

# HB3 LATE TESTIMONY

February 12, 2013

To: House of Representative:

Committee on Human Services

Committee on Consumer Protection & Commerce

From: Joelouie Genus

MSW Student, UH Manoa

Re: Support for HB 3, Relating o the elderly: Mandatory reporting of suspected financial abuse of an elder

Aloha Rep. Mele Carroll and Rep. Bertrand Kobayashi, and members of the Committee on Human Services and to Rep. Angus McKelvey, and Rep. Derek Kawakami and the Members of the Committee on Consumer Protection & Commerce. My name is Joelouie Genus and I am the nephew of a woman who's experienced financial abuse. I come to share her experience, and I know if she could be here she would also be in front of you telling you how important this bill is to people who are 60 and up and who live independently.

About a year ago, my Aunt Nena freed herself from the grip of a caregiver, Stacy who began to take control of her life. Nena, a Filipina woman, at the time 70 years old, 5'2 and 80 pounds and frail, who lives on her own at her house, needed a caregiver after she received heart surgery and being diagnosed with severe depression which caused her to loose weight, become forgetful and have occasional delirium. At first, the relationship between her and Stacy appeared typical. Stacy came at a certain schedule and provided the service she was hired to do. But after 6 months, Stacy and her boyfriend James began to move into her house eat her food, use her things without permission including her car. Stacy also started taken on an outside jobs, making Nena her "boarding house" and no longer her client. Since Nena could not drive because of her forgetfulness, and she desperately needed the company and help, she accepted the new arrangement.

Nena's need for someone to help her made her a target for this woman. Nena trusted her caregiver. After a while, the Stacy began to do more than shopping for groceries, she was buying electronics and paying for personal items with Nena's credit cards and debit card.

Gradually the caregiver began to take over her finances. She event went to Nena's banks and withdraw money from the ATMs. Stacy also managed to put her boyfriend, James, as a cosigner with one of Nena's account, allowing for an easier access to her finances because from the bank's perspective, it was "legal". It was not until it was too late that my mother noticed the irregularity of the caregiver-patient relationship, and my aunt complained to my mom who visited her that she had lost much of her jewelries, money from the bank and that she owed more than 20,000 on the mortgage, that action was taken and the police was called. Eventually, James was arrested and jailed for theft, and the Stacy left town. But the financial plunge my aunt took stayed with her, making her barely able to get by because of her debt.

I know that if this bill is passed, seniors living independently could better rest assured that their financial health is protected. Right now people are calling the Department of Human Services for help when an instance like this occur, but what the Department of Human Services does is call the police department making the process longer and drawn out, eventually allowing offenders to be able to get away before action is taken. It makes a lot more sense to have people call the police department and make interventions for this sort of cases.

Financial institutions and workers, need training in handing this sort of cases. The bank that Nena and James signed-up for a joint account should have noticed the discrepancy in their last name and relationship. Furthermore the type of transactions made using Nena's credit cards and ATM cards (which pertained to electronics, electronic stores) should have signaled irregularity to her financial institutions. If the bill is passed, then the financial institution, bank tellers or financial officer who witness such as irregularity can directly call the police.

No seniors should ever experience financial abuse! Having bank tellers, and financial officers trained to catch financial abusers and exploiters will be one defense that we can have to protect our Kupunas in Hawai'i.

Mahalo for hearing me out,

Joelouie Genus, MSW Student at UH Manoa and Concerned Citizen