



**Connecticut's Legislative Commission on Aging**  
*A nonpartisan research and public policy office of the Connecticut General Assembly*

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Testimony of

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Judiciary Committee  
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Senator Coleman, Representative Fox and esteemed members of the Judiciary Committee, my name is Julia Evans Starr and I am the Executive Director of Connecticut's Legislative Commission on Aging. I thank you for this opportunity to comment on RB 5215, An Act Concerning Adoption of the CT Uniform Power of Attorney Act.

As you know, Connecticut's Legislative Commission on Aging is the non-partisan, public policy office of the General Assembly devoted to preparing Connecticut for a significantly changed demographic and enhancing the lives of the present and future generations of older adults. For over twenty years, the Legislative Commission on Aging has served as an effective leader in statewide efforts to promote choice, independence and dignity for Connecticut's older adults and persons with disabilities.

[RB 5215](#) An Act Concerning Adoption of the Connecticut Uniform Power of Attorney Act  
~ Support by CT's Legislative Commission on Aging

The Power of Attorney is a legal instrument designed to give a trusted individual the authority to handle financial matters by the person creating it. These powers can range from very limited in scope to all encompassing. Most general durable powers of attorney give an attorney-in-fact the power to do almost anything. "Durable" means that the power of attorney will still be good or will become activated with the onset of incapacitation of the individual. This incapacitation could be due to Alzheimer's disease, other forms of dementia, etc.

It is true that the Power of Attorney has both great value to express choice and empowerment and yet also serve as a catalyst for misuse. The MetLife Mature Market Institute estimates that older adults lose at least \$2.9 billion annually from financial abuse. With our growing aging demographic combined with our struggling economy of recent years ~ the abuse is on the rise! In illustration, the federal agency with

oversight of the Older American Act designated 2013 as the “Year of Elder Abuse Prevention” to raise awareness of all types of abuse. Closer to home, CT’s legislatively-mandated Aging in Place Task Force recognized this growing trend and put forward a series of recommendations and resultant legislation in an effort to better understand the magnitude of the issue and to tackle it. It is also one of the primary constituent calls our office receives each day.

Although it isn’t something widely known or discussed family members, friends, and neighbors are the culprits in at least 34% of elder financial abuse cases, according to a study by MetLife. Unfortunately, most of the education on financial exploitation centers on scams perpetrated by strangers. How does this relate to power of attorney? The power of attorney unfortunately can often be a license and the vehicle for such abuse. The abuse can involve spending the individual’s money for the agent’s gain, forging signatures, giving away assets to others, etc. The result is often financially and emotionally devastating for these older adults and their loved ones.

This type of abuse is exacerbated by the fact that CT has not joined several other states in adopting the Uniform Power of Attorney Act (UPOAA). As is, Connecticut’s present Power of Attorney law gives broad authority, lacks oversight and remains vague about its duties.

Connecticut should adopt the Uniform Power of Attorney, which aims to promote autonomy and to prevent, detect, and remedy the Power of Attorney abuse. The Uniform Power of Attorney Act contains twenty-one provisions that protect against abuse and promote choice. It creates greater transparency and oversight about the agent’s actions and set forth the powers that an agent cannot exercise unless specifically authorized to do so by the individual.

For these reasons we feel you would be doing a tremendous service to our state’s growing older adult population in passing this legislation. It does seem that the type of protections, offered by the Uniform Power of Attorney, will safeguard the voices and autonomy of older adults at a time where they need it the most.

**Connecticut’s Legislative Commission on Aging**  
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