once the roles and responsibilities and any needed authority, resources, legislation, or other action has been provided and/or approved, DES in conjunction with the working group should develop a strategic direction for Arizona’s adult protective services system that will help ensure the safety of vulnerable adults and establishes protocols for services during and after an investigation. This should include:
- Evaluating how Arizona’s adult protective services system can target systems beyond just the individual victim to help alleviate mistreatment risk;
  - Determining whether a specific state agency should be assigned the responsibility of case management services to help ensure that vulnerable adults receive the services they have been referred to after a DES APS investigation;
  - Establishing processes, in conjunction with recommendations in Chapter Three, for measuring and reporting on vulnerable adult level outcomes, including key outcomes that will help demonstrate whether Arizona’s processes are reducing maltreatment, vulnerable adult-centered, and provide services both during and after an investigation;
  - Considering practices from other states, including those outlined in this report;
  - Addressing gaps outlined in this report; and
  - Reviewing and considering whether to continue and or build upon efforts outlined in other plans, such as Report of the Abuse & Neglect Prevention Task Force (2019), Implementation and Impact of Arizona’s Abuse & Neglect Prevention Task Force Recommendations (May 2022), Arizona State Plan on Aging 2023-2026 (2023), Adult Protective Services Action Plan (March 2020), DES APS Year in Review Reports (SFYs 2020, 2021 and 2022), and DES Annual Report (SFY 2022).

**Not yet applicable**—According to Laws 2024, Ch. 100, §10, the vulnerable adult system study committee should develop a strategic direction for Arizona’s adult protective services system. In addition, the law also authorizes the committee co-chairs to designate work groups to research, study, and make recommendations to the study committee, and states that at least 2 work groups shall be established to separately address the needs of persons with developmental disabilities and persons who are elderly or who have a physical disability. As of September 9, 2024, the vulnerable adult system study committee had yet to meet because its membership was not yet finalized (see Chapter 2, Recommendation 2). Therefore, this recommendation is not yet applicable. The 24-month follow up will continue to review the vulnerable adult system study committee’s activities.

4. **Develop action plan for implementing strategic direction**—Once the strategic direction is established, DES in conjunction with the working group should complete the following tasks: Develop an action plan for implementing Arizona’s strategic direction, including identifying DES and other state agency responsibilities, policies, protocols, practices, and/or statutory changes that are needed, and critical resources and commitments that must be in place for ensuring Arizona’s strategic direction can be met. The action plan should include specific tasks with estimated completion dates along with assigned responsibilities and a process to regularly review progress and modify the plan as needed.

**Not yet applicable**—According to Laws 2024, Ch. 100, §10, once a strategic direction is established, DES, in conjunction with the work groups established by the committee co-chairs, shall develop an action plan for implementation (see Chapter 2, Recommendation 3, for more information about the work groups). As of September 9, 2024, the vulnerable adult system study committee had yet to meet to begin developing a strategic direction because its membership was not yet finalized.



Therefore, this recommendation is not yet applicable. The 24-month follow up will continue to review the vulnerable adult system study committee’s activities.

### Chapter Three - Accountability Mechanisms

1. **Identify accountability mechanisms**—DES in conjunction with the working group identified in Chapter Two, Recommendation #1, should identify accountability mechanisms that could be implemented for Arizona’s adult protective services system, such as independent oversight and quality assurance processes.

**Not yet applicable**—As discussed in the explanation for Chapter 2, Recommendation 1, effective September 14, 2024, Laws 2024, Ch. 100, §10, established a 25-member vulnerable adult system study committee to develop a strategic direction for Arizona’s adult protective services system. However, as of September 9, 2024, the vulnerable adult system study committee had yet to meet to begin developing a strategic direction because its membership was not yet finalized. Therefore, this recommendation is not yet applicable. The 24-month follow up will continue to review the vulnerable adult system study committee’s activities.

2. **Identify and develop common, system-wide outcomes**—DES in conjunction with the working group identified in Chapter Two, Recommendation #1, should identify and develop a set of common, system-wide outcomes that can be used to assess the effectiveness of Arizona’s strategic direction, including identifying which entities will collect outcome data and how they will do so, and developing a quality assurance process for ensuring the outcome data is complete and accurate. The outcomes should include (1) reduced elder and vulnerable adult mistreatment; (2) reduced recurrence of victimization and or self-neglect; (3) service plans that are vulnerable adult-centered; and (4) vulnerable adult engagement with services during and after an investigation that alleviate mistreatment.

**Not yet applicable**—See explanation for Chapter 3, Recommendation 1. The 24-month follow up will continue to review the vulnerable adult system study committee’s activities.

3. **Identify system-wide performance reporting process and develop report identifying roles/responsibilities and other needs**—DES in conjunction with the working group identified in Chapter Two, Recommendation #1, should identify a system-wide performance reporting process that could compile performance and outcome information on an annual basis to assess the effectiveness of Arizona’s strategic direction. In designing the performance reporting process, the working group should resolve the data issues identified in this report, including, limitations of a lack of data on service provision; lack of unique identifiers, absence of outcome reporting between agencies, concerns with confidentiality; and lack of case management processes that may be a barrier to sharing vulnerable adult level information and reporting on aggregate outcomes for vulnerable adults. DES in conjunction with the working group should develop a report that identifies the authority, roles and responsibilities, and resources needed to design and implement the system-wide reporting process. DES should submit the report to the Governor, President of the Arizona Senate, Speaker of the Arizona House of Representatives, Senate and House Health and Human Services committees, Joint Legislative Budget Committee, and Arizona House of Representatives’ Ad Hoc Committee on Abuse and Neglect of Vulnerable Adults.

**Not yet applicable**—See explanation for Chapter 3, Recommendation 1. The 24-month follow up will continue to review the vulnerable adult system study committee’s activities.

4. **Implement system-wide performance reporting process**—Once the roles and responsibilities and any needed authority, resources, legislation, or other action has been provided and/or approved, DES in conjunction with the working group should take the necessary steps to implement a system wide performance reporting process that compiles performance and outcome information on an annual basis to assess the effectiveness of Arizona’s strategic direction.

**Not yet applicable**—See explanation for Chapter 3, Recommendation 1. The 24-month follow up will continue to review the vulnerable adult system study committee’s activities.

## Chapter Four - Community Engagement Recommendations

1. **Incorporate community engagement into strategic direction**—DES in conjunction with the working group identified in Chapter Two, Recommendation #1, should incorporate community engagement into the strategic direction for Arizona’s adult protective services system identified in Chapter Two, Recommendation #3.

**Not yet applicable**—As discussed in the explanation for Chapter 2, Recommendation 1, effective September 14, 2024, Laws 2024, Ch. 100, §10, established a 25-member vulnerable adult system study committee to develop a strategic direction for Arizona’s adult protective services system. However, as of September 9, 2024, the vulnerable adult system study committee had yet to meet to begin developing a strategic direction because its membership was not yet finalized. Therefore, this recommendation is not yet applicable. The 24-month follow up will continue to review the vulnerable adult system study committee’s activities.

2. **Continue community engagement efforts**—DES APS should continue community engagement efforts and ensure educational materials at a minimum include the information recommended by the ACL 2020 Voluntary Consensus Guidelines for state APS systems.

**Implementation in process**—According to our review of information contained in DES APS’ outreach logs, between August 2023 and July 2024, DES APS conducted 51 presentations for more than 1,160 community members, stakeholders, and mandated reporters, such as nurses and first responders. Consistent with the federal Administration for Community Living (ACL) 2020 Voluntary Consensus Guidelines for state APS systems, the DES APS educational materials presented during these events defined vulnerable adult maltreatment, provided guidance on when and how to report vulnerable adult maltreatment, and described DES APS’ authority and limitations related to investigating vulnerable adult maltreatment. The 24-month follow up will continue to review DES APS’ community engagement efforts.

3. **Continue satisfaction survey**—DES APS should continue its vulnerable adult satisfaction survey; expand it to include other case participants; offer a Spanish language option; continue to use

<p>feedback from the survey to improve its processes for vulnerable adults; and consider incorporating survey responses into performance reports.</p>
<p><b>Implementation in process</b>—Between August 2023 and July 2024, DES APS’ quality assurance unit continued performing monthly satisfaction surveys of vulnerable adults to obtain feedback on vulnerable adults’ interactions with DES APS and their level of satisfaction with APS services, including implementing a Spanish language version of the survey. The results of these surveys were shared with DES Division of Aging and Adult Services management. In response to some survey feedback indicating respondents said APS could improve communication by explaining what APS staff would be doing and what to expect, DES developed a flyer that explains DES APS’ authority and what DES APS may do when investigating an allegation of abuse, neglect, and/or exploitation. DES APS also reported it initiated a pilot program to have investigators provide the flyer to DES APS clients. However, DES APS reported that given limited budget resources, it does not plan to expand the survey to other case participants in fiscal year 2025. As a result, the 24-month follow up will continue to review DES APS’ implementation of this recommendation, including its efforts to use survey feedback to improve its processes.</p>
<p>4. <b>Continue to partner with key agencies</b>—DES APS, AHCCCS, and ADHS should continue to find ways to partner in community engagement activities, such as Speak Up AZ!, to educate the public on recognizing and reporting signs of abuse, neglect, and exploitation of adults.</p>
<p><b>Implementation in process</b>—DES APS, ADHS, and AHCCCS have continued to collaborate on the ongoing implementation of the Speak Up AZ! Campaign, which is designed to educate the public and mandated reporters about recognizing and reporting signs of abuse, neglect, and exploitation of adults. The Speak UP AZ! campaign has utilized a variety of advertising mediums to disseminate its message. For example, between June 2023 and February 2024, Speak UP AZ! was featured in more than 3,500 television advertisements, nearly 3,800 radio advertisements, and in advertisements on YouTube, Facebook, and Instagram. Additionally, as of August 2024, the Speak Up AZ! website was still active and included definitions and how to report suspected incidents of abuse, neglect, and exploitation of adults. Further, DES APS, ADHS, and AHCCCS each participated in presentations/panel discussions at the June 2024 World Elder Abuse Awareness Day Conference. For example, DES APS participated in a panel discussion on recognizing and preventing tribal elder abuse. The 24-month follow up will continue to review DES APS’, AHCCCS’, and ADHS’ partnerships in community engagement activities.</p>
<p>5. <b>Obtain input from vulnerable adults</b>—DES in conjunction with the working group identified in Chapter Two, Recommendation #1, should involve vulnerable adults and their families in the development of the strategic direction for Arizona’s adult protective services system.</p>
<p><b>Not yet applicable</b>—See explanation for Chapter 4, Recommendation 1. The 24-month follow up will continue to review the vulnerable adult system study committee’s activities.</p>