



Department of
HUMAN SERVICES

***Dependent Adult Abuse Registry
Annual Report***

December 2019

Executive Summary:

Iowa Code 235B.5(1) requires the Department of Human Services (DHS) to organize and staff a central registry for dependent adult abuse information.

Iowa Code 235B.13(2) requires DHS to issue an annual report on its administrative operation and data relevant to dependent adult abuse information in the registry.

Introduction:

Iowa code 235B.13(2) requires DHS to report annually on its administrative operation, including information as to the number of requests for dependent adult abuse data, the proportion of requests attributable to each type of authorized access, the frequency and nature of irregularities, and other pertinent matters.

Overview:

The Central Abuse Registry is an electronic database used to store report data and disposition data in accordance with Iowa Code 235B.5 relating to a particular case of alleged abuse which has been determined to be founded dependent adult abuse. This database is part of the Dependent Adult Report and Evaluation System (DARES), which was converted into a web-based system referred to as Joining Applications and Reports from Various Information Systems (JARVIS) on May 2, 2017. DHS maintains the Registry at central administrative offices in Des Moines, Iowa.

DHS collects, maintains, and disseminates dependent adult abuse information from the Registry as provided in Iowa Code section 235B. The Registry contains the names of dependent adult abuse victims and the names of persons responsible for the dependent adult abuse and links these names to the type of abuse identified in the Dependent Adult Abuse report.

The existence of the Registry is imperative for the protection of victims and potential victims of dependent adult abuse by servicing as a single, statewide source of dependent adult abuse data. This data is also used to facilitate research on dependent adult abuse and as an employment-screening tool for authorized employers and licensing boards. Iowa Code sections 135C.33 and 235B.6 define who has authorized access to the dependent adult abuse data listed on the Registry.

As a central, front door component of the Registry, DHS maintains a toll-free telephone line (1-800-362-2178), which is available twenty-four hours a day, seven days a week, including holidays. DHS staff and all other persons may use this line to report cases of suspected dependent adult abuse.

Upon receipt of a report of suspected dependent adult abuse, the records of the Registry are searched to determine if the records reveal any previous report of dependent adult abuse involving the same adult, or any other adult in the same family, or the person alleged responsible, or other pertinent information with respect to those individuals. This information is provided to the appropriate DHS personnel and law enforcement if applicable.

Law Changes Impacting Dependent Adult Abuse:

1983

- Dependent Adult Abuse Codified.

1987

- Dependent Adult Multidisciplinary Teams Codified.

1991

- Dependent Adult Abuse Registry Codified.
- Authorized access to Dependent Adult Abuse information identified.
- Sealing and Expungement of records established.
- Annual Report established.

1993

- The Department of Inspections and Appeals (DIA) began managing all Dependent Adult Abuse reports for facilities.
- Self-denial of critical care no longer placed on the Registry.

1994

- Definition of assault added to physical abuse – injury no longer necessary.

1995

- Sexual Exploitation of Dependent Adult resident of a facility codified.

1996

- Dependent Adult Notification of rights.
- Provision of protective services when caretaker refuses.
- Clarification of criminal charges for dependent adult abuse.

1997

- Dependent Adult Protective Advisory Council is established.
- State begins mandatory criminal and abuse background checks on prospective employees of health care programs.

1998

- Assessment Task Force in the DHS appropriates bill, Senate File 2410.

2002

- Elder Abuse Initiative service program begins.
- Abuse Education Review Panel for Mandatory Reporter Training curriculum.

2005

- Dependent Adult abuse data is available on the DHS public website and “Public DA data sharing.”

2006

- “Confirmed” finding codified. Does not require placement on Registry.

2008

- DIA establishes Dependent Adult Abuse Code 235E for entities licensed and certified by DIA.

2009

- Dependent Adult Information System Implemented.
- Dependent Adult Abuse Risk Assessment Tool developed by DAPAC (Dependent Adult Protective Advisory Council.)

2010

- DHS initiation of an Emergency order requires a notice of action to the Dependent Adult (DA) and a competent adult related to the DA.

2017

- DIA adds a new category of abuse, Personal Degradation, via Iowa Code Chapter 235E.1(5)(a)(3)
- DHS implements new safety assessments, new risk assessments, new dependency assessment, and the Dependent Adult Reporting and Evaluation System statewide.

Dependent Adult Abuse Record Checks:

In accordance with Iowa Code, DHS processes Registry requests for dependent adult abuse background checks for employers, licensing, registration, and certification. In addition, DHS completes background checks for the general public with signed authorization of the individual being checked. In 2018, DHS manually processed 46,301 requests for dependent adult abuse information.

In addition to Registry requests manually processed, authorized employers have access to the Single Contact Repository (SING)* application to perform background checks to obtain information on whether there is or is not a “hit” on the Registry for the potential employee. SING does not provide the details as to the type of abuse or the circumstances surrounding the abuse. If the potential employers of a statutorily defined program request approval to hire, DHS will review criteria as defined in Iowa Administrative Code and indicate whether the employee is or is not prohibited from serving in the specific employment role based upon the registry placement. In calendar year 2018 there were 239,337 total requests through SING.

Both manual requests and SING requests totaled 285,638 Registry requests for dependent adult abuse information in calendar year 2018. DHS is also responsible for the Registry for child abuse record checks and record maintenance. The data for child abuse is detailed in the Child Abuse Registry Annual Report.

A historical overview of how the record check process has evolved over time is provided below:

SFY 1996

- The field office opted to process dependent adult abuse record checks in the local offices for day care registration, day care center licensure, adoption and foster care. This process became necessary as a result of the significant time period for the Registry to process the employment checks due to the increasing volume of checks. Local office record checks processing continues to the present.
- Iowa Code 235B.6 was amended to implement the Open Registry law. This law allows anyone to check the dependent adult abuse record of another with that person’s authorization. Data regarding this access and usage method by the public is provided in the table below entitled Authorizations for the Release of Dependent Adult Abuse Information.

*SING is an internet application developed and sponsored by the Office of the Chief Information Officer and the information Technology Enterprise that allows registered users to perform background checks on potential employees, volunteers, and students doing clinicals, from a single web screen. The application lets a user check Iowa criminal history, 3 abuse registries (child, dependent adult, and sex offender) and over 40 Public Health professional license types from one click on the screen.

SFY 2001

- Iowa Code 235B.6 was amended to add school districts to the authorized list of entities with access for employee and volunteer record checks. Access was also added for professional licensing boards.

SFY 2002

- Iowa Code 235B was amended to increase access to the Registry. The dependent adult abuse record checks for childcare staff employment was centralized to a single unit (from field offices to the central office) after reorganization January 14, 2002.
- Iowa Code 235B.6 was also amended to add hospitals to the authorized list of entities with access for current and prospective employee record checks.

SFY 2004

- Iowa Code 235B.6 was amended to eliminate the Registry review requirement in the appeal process. A person appealing a founded abuse report is no longer required to have a Registry review decision in order to proceed to an administrative hearing. All appeals are processed through the DHS Appeals Division.

SFY 2005

- Iowa Code 235B.6 was amended to allow access by providers of care for dependent adult who are victims of abuse or to the records of persons responsible for abuse. Access was also added for a federal, state, or local governmental unit or agency of the unit that has a need for information in order to carry out its responsibilities under law to protect dependent adults from abuse and neglect.

SFY 2006

- Iowa Code 235B.6 was amended to allow access by nursing school programs and mandate the Board of Educational Examiners to submit dependent adult abuse record checks.

SFY 2012

- Iowa Code 135C.33 (Senate File 2164) was amended to allow for an exemption from requirements or reevaluation of record checks for health care facility employment if an evaluation by DHS previously approved employment and current record check does not indicate a crime was committed or founded abuse record was entered subsequent to that evaluation.
- Iowa Code 237A.5 (Senate File 2164) was amended to add that a person employed by a child care facility or child care home provider who is hired by another child care facility or child care home provider, shall be subject to a record check. This amendment also allowed for an exemption from any requirements for reevaluation of records checks if an evaluation by DHS previously approved employment and current record checks do not indicate there is a transgression that was committed subsequent to that evaluation.

SFY 2013

- Iowa Code 135B and 135C (Senate File 347) were amended to allow for conditional employment in a hospital or a health care facility and also for conditional participation in a training program for up to 60 calendar days pending completion of the evaluation. These amendments established if an evaluation was previously performed by DHS and DHS determined the person's criminal and abuse backgrounds did not warrant prohibition of employment, a person who is or was employed by a hospital and is hired by another hospital may commence employment. A new employee may commence employment after 30 days, if the conditions specified in the Act are met.

SFY 2017

- Iowa Code 135C.33 was amended (2017 Iowa Acts, chapter 58/HF 576) to require temporary staffing agencies to conduct criminal, child abuse and dependent adult abuse record checks and have an evaluation completed by DHS prior to hiring certain health care providers.
- Iowa Code 217 was modified to add a new section, 217.45 (HF 547), regarding background investigations conducted by DHS. As a result, DHS may conduct background checks and subsequently conduct evaluations on employees who have access to federal tax information.

Data Summary

In Calendar Year (CY) 2018, DHS processed 4,904 requests for entities with authorized access for employment and licensure. This includes a check and documentation on an individual's abuse record or provision of the written report. The following table indicates the types of requests received.

Requests for Dependent Adult Abuse Information:

Calendar Year	Employment	School/College	Foster Care *	Child Care *	Adoption*	Other**	Total
2018	2,635	1,406	256	47	86	474	4,904

*Many record checks for childcare home providers and licensed center staff are processed by county offices and are not included in the totals indicated in the table above. Some of the foster parent and adoptive parent record checks processed by the county offices are also not included in the total number of request for dependent adult abuse information.

**Other includes agency conducted background checks on possible volunteers, child care resources and referrals, self-request, lawyers requesting information on clients, child protective and adult protective workers from other states conducting an assessment on a person who recently moved to Iowa.

Authorization for the Release of Dependent Adult Abuse Information:

The public is allowed to submit a request for information on an individual if that individual provides signature authorization. DHS processed 41,397 requests from the entities identified in the table below.

Calendar Year	Churches	Medical Facilities	Employment	Volunteer	Schools Colleges	Other*	Total
2018	3,173	918	18,877	4,235	13,302	892	41,397

* Other includes subcategories for adoption, childcare, foster care, and Child Care Resource and Referral.

General Dependent Adult Abuse Data Findings:

DHS generates statistics for dependent adult abuse and neglect. The following table provides the total number of completed assessments/evaluations of dependent adult abuse and neglect.

Calendar Year	Assessments	Abuse Founded	Abuse Unfounded	Abuse Confirmed Not Registered
2018	4,139	498	3471	170
2017	3,536	434	2,961	141
2016	2,415	351	1,959	105
2015	2,527	352	2,053	122
2014	1,989	276	1,599	114
2013	1,979	268	1,631	80

The data counts each completed assessment/evaluation of Dependent Adult abuse and neglect, which can include several allegations pertaining to a single adult subject as it relates to a single alleged perpetrator.

Conclusion

The Dependent Adult Abuse Registry is a statewide listing of persons who were found to have abused or neglected a dependent adult. Access to the Registry is limited to DHS for purposes of obtaining information for the “investigation” of Dependent Adult Abuse, background checks, and other uses permitted by Iowa Code 235B.6 (2)(a) and Iowa Administrative Code 441–176.10(3) and 441–176.10(6).

The annual Dependent Adult Registry Report provides the General Assembly with non-confidential data related to the purpose of the Registry.