



**Testimony of
Sean Voskuhl
on Behalf of AARP**

**on
Awareness to Action: Combating Elder Abuse and
Neglect**

**before the
U.S. Senate Special Committee on Aging**

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Chairman Scott, Ranking Member Gillibrand, and members of the Committee, thank you for inviting AARP to testify today. My name is Sean Voskuhl, and I am the State Director for AARP Oklahoma. AARP advocates for the more than 100 million Americans age 50 and older, including nearly 360,000 Oklahomans. I appreciate the opportunity to provide testimony at today's hearing about combating elder abuse and neglect – which is at the heart of who we are and what we do at AARP.

Issue of Elder Abuse

Our very founding can be traced back to AARP's founder, Dr. Ethel Percy Andrus' discovery of a retired teacher living in a chicken coop – alone, impoverished, and seemingly forgotten. It's a story every member of our team learns on their first day, because it still defines AARP's mission: to fight for the dignity, safety, and well-being of older Americans.

And while we'd all like to think of that story as a relic of a far bygone era, the truth is elder abuse, neglect, and financial exploitation are still happening every day. They're happening quietly behind closed doors, to people who once raised families, built careers, and served their communities. And it's important to remember – these are not abstractions. These are people from all walks of life with names and faces, families and life stories – all deserving of dignity and respect. People like Neil, from my home state of Oklahoma.

Neil retired from a successful career – and as he aged, developed dementia. His family relays to us that this was taken advantage of by someone Neil believed he could trust. He was isolated from some of his family and friends. His savings were drained, his support system eroded, and he died alone. His story is a deeply uncomfortable one to hear – but it's exactly the kind of truth we have to confront if we're serious about protecting older adults.

Each and every one of us is aging. After a life of hard work and family, the expectation is that you will grow old and if lucky, be surrounded by loved ones. Unfortunately, for many, elder abuse is far too common. In Oklahoma, we have seen the number of elder abuse allegations increase in recent years.

Abuse isn't always bruises you can see. Sometimes it's a bank account drained behind closed doors or intentionally isolating an individual from family and friends. Federal law defines these harms, but the reality is far more personal—and painful.

Today, I am focusing on AARP's experience and efforts at the state and federal level to help prevent abuse and neglect among seniors across the nation. In particular, the role of guardianship and successful state solutions that could be scaled and expanded, and the need to reauthorize the Older Americans Act.

A [National Institute of Justice survey](#) found that approximately 11 percent of individuals over the age of 60 experienced at least one type of abuse. According to 2025 Census data, that's over 7.4 million people living in the U.S. It is widely acknowledged that for a variety of reasons, elder abuse is severely underreported. These reasons can range from individuals being embarrassed by

their situations to third parties not recognizing abuse when it occurs. Victims may be dependent on their abusers for care. They may be concerned with the consequences to the abuser if they report, especially if it is a family member who is perpetrating the abuse. It was only as recently as 2010 that the Elder Justice Act—the first comprehensive legislation to address elder abuse, neglect, and exploitation—was passed. The Act established the [Elder Justice Coordinating Council](#) (EJCC), which plays a vital role in coordinating activities across the federal government related to elder abuse, neglect, and exploitation. AARP is a longtime member of the [Elder Justice Coalition](#) and supporter of the Elder Justice Act.

Based on a recommendation from the EJCC, the National Adult Maltreatment Reporting System (NAMRS) was developed in 2013 to collect uniform data on abuse reported to adult protective services agencies from across the country. Prior to that, there were no clear nationwide guidelines as to what data could or should be collected. While participation in NAMRS is voluntary, all states and territories participate in it. It is a critical tool for building smart, effective strategies.

The data from NAMRS indicates that in [FY 2019](#), self-neglect and neglect were the most commonly substantiated reported concerns to adult protective services (APS) agencies across the country, with financial exploitation coming in next. Neglect and exploitation are both insidious as their consequences compound. An individual may not recognize they are experiencing neglect or exploitation until they are unable to meet their basic needs or find themselves isolated from family and friends. They may be so emotionally or physically dependent on the perpetrator that they see no way out of the situation.

Unfortunately, AARP often hears from fraud victims who find that when they report fraud to their state and local law enforcement officials, these officers are not able to help as they are not well-equipped to investigate financial crimes. That's why AARP has proudly endorsed the GUARD Act, led by Senators Britt and Gillibrand. This bill would direct federal funding to state and local law enforcement agencies to hire personnel, train staff, and secure tools to fight these crimes, empowering them to combat fraud committed against Americans.

Older Americans Act and Elder Abuse Prevention

To end the devastating crisis of elder abuse, we must attack the causes from every angle. While the Elder Justice Act was the first comprehensive federal legislation aimed squarely at combating elder abuse, the Older Americans Act (OAA) is another critical tool to prevent and address elder abuse and neglect. The OAA, which supports more than 11 million older adults and their family caregivers each year, plays a critical role by supporting programs that empower communities to prevent abuse, protect victims, and promote dignity and independence among older Americans.

[The National Center on Elder Abuse](#), authorized under the OAA, plays a central role in advancing research, training, policy, and best practices to prevent and respond to mistreatment of older adults. It serves as a national resource hub for professionals and the public alike.

The [legal assistance programs funded by the OAA](#) are another essential safeguard, including the [Legal Assistance for Older Americans Program](#), the [National Center on Law and Elder Rights](#), and the [Legal Assistance Enhancement Program](#). These programs address issues ranging from guardianship and evictions to Medicare and Medicaid rights, and, together, they help older adults assert their rights, navigate complex legal systems, and recover from abuse, neglect, and financial exploitation.

The [Long-Term Ombudsman Program \(LTCOP\)](#) is another program vital to the safety and security of older adults who reside in nursing homes, other long-term care facilities, or receive professional care at home. Ombudsmen serve as trusted advocates, ensuring that individuals' voices are heard and their rights are protected. Their presence helps prevent abuse and neglect and fosters accountability and transparency within care settings. Their impact is especially evident in individual stories like that of Sandra Madden. For 22 months, Sandra lived under a guardianship arrangement in a nursing home, looking to reclaim her independence. With the help of an Oklahoma long-term care ombudsman, she transitioned to the Oklahoma Health Care Authority's Living Choice Program. This program empowers eligible individuals to move from institutional settings back into the community, offering essential support and resources to flourish.

The [National Family Caregiver Support Program \(NFCSP\)](#), funded through the OAA, provides grants to states and territories to support family caregivers. Through services such as counseling, training, and assistance in accessing services, the NFCSP provides essential support to caregivers as they support their loved ones. As Congress examines reauthorization of the OAA, we support expanding Family Caregiver Support Services to explicitly include elder abuse prevention in caregiver training. This is a crucial step in equipping caregivers with the tools and knowledge they need to protect their loved ones.

Furthermore, while not directly labeled as abuse prevention, the OAA also authorizes a range of supportive services that play a powerful role in reducing risk. Services like home-delivered meals, adult day care, transportation, and in-home support help older adults remain safe, independent, and socially connected, significantly reducing vulnerability to abuse and neglect.

In short, the Older Americans Act is a cornerstone of aging policy and a frontline defense against elder abuse. We urge Congress to reauthorize and appropriately fund the OAA to ensure that older adults can live with dignity, safety, and respect.

Guardianship and Elder Abuse Prevention

Guardianship is often linked to elder abuse and neglect prevention, as people think it is a way to protect vulnerable adults from harm. However, guardianships are not in and of themselves a guarantee of protection from harm, as they put someone else in charge of the person's decisions about how they want to live as they age. In some cases, they can lead to further abuse. To that end, it is important that guardianships are only ordered when necessary, that the individuals appointed as guardians understand their fiduciary responsibilities, and that courts continue to monitor the cases for as long as a guardian is appointed.

While much of the policymaking on guardianship has been at the state level, the Senate Special Committee on Aging has a history of engaging on guardianship federally. AARP [responded](#) to the Committee's 2018 request for input on guardianship. The Committee has held hearings on guardianship, investigated and issued a report, as well as developed legislation. In 2019, AARP [endorsed](#) the Guardianship Accountability Act (S. 591 in the 116th Congress), which would help states improve guardianship oversight and data collection. As with elder abuse, there is a great need for better data on guardianships. The legislation takes important steps to promote guardianship oversight and accountability, while also encouraging information sharing among state and federal government entities and other relevant organizations.

Last year, AARP [endorsed](#) the Guardianship Grant Flexibility Act (S. 1126 in the 118th Congress). The Guardianship Grant Flexibility Act would help ensure an individual's due process rights are protected by authorizing federal funds to state court programs to provide legal counsel through law school clinics for people subject to guardianship petitions. It would also allow for students from these schools to serve as guardians ad litem who, separate from counsel, advocate for what is in the individual's best interest. These are important changes that could have a significant impact on the lives of people going through the guardianship process.

State Engagement

Elder Abuse

AARP, through its state offices, is also supporting work to improve guardianship laws and systems and address elder abuse at the state level. I'll start with my home state of Oklahoma.

You'll recall the story of Neil I began my testimony with. Well, this year, Neil's Law, OK HB 1566, also known as the Oklahoma Elder Exploitation and Abuse Act, was passed. It allows a vulnerable adult or their legal representative to bring civil lawsuits against the perpetrators of elder abuse.

In 2024, Oklahoma also enacted HB 3317, which requires dementia specific training for multi-disciplinary teams investigating elder abuse.

Later this summer, AARP will be co-hosting the 2025 Tribal Elder Abuse Code Summit with the International Association for Indigenous Aging in Oklahoma. This summit will bring together tribal and state legal and elder justice professionals to improve responses to elder abuse and strengthen legal codes.

This year, AARP Georgia supported legislation (HB 238) aimed at improving training for law enforcement and adult protective services personnel with regard to Alzheimer's and other dementias so that they may be better equipped to respond to emergencies involving individuals experiencing these conditions.

Montana passed legislation this session (SB 296, HB 532 and HB 743) that enhances the penalties for crimes against vulnerable persons and standardizes the way trial evidence is processed in abuse and neglect cases.

AARP New York supported a bill this year (A 621) that allows a vulnerable older adult to have a support person present with them when they are called to testify before a grand jury.

Guardianship Due Process Rights

While much has changed over the past few decades to improve the rights of someone subject to guardianship, much has not. However, states are working diligently to improve these systems.

The New Mexico State Supreme Court [adopted](#) a Guardianship Bill of Rights earlier this year, outlining the rights individuals retain throughout the guardianship process. This Bill of Rights is modeled closely on the Bill of Rights drafted by the [National Guardianship Network](#), an organization of entities committed to improving guardianship.

In 2023, AARP Pennsylvania supported the passage of the bipartisan SB 506. This bill made several improvements to the guardianship system, including 1) automatically appointing counsel for the individual subject to the petition; 2) mandating the exploration of alternatives to guardianship; 3) establishing procedures to ensure prompt and fair review of the appointment on notice of changing circumstances; and 4) requiring that an individual seeking guardianship of three or more incapacitated persons be certified and provide proof of the certification to the court.

This year, AARP Kansas supported the successful passage of both the [Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act](#) (UAGPPJA), allowing guardianships to be easily transferred between states, and the [Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act](#) (UGCOPAA) which is the “gold standard” of guardianship laws because of the emphasis it places on ensuring that the due process rights of the individual are protected and that a full guardianship truly is a last resort.

Alternatives to Guardianship

As stated earlier, guardians are decision makers; they are not guardian angels who shield the vulnerable adult from all harms. Guardianships do not take away an individual’s free will. Therefore, it is important for courts to explore other alternatives before imposing a full guardianship on an individual, including considering whether a limited appointment may be appropriate. Another of those alternatives is supported decision-making (SDM). Supported decision-making is a framework for making decisions where an individual solicits input from trusted advisors before making a decision. The individual retains the right to make decisions for themselves but with support. HHS [explains](#), “SDM involves tools that help individuals identify the type or types of help they need and how to go about getting that help and recognizes that different people need different kinds of help.

SDM is person-centered – this means SDM solutions are based on the wants and needs of the individual receiving support. SDM keeps control in the hands of the individual providing customized assistance in specific ways and in specific situations that are useful to the individual.”

This is how most of us make big life decisions, such as purchasing a car. We do not make decisions in a vacuum; we do research, ask our family, friends, and trusted professionals for their opinions and thoughts before coming to a decision. While the use of supported decision-making agreements as an alternative to guardianship is associated with the disability community, it is not limited to them. Many states have recently passed statutes recognizing supported decision-making as a less restrictive alternative to guardianship, including, but not limited to: Alabama, Illinois, Maryland, and Rhode Island. In fact, at least 37 states, including Oklahoma, have laws referring to supported decision-making.

Public Education and Awareness

People may be vaguely aware of guardianships and conservatorships, in part because of certain high-profile cases. However, most do not really understand them until they are confronted with the potential need for one in their own life. Therefore, it is important for the public to have easily available sources of information about what they are, how they are supposed to work, potential alternatives, and community resources.

AARP Oklahoma works closely with the Oklahoma Caregiver Coalition who launched a [Guardianship Resource Page](#).

A similar [resource page](#) is available through the Alabama Center for Adult Guardianships and Conservatorships. The Center is a project of the Alabama Supreme Court Commission on Guardianships and Conservatorships, which evolved from a Working Interdisciplinary Network of Guardianship Stakeholders (WINGS) group, initially funded by an Elder Justice Initiative Grant. Other states have similar guides.

Oversight and Standards

The vast majority of guardianships are between family, and most of those operate well. However, when family is not able or willing to serve as a guardian, or there is no family, then a third party will be appointed as a guardian. These third parties may not have any prior relationship with the individual and unfortunately, criminals have recognized a potential opportunity with the traditional lack of oversight. These unscrupulous individuals who claim they are professionals have taken advantage of vulnerable adults and their families. Fortunately, progress is being made in regulating the profession and more closely monitoring guardianships. AARP Florida has been involved in initiatives to increase oversight of guardians' actions. Michigan and Montana have both debated improving standards for the qualifications for professional guardians. AARP New York supported a guardianship initiative that would establish a network of nonprofit guardians to provide guardianship services and help build additional capacity.

Summary of Recommended Actions

We urge Congress to reauthorize and appropriately fund the OAA to ensure that older adults can live with dignity, safety, and respect. We support the passage of the GUARD Act to fight financial fraud and exploitation.

We recommend Congress examine successful state solutions that could be scaled and expanded, and, where necessary, that policymakers remove barriers to such expansion.

We support Congress exploring other successful federal programs that address abuse and neglect and modeling them for older adults.

It is important to ensure that law enforcement officials are appropriately trained regarding elder abuse and that prosecutors pursue elder abuse cases. Improved data collection is important to better understand the problem and appropriately focus solutions.

Talking about elder abuse and increasing awareness is also crucial. Older adults and others may be hesitant to report abuse. Discussion of the issue can help remove stigma and encourage people to report abuse so that it can be addressed.

Family caregivers are the backbone of our long-term care system, enabling millions of older adults to live independently in their homes and communities. They also play a vital role in identifying and preventing elder abuse. To sustain and strengthen this essential workforce, we must prioritize targeted support through:

- Education, training, and respite services to reduce caregiver burnout.
- Simplified access to resources and navigation support for both caregivers and care recipients.
- Financial relief, including a federal family caregiver tax credit as proposed in the bipartisan *Credit for Caring Act* (S. 925) and the *Lowering Costs for Caregivers Act* (S. 1565).
- Cutting red tape through the *Alleviating Barriers for Caregivers Act* (S. 1227).
- Improved access to health information via Medicare, as outlined in the *Connecting Caregivers to Medicare Act*.
- Reauthorization of the Lifespan Respite Care Program (S. 830) and continued investment in the *Older Americans Act*, which provides foundational caregiver support.

States are also taking action—Oklahoma, for example, enacted a family caregiver tax credit in 2023, underscoring the growing bipartisan recognition of this issue.

Conclusion

Thank you for your attention to the vital issue of elder abuse and neglect. We appreciate the Committee bringing greater visibility to this, as well as your work to reauthorize the OAA,

which delivers vital services to address elder abuse and neglect. AARP looks forward to working with the Committee on these and other issues to help ensure the well-being of our nation's older adults.