

National Definitions of Elder Abuse

National Organizations

Administration for Community Living (ACL), 2016

<https://www.acl.gov/programs/elder-justice/what-elder-abuse>

“...elder abuse is a term referring to any knowing, intentional, or negligent act by a caregiver or any other person that causes harm or a serious risk of harm to a vulnerable adult. Legislatures in all 50 states have passed some form of elder abuse prevention laws. Laws and definitions of terms vary considerably from one state to another, but broadly defined, abuse may be” physical abuse, sexual abuse, neglect, exploitation, emotional abuse, abandonment, and/or self-neglect.

Centers for Disease Control (CDC), 2016

<https://www.cdc.gov/violenceprevention/elderabuse/definitions.html>

“Elder abuse is an intentional act, or failure to act, by a caregiver or another person in a relationship involving an expectation of trust that causes or creates a risk of harm to an older adult. (An older adult is defined as someone age 60 or older.)” Forms of elder abuse include physical abuse, sexual abuse or abusive sexual contact, emotional or psychological abuse, neglect, and financial abuse or exploitation.

Elder Justice Roadmap, 2014

<https://www.justice.gov/elderjustice/file/829266/download>

“Elder abuse includes physical, sexual or psychological abuse, as well as neglect, abandonment, and financial exploitation of an older person by another person or entity, that occurs in any setting (e.g., home, community, or facility), either in a relationship where there is an expectation of trust and/or when an older person is targeted based on age or disability.”

National Center on Elder Abuse (NCEA)

<https://ncea.acl.gov/faq/index.html#faq1>

Federal definitions of elder abuse first appeared in the 1987 Amendments to the Older Americans Act, however, these definitions are guidelines. Each state defines elder abuse according to its unique statutes and regulations, and definitions vary from state to state. Researchers also use varying definitions to describe and study the problem.

Domestic elder abuse generally refers to any of the following types of mistreatment that are committed by someone with whom the elder has a special relationship (for example, a spouse, sibling, child, friend, or caregiver). Institutional abuse generally refers to any of the following types of mistreatment occurring in residential facilities (such as a nursing home, assisted living facility, group home, board and care facility, foster home, etc.) and is usually perpetrated by someone with a legal or contractual obligation to provide some element of care or protection.

Elder abuse can affect people of all ethnic backgrounds and social status and can affect both men and women. The following types of abuse are commonly accepted as the major categories of elder mistreatment: Physical Abuse, Emotional Abuse, Sexual Abuse, Exploitation, Neglect and Abandonment.

National Research Council, 2003

<https://doi.org/10.17226/10406>

“Elder Mistreatment is defined (a) intentional actions that cause harm or create a serious risk of harm (whether or not harm is intended) to a vulnerable elder by a caregiver or other person who stands in a trust relationship to the elder or (b) failure by a caregiver to satisfy the elder’s basic needs or to protect the elder from harm. “Mistreatment” conveys two ideas: that some injury, deprivation, or dangerous condition has occurred to the elder person and that someone else bears responsibility for causing the condition or failing to prevent it.” National Research Council. 2003. Elder Mistreatment: Abuse, Neglect, and Exploitation in an Aging America. Washington, DC: The National Academies Press.

World Health Organization (WHO), 2002

http://www.who.int/ageing/projects/elder_abuse/en/

Elder abuse can be defined as “a single, or repeated act, or lack of appropriate action, occurring within any relationship where there is an expectation of trust which causes harm or distress to an older person”. Elder abuse can take various forms such as physical, psychological or emotional, sexual and financial abuse. It can also be the result of intentional or unintentional neglect.

Laws and Statutes

Elder Justice Act, 2010

42 U.S. Code § 1397j

The term abuse means the knowing infliction of physical or psychological harm or the knowing deprivation of goods or services that are necessary to meet essential needs or to avoid physical or psychological harm. The term “elder” means an individual age 60 or older.

Older Americans Act, 2016

Public Law 89–73 As Amended Through P.L. 114–144, Enacted April 19, 2016

The term “abuse” means the knowing infliction of physical or psychological harm or the knowing deprivation of goods or services that are necessary to meet essential needs or to avoid physical or psychological harm. The term “elder abuse” means abuse of an older individual. The term “older individual” means an individual who is 60 years of age or older.

Violence Against Women Act (VAWA), 2014

42 U.S. Code § 13925(a)(11)

The term “elder abuse” means any action against a person who is 50 years of age or older that constitutes the willful— (A) infliction of injury, unreasonable confinement, intimidation, or cruel punishment with resulting physical harm, pain, or mental anguish; or (B) deprivation by a person, including a caregiver, of goods or services with intent to cause physical harm, mental anguish, or mental illness.

For local definitions, check your state or tribal elder abuse and/or vulnerable adult statutes.