

Information Collection Request

Supporting Statement for the

Elder Justice Roadmap Project

Project Officer:

Andy Mao, JD

Elder Justice and Nursing Home Initiative

Fraud Section

Commercial Litigation Branch

Civil Division

Department of Justice

601 D Street, NW, Room 9548

Washington, DC 20530

Phone: (202) 616-0539

Fax: (202) 514-0280

E-mail: Andy.Mao@usdoj.gov

(submitted by Laurie Feinberg, M.D., M.P.H, COTR)

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Section A Justification

A.1. Circumstances Making the Collection of Information Necessary

Elder abuse, neglect, and exploitation (elder abuse) present a complex constellation of issues that requires a multifaceted response from the health, social service, and legal fields. Elder abuse is a justice system, public health system, and social service system problem with a very diverse range of stakeholders, including law enforcement officers, prosecutors, coroners, medical examiners, legal services attorneys, victim advocates, guardians, judges, physicians, nurses, psychologists, geriatricians, certified nurse assistants, long-term and acute care providers, Adult Protective Services (APS) workers, social services providers, consumer protection experts, bankers, financial professionals, academics, advocates, law and policy makers, elders themselves, and those who care for them. Elder abuse includes a wide range of abuse, including physical, sexual, and psychological abuse, neglect and financial exploitation. It may involve a parent mistreated by an adult child, domestic violence in later life, investment scams targeting older people, systematic neglect in facilities caused by understaffing, and much more.

The field remains fragmented and lacks coordination and a clear national agenda in terms of policy, practice, or research. Over the past three decades, conferences, professional associations, and researchers have fashioned multiple lists of recommendations for the field. These recommendations have typically been constrained by the lack of participation of many segments of the field and thus only reflected the perspectives of the recommenders as well as the absence of a mechanism to organize and prioritize the recommendations. As a result, despite multiple efforts to make recommendations for the field, no consensus on priorities has emerged.

This lack of consensus on priorities has led to only limited research and data being available on elder abuse, neglect, and exploitation. What we currently know about elder abuse is thought to lag about 40 years behind what we know about child abuse and 20 years behind domestic violence.¹ It is critical to

¹ Testimony of Marie-Therese Connolly, Senior Scholar, Woodrow Wilson International Center for Scholars Director, Life Long Justice (an elder justice initiative of Appleseed) Before the: Senate Special Committee on Aging

address the issue now because the population is aging rapidly, the caregiver shortage in every category is increasing, and the number of people with dementia, who experience a shocking 47% rate of abuse and neglect in the community, is rising.² Finally, while the economic toll of elder abuse remains unmeasured, we suspect that it has real costs for the justice system, Medicare and Medicaid, the social services systems and individuals. To facilitate the ability of both stakeholders and policymakers to make fully informed decisions on how to effectively define and address these issues, the Elder Justice and Nursing Home Initiative of the Department of Justice is undertaking a project using concept mapping.

This information collection request falls under the Department of Justice (DOJ), Civil Division, Elder Justice and Nursing Home Initiative. This information is necessary to advance the knowledge base on the issue of elder justice and influencing future programming. To our knowledge no past data collections of this type exist that may be applicable to the issue. The utility of the concept mapping methodology is in its ability to capture the complex, interrelated, and multi-level priorities and recommendations to be included in a roadmap for the elder justice field. The Elder Justice and Nursing Home Initiative annually funds research through the National Institute of Justice as well another activities in this field, and the concept map will inform us of the topics that should be addressed with higher priority. The National Institute of Justice within DOJ is authorized to make grants to, or enter into contracts or cooperative agreements with, States (including territories), local governments (including federally-recognized Indian tribal governments, nonprofit and profit organizations, institutions of higher education, and certain qualified individuals. In recent years, the funded projects have addressed a brand range of topics providing research and evaluation relating to abuse. NIJ has, for example, sought applications on a broad range of research and evaluation relating to abuse, neglect, and exploitation of elderly individuals and residents of residential care facilities. Last year's solicitation, for example, includes: identifying and

hearing on Justice for All: Ending Elder Abuse, Neglect and Financial Exploitation, March 2, 2011. (page 8.)

² Wigglesworth, A., Mosqueda, L., Mulnard, R., Liao, S., Gibbs, L., & Fitzgerald, W. (2010). Screening for Abuse and Neglect of People with Dementia. *Journal of the American Geriatrics Society*, 58(3), 493-500. doi: 10.1111/j.1532-5415.2010.02737.x

evaluating forensic markers of physical and sexual abuse and neglect among the elderly; evaluating programs designed to detect, prevent, investigate, prosecute, or otherwise redress elder mistreatment; examining risk and protective factors associated with elder mistreatment in both institutional and community settings; exploring the nature, incidence, and prevalence of elder mistreatment and establishing uniform definitions and measures, and evaluating a coordinated community response to elder mistreatment. If the concept map identifies higher priority items, the future solicitations may be further tailored to those priority items.

In addition, the Office of the Assistant Secretary for Planning and Evaluation in the Department of Health and Human Services added funding to this project to obtain information about research priorities in the field of elder abuse. Consistent with 28 CFR Part 46.102(D), this project is not research and does not require IRB review.

In addition to informing research priorities, this information collection may advance goals established in the Elder Justice Act (The Act), which was enacted in March 23, 2010, and passed as Subtitle H of the Patient Protection and Affordable Care Act (P.L. 111- 148). The Act establishes an Elder Justice Coordinating Council and Advisory Board which are responsible for developing short and long-term strategic plans for the development of the elder justice field, including but not limited to areas such as research, training, services, practice, enforcement and coordination. The Elder Justice Coordinating Council is to be comprised of officials from the Departments of Health and Human Services, Justice, and other agencies, and will provide recommendations for coordinating activities on elder abuse, neglect, exploitation and other crimes against elders. The initial recommendations, in a report to Congress, are due no later than two years after enactment (March 23, 2012); the Council is mandated to make recommendations every two years, thereafter. The Act also establishes an Advisory Board on Elder Abuse, Neglect, and Exploitation. This Board is to be comprised of subject matter experts and will be responsible for, among other things, establishing multi-disciplinary panels to develop consensus on subjects relating to enhancing elder justice and improving the quality of long-term care.

Given that this information collection will collect information on many of the same issues the Elder Justice Coordinating Council and Advisory Board are expected to address, we believe the roadmap will provide a valuable source of information for their consideration and may help both bodies to operate with greater focus and efficiency in prioritizing their work. They are, however, under no obligation to use the information collected in this project.

This information collection asks a wide range of experts in the field of elder justice, identified by the experts planning this collection and then selected by DOJ, to brainstorm ideas that would be beneficial to reducing elder abuse through prevention, detection, and enforcement against individuals and entities engaging in elder abuse. After the brainstorming has been completed, the concepts are organized (referred to as sorting) by a selected subset of the respondents, and once sorted, rated by all of the brainstormers who wish to do so. In addition, the formation of the concept map is enhanced through interviews of experts unlikely to participate in the brainstorming, sorting, and rating or who may have a point of view unlikely to have been well expressed in the brainstorming. Finally, a small number (6) of facilitated discussions are used to further refine the concept map.

A.2. Purpose and Use of the Information

The goal of this information collection is to explicate and define, from the perspective of professionals in the elder justice field, the key elements that must be considered in a collaboratively constructed framework to advance relevant areas of policy, practice and research. The results of this information collection will not be generalizable. Our objective is to obtain as thorough an examination of the issues from multiple perspectives by professionals working in the field.

Ultimately the final product of this study will help to advance areas of policy, practice and research by enabling a collaboratively constructed framework, derived from multiple perspectives that have not been previously considered collectively including practitioners, policy-makers, and researchers. Appropriate responses to address the promotion of elder justice require a common agreement of the concepts that have

specific relevance to the target beneficiaries. The work proposed here is critical because an emergent framework that emphasizes the complex, interrelated aspects of elder justice from multiple perspectives will help to advance a unified practice, research, and policy agenda.

As stated above, the concept map ultimately developed could help inform the Elder Justice Coordinating Council and Advisory Boards in their efforts to develop recommendations for coordinating activities relating to elder abuse, neglect, and exploitation and other crimes against elders. For example, if the concept map highlights the importance of financial abuse of the elderly, this area may receive additional attention in future activities or merit the creation of a multidisciplinary panel to focus on such issues. Alternatively, if concerns about the quality of care in assisted living or nursing homes are identified as priorities on the concept map, a different set of activities may be considered to address these concerns.

Further, numerous ongoing efforts relating to elder justice could benefit from the results of this project, including the Federal Interagency Working Group on Elder Justice.. The Working Group is comprised of representatives from the Department of Health and Human Services, including the Administration on Aging, the Office of the Assistant Secretary for Planning and Evaluation, the National Institute on Aging, Centers for Medicare and Medicaid Services, Office of the Inspector General, and the Substance Abuse and Mental Health Administration; and the Department of Justice, including the Civil Division, the Civil Rights Division, the National Institute of Justice, and the Office for Victims of Crime. It will review and use the collected information to shape future efforts to better understand the issues and organize effective responses to elder abuse, neglect and exploitation. Without such information, planning and development may be limited in terms of intervention and responses, measurement and data collection, and research priorities.

A.3. Use of Information Technology and Burden Reduction

The collection of information for the concept mapping portion of this study will be conducted via a dedicated project website and supplemented by discussions and interviews. The website will be

administered by Concept Systems, Inc. (CSI), the contractor for this project. This web-based collection technique will reduce the participation time burden for respondents, as it will allow them to respond virtually and remotely, during time that is convenient for them. The project website will also allow for respondents to complete the concept mapping activities over multiple visits to the website (i.e., respondents will not need to complete the activities in one sitting). The use of information technology for the concept mapping will also reduce the financial burden because respondents will not incur any travel expenses in completing the tasks

The facilitated discussions, which follow the concept mapping portion of the project, will be conducted via webinar. The webinar format will enable participants to engage in a productive conversation that will elicit the necessary feedback on the conceptual framework developed through the concept mapping and will confirm and enhance its validity for use elder abuse prevention, response, and redress efforts. At the same time, the use of this technology will reduce the financial cost of the project because no travel costs will be incurred.

The leadership interviews with experts in various aspects of the field will be conducted by conference phone to allow a CSI representative to take notes while the interviewer and interviewee concentrate on the interview. The voice-to-voice context of these interviews will be critical in engaging participants in a candid reaction to the information in the preliminary concept map. Guiding questions and discussion prompts will be used to gather information from the respondents on the meaning and potential uses of the concept mapping results. Again, the use of a conference phone will reduce the financial cost because no travel costs will be incurred.

A.4. Efforts to Identify Duplication and Use of Similar Information

This collection of information does not duplicate or collect similar information to other studies. The Federal Elder Justice Interagency Working Group has been meeting regularly since 2001. During this time, participating agencies have collaborated on several joint efforts, including examining the research,

both basic and applied, on elder abuse, neglect, and exploitation, and determining research, evaluation and practice gaps for further study. In consulting with the organizations and research partners, including a review of the existing literature on the subject, it has been determined that the information outlined in this data collection effort does not currently exist in a way that would serve the purpose of this information collection.

A.5. Impact on Small Businesses or Other Small Entities

This information collection is expected to have no impact on small businesses or other small entities.

A.6. Consequences of Collecting the Information Less Frequently

This information will be collected only once, although certain respondents may be asked to participate up to three to four times during the different phases of the study, depending on the tasks for which they are recruited. Responding to the multiple requests to participate is voluntary. Once participants provide us with their ideas in response to the prompt question, referred to as “brainstorming”, a selected subsample of participants will be requested, 4 to 8 weeks later, to sort the ideas into similar themes (“sorting”). All individuals who provided ideas will also be asked, approximately 8 weeks after the brainstorming, to rate the ideas on perceived frequency and desirability (“ratings”). The respondent re-contact interval is necessary to allow the project team to review the originally brainstormed statement set for clarity, relevance and redundancy, and finalize a set of ideas (100 or fewer) that is manageable in number for respondents to engage in the next stage of the project (sorting and rating), thereby reducing burden.

A.7. Special Circumstances Relating to the Guidelines of 5 CFR 1320.5

Concept mapping participants will be asked to respond to the brainstorming activity within approximately six weeks. Participants that are asked to respond to the sorting and rating activities will be asked to do so within approximately four weeks *after* the conclusion of the brainstorming activity. Responses to all portions of the concept mapping activities are voluntary, thus any individual who is not able to provide a

response within the requested time period is not obligated to do so. The information collection outlined fully complies all guidelines of 5 CFR 1320.5.

A.8. Comments in Response to the Federal Register Notice and Efforts to Consult Outside Agency

No public comments were received in response to the *Federal Register* Notices.

The agency contracted with CSI to provide project management and to facilitate the concept mapping and facilitated discussion processes. In order to ensure the clarity of instructions for all collection materials and provide multidisciplinary input into the project, the agency also consulted with a Project Planning Group. This Group is comprised of researchers, practitioners and advocates in fields related to elder abuse. This Group advised the agency on project design and reviewed respondent materials for their readability to assure that all participants would be able to understand and take part in the different project activities. The agency and project team met with the Project Planning Group since December 2010 – February 2011 to plan for this information collection.

A.9. Explanation of Any Payment or Gift to Respondents

No payment or gift will be given to any respondents.

A.10. Assurance of Confidentiality Provided to Respondents

Participation in the brainstorming component of concept mapping will be completely private; the identification of the participants will be protected consistent with the privacy laws. However, participation in the sorting and rating activities of the concept mapping process will require that each participant access the different activities with a unique username and password. Due to project resourcing, the project team, rather than a third-party organization or agency, will be managing the distribution of these username and passwords to participants. As such, participation in these components of the concept mapping process will not be anonymous, since the project team will have the ability to associate each username with individual participant names. The agency will, however, maintain the

privacy (to the extent permitted by law in the event of a FOIA request.) of all input from participants, because the data elicited from participants will in no way be associated with any individual at any point in the project analysis or reporting. Participants will be made fully aware of these parameters and privacy assurance during the online process. (See Appendices 1-5.)

Given the context of the facilitated discussions, participant identity will not be kept anonymous. During the discussions, participants will be identifiable to one another by usernames that they create for participating in the webinar. The project team will have a database of all participants' contact information, as this information is necessary for communication and recordkeeping purposes.

Any content from these discussions that is incorporated into the final project report will not be identified as having been provided by specific participant(s); although the project team and the Project Planning Group will be using the content to enhance and support the final report recommendations. CSI will maintain a confidential database of participant names and contact information in the security of their Ithaca, New York, office on a password protected server for seven years after the dates of the facilitated discussions. These data will be kept in a password protected folder on the CSI's server, so that only members of the project team will have access to this information. Participants will not be contacted after the conclusion of the project unless they express an interest in being contacted in the future. All participants will be provided with contact information for the project team members. (See Appendices 6-7.)

Similarly, the respondents participating in the leadership interviews will not be anonymous; in fact, their names may be made public if the interviewees agree. However, their responses will be kept private. (See Appendices 8-9.)

A.11. Justification for Sensitive Questions

All concept mapping participants will be asked to respond to the focus prompt, *“To effectively understand, prevent, identify, and/or respond to elder abuse at the national level, we need...”* After

extensive consultation with the Project Planning and Working Group, the project team determined that this focus prompt was the best question to ask respondents in order to elicit the most useful content for the purposes of the study. The statements that are derived from this focus prompt will be reviewed and synthesized by the project team, to yield a set of about 100 or fewer ideas that respondents will sort and rate in the subsequent concept mapping activities. These statements will represent the range of ideas that all respondents provided on the topic of elder abuse, and will form the basis of the resulting conceptual framework.

The information and instructions that will be provided to concept mapping and facilitated discussion participants, as well as any appropriate consent forms for each group of respondents are included as attachments to this document.

A.12. Estimates of Hour Burden Including Annualized Hourly Costs

Seven hundred fifty participants will be invited to participate in the brainstorming task, which will take respondents five to ten minutes to complete. Two hundred fifty of the seven hundred and fifty participants will be invited to participate in the sorting task, which will take respondents generally sixty to ninety minutes to complete. While the sorting tasks demands a certain level of understanding of the interrelationships of the content to be organized, it is less so the case with ratings, where a broader groups of individuals can readily assign values to the specific statements. Thus, the same seven hundred fifty participants will be invited to participate in the rating task, which will take respondents approximately thirty to sixty minutes to complete. [These seven hundred fifty respondents will be invited to participate in the ratings activity in order to maximize the likelihood of eliciting varied perspectives on importance and feasibility from representatives of the broad range of systems from which we are seeking input (i.e., aging network, faith-based, financial, health care, legal system, mental health, protective service, social service, victim service.)] Analyses on web-based concept mapping studies indicate that the average percentage of completion for ratings is approximately 68% of the invited participant pool for the first

rating and 48.0% for the second³. We are seeking enough respondents from each of these systems groups in order to examine potential differences in the way these disparate, but related groups, view the relative importance and feasibility of the statements. These contrast between and across groups will be instrumental in helping to understand the variability in the emphases placed upon aspects of the concept map by different disciplines within the elder justice field. The total annual hour burden for a concept mapping participant will vary based on the specific combination of concept mapping activities to which he or she will be asked to participate, but this hour burden will be no more than 2.67 hours.

Each facilitated discussion will be approximately ninety minutes to two hours in duration. There will be six facilitated discussion groups comprised of ten participants each, and each group will meet twice so that participants will have the chance to reflect on the ideas presented during the initial discussion and address them again in the second discussion.

The leadership interviews will require approximately ninety minutes of each interviewee's time. Nine to twelve leadership interviews will be conducted.

The agency has estimated the annual hour burden for respondents of the concept mapping and facilitated discussion phases based on the contractor's extensive past experience administering concept mapping activities and facilitated discussions. There is an estimated 1,508 annual total public burden hours associated with this collection. The chart below provides a calculation based on the higher range of the time estimates.

Task	Estimated time (minutes)	Total Participants	Total minutes per task
Brainstorming	10	750 (510)*	7,500 (5100)*
Sorting	90	250	22,500

³ Rosas, S. R., & Kane, M. (2012). Quality and rigor of the concept mapping methodology: A pooled study analysis. *Evaluation and Program Planning*, 35(2), 236-245.

Rating	60	750 (360)*	45,000 (21,600)*
Facilitated Discussions	240	60	14,400
Leadership Interviews	90	9-12	1,080
Total			90,480 minutes (=1,508 hours)

*numbers in parenthesis reflect the estimated response rate

A.13. Estimate of Other Total Annual Cost Burden to Respondents or Recordkeepers

The DOJ anticipates no additional cost burden to respondents or recordkeepers beyond that which results from their customary or usual business or private practices.

A.14. Annualized Cost to the Federal Government

The contract to conduct the concept mapping project was competitively awarded to Concept Systems, Inc. The total time and materials contract estimate is based on a 44 week contract amount of \$ 417,872. The following are cost estimates to the Federal government based upon activities anticipated over the next three years:

- a. Base Year.....\$ 417,872
- b. Option Year.....\$ N/A
- c. 6 Month Period....\$ N/A
- d. Total Federal Government Cost: \$ 417,872

A.15. Explanation for Program Changes or Adjustments

Not applicable. This is a new collection of information.

A.16. Plans for Tabulation and Publication and Project Time Schedule

The following table indicates the project time schedule:

Information Collection Task	Week after receiving OMB Approval
Finalize key questions and stakeholders	1
Close brainstorming	6
Conduct idea synthesis and finalize statement set	12
Close sorting and rating	17
Preliminary draft concept map report	21
Conduct PGG in-person meeting	22
Incorporate information from PGG into remaining tasks	23
Incorporate information from literature search	20
Aggregate additional information into draft concept map report	29
Finalize leadership interview protocol and participants	23
Preliminary interview report	27
Aggregate data into draft concept map report	29
Finalize facilitated discussion protocol and participants	26
Finalize conduct of facilitated interviews	33
Preliminary facilitated discussion report	36
Aggregate data into draft concept map report	37
Conduct PGG Webinar to discuss concept map report	38
Deliver report with text and graphics	44

In week 22 after receiving OMB approval, concept maps will be presented to the Project Planning Group. The maps and analyses will be presented in person and as a written report. The reports will be used for planning the facilitated discussions and leadership interviews will not be disseminated prior to their completion. In week 44 after receiving OMB approval, a final aggregated report will be completed. The final report will be made available on the DOJ website. In addition, a more extensive dissemination strategy will be developed in subsequently. Any reports or releases that are publicized in relation to this project will explicitly state that the results of this project are based on exploratory qualitative research by

purposely selected, rather than random selected participants. The results are therefore not generalizable to any given population.

A.17. Reason(s) Display of OMB Expiration Date is Inappropriate

Not applicable.

A.18. Exceptions to Certification for Paperwork Reduction Act Submissions

Not applicable. There are no exceptions to Certification for Paperwork Reduction Act Submissions for this information collection.

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