

Elder Abuse Prevention Interventions (EAPI) Initiative in New York State

Policies and Procedures: Enhanced Multi-Disciplinary Teams SUPPLEMENT

The Forensic Accounting Role

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Acronyms and Terms

Acronym	Term
ACFE	Association of Certified Fraud Examiners
ACL	Administration for Community Living
AICPA	American Institute of Certified Public Accountants
APS	Adult Protective Services
CFE	Certified Fraud Examiner
CFF	Certified in Financial Forensics
CIA	Certified Internal Auditor
CPA	Certified Public Accountant
DA	District Attorney
DANY	District Attorney of New York (Manhattan)
EAPI	Elder Abuse Prevention Interventions Initiative
E-MDT	Enhanced Multi-Disciplinary Team
FA	Forensic Accountant
MDT	Multi-Disciplinary Team
NYSOFA	New York State Office for the Aging
NYCEAC	New York City Elder Abuse Center
WCM	Weill Cornell Medicine

Introduction and Background

The New York State Elder Abuse Prevention Interventions (EAPI) grant Initiative was launched in New York State in 2012 under a grant from the Administration for Community Living (ACL) to the New York State Office for the Aging (NYSOFA). Project partners convened to implement the intervention in order to prevent and address financial exploitation and elder abuse by bringing together entities in each local project site with unique resources and skills to form coordinated, enhanced multi-disciplinary teams (E-MDTs) to provide improved and effective cross-systems collaboration and specialized responses, resulting in restored safety and security to older adults. The E-MDT model is being implemented in Manhattan by the New York City Elder Abuse Center (NYCEAC), hosted by the Weill Cornell Medicine (WCM), and in seven counties in the Finger Lakes Region in upstate New York by Lifespan of Greater Rochester Inc. (Lifespan). The model is based on an existing multi-disciplinary team (MDT) structure implemented in Brooklyn, NY. E-MDT partner agencies participate from across disciplines, including Adult Protective Services, the aging services network, financial services, law enforcement, legal, social service, victim assistance, health care, mental health, and other agencies and organizations.

The EAPI Initiative in New York targets frail adults aged 60 and over residing in Manhattan and the Finger Lakes region who have a detectable sign of financial exploitation, and also have at least one of the following characteristics: (1) health problems and/or physical impairments; (2) cognitive impairment or dementia; and/or (3) social isolation and inadequate social support, which puts them at higher risk for becoming victims of abuse. Significant partners in the EAPI Initiative include: Project Director and additional staff from the New York State Office for the Aging (NYSOFA); key partners from the New York State Office of Children and Family Services (OCFS) who oversee the Adult Protective Services (APS) and other adult abuse prevention services and programming; Monroe County Office for the Aging (MCOFA) for project administration; Lifespan, pilot site team lead for program administration, E-MDT coordination, and implementation of the EAPI Initiative in the Finger Lakes; other local Finger Lakes region human service, protective services, health, mental health, legal, and law enforcement agencies; NYCEAC pilot site team lead and other staff from NYCEAC for program administration, E-MDT coordination, and implementation of the EAPI Initiative in Manhattan; New York City APS, and other Manhattan-based human services, protective services, health, mental health, legal, and law enforcement agencies.

The primary focus of the EAPI grant program is to address issues of financial exploitation of older adults. Financial exploitation is a fast growing and complex form of elder abuse. A unique component of the EAPI implemented in New York is to expand the MDT structure and include forensic accounting services, and gero-psychiatrists on the E-MDTs to consult and share expertise. The local E-MDT Coordinators engage in case consultation with team members, facilitate E-MDT meetings, and facilitate active joint investigations and interventions, with an emphasis on investigating and stopping potential and existing financial exploitation. This document focuses on the role of the forensic accountant in the EAPI and on the teams.

While elder abuse multi-disciplinary teams are emerging in various localities across the country, the E-MDTs developed for this pilot program differ in that they focus on financial exploitation, the teams are facilitated by an E-MDT coordinator, and also are enhanced by the participation of geriatric psychiatrists to provide professional expertise to help understand and identify action steps associated with issues of capacity (see Roles and Responsibilities of Geriatric Psychiatrists) related to client finances in identified cases. In addition, the Finger Lakes pilot, with counties representing urban, suburban, and rural locations, utilized the services of a community-based forensic accountant to support the seven E-MDTs, while the Manhattan (dense urban) team was structured to pilot the use of forensic accountants employed by the District Attorney of New York's (DANY) office to be part of the E-MDT. The concept was to compare the two models to learn about the ways in which this particular resource could be optimized in different environments to support the needs of teams for such services. This component of the Manhattan pilot changed course in July 2015, just prior to implementing a no-cost extension phase of the pilot, by terminating the use of the DANY forensic accountants as a formal part of the project, and instead, utilizing a community-based forensic accountant to assist with cases brought to the E-MDT where such analysis was required.

This document includes information about forensic accounting; describes the roles of both community-based and District Attorney (DA)-based forensic accountants; describes how this profession adds expertise to multi-disciplinary teams; and provides information about what a community-based forensic accountant may be able to provide to a team, as compared to a DA-based forensic accountant, with respect to case reviews, participation, and feedback to E-MDTs, as well as other similarities and differences between community-based and DA-based forensic accountant services.

Defining a "Forensic Accountant"

"Forensic accounting" is the practice of accountancy that uses auditing and investigative skills to produce evidence of financial matters for use in various legal proceedings. Forensic accountants are employed in many capacities across various industries. A forensic accountant's experience may consist of internal audits, compliance audits, private investigation, litigation support, and business valuation, versus traditional financial statement auditing, bookkeeping, or tax work.

Education and Professional Standards

Education often includes a certificate or bachelor's degree in accounting, and possibly some post-graduate education in business, accounting, forensic accounting, or even law. Forensic accountants are usually Certified Public Accountants (CPAs), Certified Fraud Examiners (CFEs), Certified Financial Forensics (CFFs), Certified Internal Auditors (CIAs), or maintain other designations related to their area(s) of expertise.

The forensic accountants who consulted under this grant were CPAs and CFEs, credentials that are guided by professional standards maintained by the American Institute of Certified Public Accountants (AICPA) and the Association of Certified Fraud Examiners (ACFE), respectively.

These professional standards require holders to adhere to a code of ethics or code of professional conduct in their practice. A code of professional conduct provides principles, rules, and interpretations governing member responsibilities; including protecting the public interest, maintaining integrity, keeping appropriate policies and procedures, and adequately supervising employees' work. Violation of a code of ethics or code of professional conduct may result in suspension or revocation of the license or certification.

Professional standards also require completion of continuing professional education requirements that are measured in credit hours. CPAs in New York State must earn 120 credit hours over a three-year period in certain subject areas, and CFEs must earn 20 credit hours per year in certain subject areas. Fortunately, many subject areas overlap, so forensic accountants who are CPAs and CFEs may earn continuing education credits that meet the requirements for both certifications. Many continuing education courses cover fraud in various forms, but there is a lack of continuing professional education courses specific to financial exploitation of the elderly. In fact, none of the forensic accountants consulted under this EAPI Initiative have participated in a credit-bearing course specifically related to their work on cases of elder fraud.

Most training of forensic accountants in general occurs post-graduation by obtaining certifications, continuing education, and, of course, fraud-related work experience. However, colleges and universities have begun incorporating forensic accounting classes, certificate programs, and even graduate degree programs into their curricula. Still, students graduating with a focus in forensic accounting are encouraged to obtain CPA licensure before pursuing more forensic accounting-specific certifications. CPA licensure is the most desirable credential for an accountant acting as an expert witness in court proceedings, which any forensic accountant working with an E-MDT must be prepared to do. Obtaining CPA licensure requires 150 credit hours in undergraduate or graduate programs related to business and accounting, passing grades on all four parts of the Uniform CPA Exam within an 18-month window, and at least one year of work supervised by a licensed CPA. Current CPAs may pursue certifications specific to forensic accounting in an attempt to enter the field, but ability to obtain work depends largely on experience. In Manhattan, for example, the DA's office seeks to hire forensic accountants with experience in brokerage firms, among other backgrounds, due to the volume of securities fraud cases they investigate.

Identifying Forensic Accountants to Assist in Elder Financial Exploitation Cases

Because the pipeline for forensic accountants is not as clearly defined as the pipeline for traditional CPAs, it may be difficult for individuals and organizations to locate forensic accountants to meet their needs. If an individual or organization is not aware of a forensic accountant in the community, one should contact a credentialing organization such as the AICPA or the ACFE. Credentialing

organizations maintain databases and/or directories of practitioners who have obtained certain forensic accounting-specific certifications, which provide some insight as to the size of the forensic accounting specialty. The following searches performed are only examples of how to assess the size of the forensic accounting profession across the states. Such measurement proves to be a difficult task because databases held by separate credentialing organizations do not overlap.

- An ACFE.com search on August 1, 2016 for CFEs in New York State produced 606 results, but only 111 individuals were listed as practicing public accounting (meaning commercial or non-governmental). Other CFEs may have experience in law enforcement, criminal justice, banking, etc. Though these 111 CFEs identified by the search may practice public accounting, it does not mean that they are licensed CPAs.
- An AICPA.org search of licensed CPAs could not produce a count of CPAs in a given state, but it could produce a count of CPAs with the CFF designation (Certified in Financial Forensics) in a specific city. For example, on August 1, 2016, the AICPA database showed that there are 22 CPAs with the CFF designation in New York City, only four in Rochester (Monroe County), and none in Penn Yan (Yates County). Based on this search, it would appear that access to CPAs specializing in financial forensics (forensic accounting) across New York State may be increasingly limited outside of urban areas.
- It is important to note that these directories are populated by user-entered data that may result in inaccuracies. For example, an ACFE.com search on August 1, 2016 for CFEs who practice public accounting in Rochester, New York produces only two results. Some names of local CFEs were missing from the list, and of the CFEs that were listed, some entries do not show that the local CFE was a CPA as well.

Costs of Utilizing a Forensic Accountant in Elder Financial Exploitation Cases

Once forensic accountants have been located, access to their skills depends on adequate funding, either in their capacity as consultants to E-MDTs (in a community-based model), or as employees in a government agency (such as in a DA-based model).

An E-MDT must be prepared to offer a community-based forensic accountant compensation at competitive hourly rates. Compensation in the accounting industry is traditionally and largely still based on an hourly rate for services provided. Specialized accounting service providers, which include forensic accountants, may demand higher rates per hour than general practitioners based on their experience as expert witnesses. Rates also vary by geographic location and firm size. The trend in the accounting industry lately is for larger firms to merge with or otherwise acquire smaller entities, especially as many baby boomer partners and owners retire without succession plans. Many large and medium-sized public accounting firms already have special consulting divisions to handle nontraditional services like forensic accounting, or will have to create them as they attempt to acquire and retain more diverse client bases. Typically, a larger firm will demand higher billable rates, even up to \$300 per hour. Alternatively, smaller practices present numerous opportunities outside of public accounting for CPAs to offer specialized accounting services for a

particular niche, such as elder abuse, at more competitive rates. Regardless of firm size, however, inconsistent funding and/or less-than-competitive pay may discourage financial professionals from providing such specialized services to niche areas in need. According to a 2016 report by accounting and finance talent company Robert Half, average salaries for forensic accountants in a corporate environment range from \$74,750 to \$116,750.¹ Government agencies also must have adequate funding to hire and retain forensic accountants for work on criminal investigations.

Role of Forensic Accountants on the E-MDTs for the EAPI Initiative

Process for Accessing Forensic Accountant Services for the EAPI's E-MDTs

The community-based forensic accountant subcontracted under the EAPI Initiative was Karen Webber, a CPA and CFE in private practice based in Rochester, New York. The DA-based forensic accountants participating in this EAPI Initiative were supervised by Forensic Accounting and Financial Analysis Unit Chief Robert Demarest and Deputy Chief Irene Serrapica, both CPAs and CFEs employed at the District Attorney of New York's Office (New York County, or Manhattan). The DA-based forensic accountants reported to the Chief of the Elder Abuse Unit, Special Victims Bureau/Financial Frauds Bureau in the District Attorney of New York's Office (DANY).

In the EAPI Initiative, elder abuse cases are referred to the E-MDT by team members or other professionals in the community via the E-MDT Coordinator. If a qualifying potential financial exploitation case is brought to the attention of a community-based forensic accountant from an external source, the community-based forensic accountant may refer the case to the E-MDT Coordinator for intake by the E-MDT. If an eligible case comes to the attention of a DA-based forensic accountant, it would be as a result of a pending criminal matter, and such a case would not be referred directly to the E-MDT due to NYS criminal procedure laws regarding grand jury confidentiality. However, the DA's office can refer the victim to another participating agency who could bring the case to the E-MDT, such as when a potential criminal matter is dropped by the DA's office for insufficient evidence.

Education of E-MDT Members Regarding Forensic Accountant Involvement

When the Finger Lakes E-MDTs were started, the involvement of the community-based forensic accountant was briefly explained to members in initial team meetings. When the community-based forensic accountant joined the Manhattan E-MDT later on in the grant period, a formal presentation was given via Microsoft PowerPoint® to members of the Manhattan team by the community-based forensic accountant. The presentation explained what a community-based forensic accountant was able to do for the team, in addition to what DANY was doing.

¹ Robert Half. "2016 Salary Guide"(p18).

Forensic Accountant's Role During E-MDT Meetings

Both community-based and DA-based forensic accountants attended regularly scheduled E-MDT meetings in some capacity. In the Finger Lakes, the community-based forensic accountant's participation in E-MDT meetings was based on availability and whether the forensic accountant had a report to share with the team. In Manhattan, at least one of the DA-based forensic accountants attended most E-MDT meetings. The meetings were held at the DA's Office to ease the accessibility for the forensic accountants. The DANY forensic accountants were thus able to attend most meetings.

As discussed in the *Introduction and Background* section of this report, participation by the forensic accountants under both models changed during the grant period. At the beginning of the grant period, the community-based forensic accountant working in the Finger Lakes was employed at a mid-sized accounting firm and time spent attending E-MDT meetings was charged to the grant at agreed upon hourly rates, whether or not the community-based forensic accountant was presenting a case. This became a budget constraint, and the community-based forensic accountant's participation in regular meetings ceased. The community-based forensic accountant was then consulted only when a case required forensic analysis. In the final year of the grant period, the community-based forensic accountant left the mid-sized firm and opened a small practice. Under the small practice, the community-based forensic accountant agreed to attend as many E-MDT meetings as possible for the remainder of the grant period at no charge and reduced hourly compensation rates in order to extend the availability of services into a no-cost extension period of the grant.

The DANY-based forensic accountants attended E-MDT meetings regularly; the meetings were strategically located at the District Attorney's Office, which made their participation easier. DANY was compensated on a flat-fee basis each month for their work with E-MDT and potential E-MDT cases. When the EAPI project began, DANY forensic accountants consulted on potential E-MDT cases. As the project progressed, however, the role of the DANY forensic accountants changed when it became clarified that, as employees of DANY, the forensic accountants are prohibited from acting in a consultative capacity, and could only review cases with investigations of active criminal matters in association with their DANY duties; the forensic accountants could no longer report back to the E-MDT about their work.

When the community-based forensic accountant was contracted to provide services to the Manhattan team, she attended Manhattan E-MDT meetings in-person on a quarterly basis, and other meetings via teleconference, based on availability and case requirements. The community-based forensic accountant was compensated for work with the Manhattan E-MDT in the same manner as agreed to for the Finger Lakes E-MDTs for the remainder of the grant period.

Case Consultations and the Role of the Forensic Accountant

To prepare for an E-MDT meeting involving the FA, the E-MDT Coordinator consulted with a community-based forensic accountant for assistance in determining whether or how a new case should be efficiently and effectively presented to the E-MDT. Consultation would include a brief review of the facts of the case, a summary of the documents collected so far, and whether the case should be brought to the team before a forensic analysis was completed, or afterward so that the team may have more evidence for consideration. Due to the contractual relationship between the E-MDT and the community-based forensic accountant, such consultation could occur.

Both the community-based forensic accountant and the DANY forensic accountants provided feedback on the EAPI's data collection forms.

Case Presentations at E-MDT Meetings

During E-MDT meetings, the forensic accountant is responsible for: counseling team members on financial exploitation cases, including the specific documents caseworker should obtain to develop the case; determining an appropriate timespan for the documents collected; and discerning elements of exploitation as each case is presented, pointing these elements out to the team during the case discussion.

For example:

- *Mrs. A's bank statement shows a \$500 payment to a credit card company. Has the client authorized a credit report to see what other debt might be outstanding?*
- *Mr. B's tax return is showing some dividends from an investment account. Do we know whether the suspected perpetrator had access to that account too?*

If the community-based forensic accountant was not present at the meeting, and the team recommended or requested a forensic analysis, the E-MDT Coordinator was responsible for informing the community-based forensic accountant of information provided during the team meeting and facilitating communication between the forensic accountant and the referring party. If the DANY forensic accountants or representative were not present, the caseworker assigned to the case was responsible for making the criminal referral to DANY's Elder Abuse Unit. DANY's Elder Abuse Unit would then decide whether or not to refer the case to the DANY forensic accountants.

Referral of a case to a community-based forensic accountant was usually recommended or requested by the E-MDT when:

- Law enforcement needed stronger evidence of financial exploitation to investigate a case
- A petition for guardianship would be strengthened by a determination of financial mismanagement or exploitation
- Multiple transfers took place between bank and investment accounts

- Multiple individuals were involved, or suspected to be involved, in the suspected financial exploitation
- Duration of suspected financial exploitation was unknown
- Review of a forensic accountant's report would assist the victim with understanding the nature and scope of the suspected abuse.

Referral of a case to DANY was usually recommended or requested by the E-MDT when strong evidence of financial exploitation existed. Strong evidence of financial exploitation typically included:

- Stolen assets
- Unauthorized use of assets or credit
- Forgery
- Contractor scams
- Phone scams.

If during the team meeting, the team recommended that a community-based forensic accountant perform a forensic analysis for a particular purpose, this was included in the follow up steps or "action plan" resulting from the meeting. The action plan listed all the team members who were assigned responsibilities as a result of the E-MDT meeting, the nature of those responsibilities, and a follow-up date for the team to reconvene and assess the results of the plan. If the action plan assigned responsibility for a forensic analysis to the forensic accountant, the E-MDT Coordinator facilitated the exchange of information between the referring party and the forensic accountant after the meeting. This included: sharing contact information and any relevant documentation that existed at that time, such as bank records, intake form, etc. The E-MDT Coordinator was copied in on all communication between the community-based forensic accountant and referring party, but not on all communication between DANY and the referring party due to its interpretation of confidentiality requirements under NYS Criminal Procedure Law. Other more rural district attorneys' offices in the Finger Lakes permitted the E-MDT Coordinator to be included in such communication, but only until the case was sent to the Grand Jury based on a less strict interpretation of NYS Criminal Procedure Law.

After the community-based forensic accountant completed the analysis, findings were presented to the E-MDT at a follow-up date designated in the action plan. Results were communicated to the E-MDT in the form of a handout or a PowerPoint slide deck. A new action plan was set for the case, as well as a follow up date, and so on until the case was closed.

Components of a Forensic Accounting Review and Report

A forensic accountant's procedures for accepting and reporting on a case that was brought to the E-MDT for forensic accounting review, analysis, and report-back usually differed based on whether the forensic accountant was community-based or DANY-based.

If forensic accountant involvement was recommended by the E-MDT, the community-based forensic accountant received pertinent records collected by the case worker or referring party, including the case intake form prepared by the E-MDT Coordinator, for initial review. If a case warranted criminal investigation, the DANY-based forensic accountants requested documents from financial institutions directly via *subpoena duces tecum*. The community-based forensic accountants cannot request documents from financial institutions directly without client authorization, so for criminal matters, the community-based forensic accountants relied on the district attorney's office in that jurisdiction to request the documents. If the community-based forensic accountant were to review records obtained via subpoena, the district attorney's office included a disclosure with its subpoena request, which stated that a third party (the community-based forensic accountant) could have access to the records. If the disclosure was not completed when the subpoena was issued, the community-based forensic accountant was prohibited from reviewing the records. Reliance on subpoenas is often necessary because even though New York State Social Services Law and Banking Law permit financial institutions to provide financial records to Adult Protective Services, financial institutions are not always responsive to APS requests for information and not all cases brought to the team are APS-eligible.

A review of records consisted of analyzing available account statements; documentation of regular expenses of the victim(s); Internet and public record search results; and other background information gathered on the victim(s), perpetrator(s), relatives or other involved parties. Based on the initial review, the forensic accountant requested additional documentation deemed necessary to the investigation. In the absence of a criminal investigation, the community-based forensic accountant had to request the additional documentation from the referring party, while either the community-based or the DANY-based forensic accountant had to request records through law enforcement via subpoena, or received documents through APS or other professionals working on the case who collected pertinent information. Additional records included Power of Attorney forms, bank statements, credit card statements, credit reports, investment account statements, loan documents, real estate records, tax returns, estate documents, wills, insurance policies, etc. Such records were requested for a specific time period that encompassed a number of months prior to the suspected perpetrator's involvement in order to further understand the pattern and duration of the suspected exploitation. Alternate time periods were sometimes suggested by law enforcement based on the statute of limitations or other factors.

Procedures for review of financial records were similar under both the community-based and DA-based models. Once records were received, the forensic accountant analyzed financial data to reveal activity incongruous with the client's normative spending patterns and lifestyle as observed in the data and/or otherwise described by individuals involved in the investigation. A community-

based forensic accountant prepared a concise report of findings that included a narrative, schedules, charts, graphs, and/or other illustrative exhibits for use in civil or criminal matters. The narrative gave a brief overview of the facts of the case, the scope of the review and any limitations encountered, a limited description of the procedures applied, resultant findings and any recommendations for further action/investigation.

A DANY-based forensic accountant did not prepare a narrative, but likewise prepared schedules, charts, graphs, and/or other illustrative exhibits for use by the prosecuting attorney in a criminal matter. A community-based forensic accountant produced an external report for guardianship proceedings, criminal prosecution, or other civil matters. DANY-based forensic accountants produced internal reports to support their active criminal investigations only. By their very nature, these reports could not be shared with the E-MDT. DANY preferred to communicate any such results on a need-to-know basis, such as with a caseworker in a private meeting in order to protect confidentiality.

If a community-based forensic accountant's report was used as part of a civil or criminal matter, the forensic accountant was at times required to testify on the contents of the report in a court of law, such as guardianship hearings, Grand Jury, or trial. Forensic accountants embedded in DANY's office assisted the prosecuting attorney with preparing for a hearing, Grand Jury, or trial, and could be asked to testify on their reports.

The forensic accounting report for a given case should be able to explain the victim's regular financial activity before the perpetrator's involvement and compare it to the financial activity observed in the bank records following the perpetrator's involvement. According to law enforcement representatives interviewed as part of this project, this comparison is a crucial piece of evidence in a financial exploitation case. The report was written as clearly as possible so that a judge, jury, E-MDT member or other party to a matter could quickly read it and easily understand the facts of the case.

Subsequent communication of findings and/or recommendations to the E-MDT was permitted for a community-based forensic accountant, but prohibited for DANY-based forensic accountants depending on the status of the investigation because of criminal procedure law. The inability of DANY-based forensic accountants to share their progress on an E-MDT case in the team environment presented a barrier in the DA-based model because members felt that case decisions could not be fully informed without considering the forensic accountant's findings. DANY was willing to share information with a caseworker in a private setting in order to better assist with the coordination of services or care for the victim. If DANY's office elected to drop a case due to insufficient evidence, the embedded forensic accountants could not share the basis for their conclusions with the E-MDT, other than to say that the evidence collected as part of their investigation was not enough to warrant a criminal proceeding. The limited feedback that could be provided by DANY's office made it difficult for the team to improve its work on similar cases in the future. However, the direct involvement of DANY's attorney, administrative staff and forensic accountants on the E-MDTs increased prosecution of elder abuse cases and created an awareness of elder abuse and available remedies in the criminal justice arena.

Summary and Recommendations

The use of forensic accountants was crucial for successfully intervening in financial exploitation cases involving elderly persons and preventing further abuse. The EAPI Initiative project helped to identify the advantages and disadvantages of the use of both community-based forensic accountants and DA-based forensic accountants. Community-based forensic accountants were involved in civil matters and criminal matters where the law enforcement agency did not otherwise employ forensic accountants. DANY-based forensic accountants were involved in strictly criminal matters.

If these pilot models are used on a wider scale, future E-MDTs must be prepared to offer community-based forensic accountant's compensation at competitive hourly rates, and law enforcement agencies must have the resources to hire both aspiring and experienced forensic accountants for white collar crime investigations.

Even if adequate funding exists, through the EAPI Initiative it was found that locating a forensic accountant to perform the work may present a challenge because there is no state or nationwide database to identify the number and location of forensic accountants across the country. The opportunity for new, specialized work, such as investigating elder fraud cases, may encourage more CPAs to pursue forensic accounting and more colleges and universities to include forensic accounting in their programs, widening the pipeline for entrants to the field. For those forensic accountants already practicing in this niche area, opportunity exists for the development of credit-bearing continuing education courses specific to financial exploitation of the elderly and vulnerable adults that will help educate financial professionals on the growing problem of elder abuse.

Attachments:

- EAPI Intake Form – Forensic Accounting Data Elements
- Webber CPA, PLLC E-MDT Forensic Accounting Report Template
- EAPI Forensic Accounting Data Collection Form - Template
- EAPI Forensic Accounting Data Collection Form – Sample

Contact Information

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EAPI Intake Form – Forensic Accounting Data Elements

The following elements from the Elder Abuse Prevention Interventions Enhanced Multidisciplinary Team INTAKE FORM were used by the community-based forensic accountant:

Case Information

- Client Name
- Referral Date
- Case #

Referral Information

- Name
- Phone
- Email
- Agency
- County

Other Professionals Involved

Types of Abuse/Duration

Victim Information

- Name
- Date of Birth
- Age
- Gender
- Address, including facility name if applicable
- City
- Zip Code
- County
- Primary Language
- Race
- Marital Status
- Employment Status
- Residence Type
- Lives with (if applicable)
- Living Situation of Victim to Suspected Perpetrator
- Caregiver
 - Name
 - Relationship
- Pet(s) in the Home
- Power of Attorney/Health Care Proxy/Rep-Payee
- Source(s) of Income
 - Is suspected perpetrator supported by this income
 - Does the suspected perpetrator/exploiter, if resident of household, contribute?
- Type of Asset(s)
- Financial Institution(s)
- Regular Expense(s)
 - Use of Credit Card
 - If living in higher level of care, what is covered by monthly cost?
- Health Information
 - Insurance
- Possible Physical Functioning Impairments
 - ADL
 - IADL
 - Sensory
 - Mobility
 - Assistance Provider
- Is decision-making ability a concern?

Suspected Perpetrator

- Name
- Date of Birth
- Age
- Gender
- Address, including facility name if applicable
- City
- Zip Code
- County
- Primary Language
- Race
- Marital Status
- Employment Status
- Residence Type
- Lives with (if applicable)
- Total monthly income
- Financially Dependent Upon Victim
- Relationship to Victim
- Depression/Other Mental Illness
- History of Substance Abuse/History of Alcohol Abuse
- History of Abuse/History of Violence

Law Enforcement Involvement

Order of Protection

Financial Exploitation Information

- Summary
- Absence of spending on other care
- Estimated value of financial exploitation



Webber CPA, PLLC

Forensic Accounting
Consulting • Staffing

Webber, CPA, PLLC Enhanced Multi-Disciplinary Team (E-MDT) Forensic Accounting Report **Template**

To: County/Borough E-MDT

Date: MM DD, 20YY

Re: County/Borough E-MDT Case No. XXXX

Objective

The objective of my review was to analyze the banking activity in the Client's [bank/investment] accounts in order to assist the County/Borough E-MDT with the investigation of Case No. XXXX.

Scope

The accounts and respective periods reviewed are as follows:

[Insert list of accounts reviewed for all applicable periods]

Background

Case No. XXXX was referred to the County/Borough E-MDT on [Date]. The Client, [Name/Initials], is.... *[insert details such as age, gender, residence, and other details given on Intake Form; give timeline of events as communicated by caseworker or E-MDT Coordinator; include referral source and reason for request for forensic accounting]*

Documents Used

The following documents were provided by *[the E-MDT Coordinator or referring party]* for use in my review:

[Insert list of documents requested and reviewed which formed basis of report]

Intake form completed by E-MDT Coordinator

Limitations

The following documents were requested but not provided, which limited the scope of our review.

[List each document requested, who requested it and from where, and the reason given that it was not provided.]

Procedures

Banking transactions from the Client's accounts were scheduled in Microsoft Excel® with the following details included: account name and number, statement date, transaction post date, transaction type, check number (if applicable), payee, amount, and memo (if applicable). The data was analyzed to reveal patterns, trends, anomalies, and other activity incongruous with the Client's lifestyle as described by the *[E-MDT Coordinator or referring party]*.

Findings

Please refer to the attached Appendices for details on the activity in each account listed below.

By Account

[Describe findings in each account reviewed, referencing appropriate Appendix, if provided]

Other Findings

[Other general information noted during the course of the review which may not relate to specific accounts, but may be of interest to the E-MDT]

Recommendations

- [Insert case-specific recommendations to E-MDT based on Findings]
- Review the payees listed on Appendix [Z] to determine which expenses may have been paid for the benefit of the Client, and which may be attributed to the Suspect.
- Review beneficiary information for all the insurance policies on which the Client is paying premiums in order to determine whether beneficiaries are appropriately designated.
- Run a credit report on the Client to determine the current balance of [credit card noted], and whether other credit cards or loans were taken out in the Client's name during the period.
- Requesting copies of [missing account information] to further determine source/use of funds.

Conclusion

The following funds were determined to be used for the benefit of the Victim, attributable to the Suspect, or remain unaccounted for, based on my analysis of each account:

Account	Attributable to Client	Attributable to Suspect	Unaccounted For
[insert row for each account]			
Total			

These totals [do/do not] include any outstanding debt that [exists/may exist] in the Victim's name as of the date of this report.

Forensic Accountant Work Summary – **Template**

Data collection for both pilot sites:

- Semi-Annual Report (to be sent to Paul Caccamise, Jennifer Rosenbaum, Risa Breckman)

Finger Lakes E-MDT and Case Consults		Manhattan E-MDT and Case Consults	
Date:		Date:	
N of cases		N of cases	
	Case Consultation		Case Consultation
	Data Entry		Data Entry
	Data/Record Analysis		Data/Record Analysis
	Draft Report Issuance		Draft Report Issuance
	Final Report Issuance*		Final Report Issuance*
	Preparation for Testimony		Preparation for Testimony
	Presentation to E-MDT**		Presentation to E-MDT**
	Testimony		Testimony
	Other (specify):		Other (specify):
Avg. hours per case		Avg. hours per case	
	(Brief narrative description/case example)		(Brief narrative description/case example)
*	Attach Final Report Issuances	*	Attach Final Report Issuances
**	Attach E-MDT Presentation (if different from Final Report)	**	Attach E-MDT Presentation (if different from Final Report)

- Provide summary of work conducted each month as an attachment to semi-annual submission.
- Provide de-identified description/example of case for Finger Lakes and Manhattan semi-annual reports.

Forensic Accountant Work Summary – Sample

Data collection for both pilot sites:

- Semi-Annual Report (to be sent to Paul Caccamise, Jennifer Rosenbaum, Risa Breckman)

Finger Lakes E-MDT and Case Consults		Manhattan E-MDT and Case Consults	
Date: 5/1/16 – 5/31/16		Date: 5/1/16 – 5/31/16	
N of cases		N of cases	
2	Case Consultation	2	Case Consultation
2	Data Entry	2	Data Entry
3	Data/Record Analysis	2	Data/Record Analysis
2	Draft Report Issuance	1	Draft Report Issuance
0	Final Report Issuance*	0	Final Report Issuance*
0	Preparation for Testimony	0	Preparation for Testimony
0	Presentation to E-MDT**	0	Presentation to E-MDT**
0	Testimony	0	Testimony
0	Other (specify):	0	Other (specify):
Avg. hours per case	7.33	Avg. hours per case	16.63
	266LO – suspicious transfers between accounts 279GM – relatives paying own expenses from Victim’s accounts 270KW – friend using Victim’s debit card for unauthorized purchases		WS Case – friend and boyfriend living with Victim, paying themselves for unauthorized care provided to Victim EG Case – daughter using Victim’s debit card for unauthorized purchases
*	Attach Final Report Issuances	*	Attach Final Report Issuances
**	Attach E-MDT Presentation (if different from Final Report)	**	Attach E-MDT Presentation (if different from Final Report)

- Provide summary of work conducted each month as an attachment to semi-annual submission.
- Provide de-identified description/example of case for Finger Lakes and Manhattan semi-annual reports.