

03-672-CD
IN RE: OLDER ADULT

ORIGINAL

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

MD - 50-03

IN RE: Older Adult

* No. -CD

EMERGENCY PETITION UNDER SECTION 10 OF OLDER ADULTS PROTECTIVE
SERVICES ACT

1. Petitioner: Clearfield County Area Agency on Aging, Inc.

2. Name of Older Adult: William Beau Seigneur

3. Age: 84 years old

4. Address (or other location where older adult can be found):

Home Address: PO Box 166
Miller Road
Frenchville, PA 16836FILED
01/05/2003
cc

5. Physical description of older adult:

Elderly Caucasian male

MAY 05 2003

William A. Shaw
Prothonotary

6. Others residing with older adult (relationship if known):

William Beau Seigneur lives alone.

7. Court appointed guardian, caregiver or other responsible party, if any, residing with older adult.

William Beau Seigneur lives alone and has no responsible caregiver.

8. Physical and mental status of older adult, to the extent known:

William Beau Seigneur is confused and may suffer from dementia. William has poor personal hygiene and therefore has very poor skin condition. William reports not bathing in many months, not eating regularly, and not taking prescribed medications because he believes someone has stolen them. William has open areas on his legs that appear to be infected. His legs and feet are very swollen and his blood pressure was read at 175/100. William's judgment is not intact, as he does not verbalize that he understands the severity of his current situation. William believes if he is treated in a hospital, he will die.

9. **How older adult is at imminent risk of death or serious physical harm:**

William Beau Seigneur has displayed an inability to manage his surroundings, as utilities have been shut off and the condition of his home is deplorable. William's bathroom utilities are not working, as he does not have running water, and there is spoiled food in his refrigerator and freezer and on top of his kitchen counters. Because of the waste and spoiled food throughout the house, there is a strong foul odor in the home. William has also displayed an inability to care for himself. He does not bathe or wash his clothes and refuses to seek immediate medical treatment for his open wounds.

10. **Voluntary protective services that have been offered or attempted, and why these have failed to remedy the situation:**

William Beau Seigneur has refused to seek medical treatment. William's Primary Care Physician, who he has not seen in many years, believes William should be evaluated as soon as possible in an emergency room, but William still refuses. William has refused services through the Clearfield County Area Agency on Aging to clean his home and to assist with personal care and the continued upkeep of his home.

11. **Attempts made to obtain informed consent of older adult or the older adult's court appointed guardian:**

William Beau Seigneur has refused medical treatment and transportation to the hospital as offered by his family, neighbors, ambulance attendants and Clearfield County Area Agency on Aging staff. The CCAAA has offered services to clean William's home and to assist with personal care and the continued upkeep of his home. All offers were refused by William.

12. **Type and duration of services sought by petitioner to be ordered, including medical treatment or evaluation necessary for those services to be implemented.**

William Beau Seigneur will be transferred to Clearfield Hospital for medical evaluation and treatment. William will receive appropriate medical attention as necessary. CCAAA will work with William and his family to arrange for the clean-up of his home and services as deemed appropriate by William's Treating Physician, including nursing facility placement if deemed necessary.

13. How the proposed services, if ordered, would remedy the situation or condition which presents imminent risk described above:

William Beau Seigneur will receive appropriate medical attention and nursing facility placement as deemed necessary. Through appropriate services, William's personal care needs will be met on a regular basis. William's family has agreed to assist in order to ensure that William's needs will be met on a long-term basis.

14. How the cost of the proposed services, if ordered, would be paid:

Hospitalization, and if deemed necessary, nursing facility placement for rehabilitation will be paid for through Medicare and Veterans' benefits. If appropriate, in-home services would be cost-shared by William and the Clearfield County Area Agency on Aging.

15. Other relevant information:

None.

WHEREFORE, your Petitioner respectfully prays this Honorable Court in accordance with Section 10 of the Older Adults Protective Services Act, 35 P.S. Section 10211 et seq. to enter in an Emergency Order providing for protective services.

I, Camille Luzier, hereby verify that I am an employee of the Clearfield County Area Agency on Aging, Inc., and am authorized by it to present this Petition on its behalf and I, on behalf of the Agency, appropriate to the situation, and that less restrictive services are not available or adequate to the address the situation described herein.

I verify subject to the penalties of 18 PA C.S. Section 4904 relating to unsworn falsification to authorities that the facts and circumstances set forth herein are true and correct as to those within my personal knowledge and that those facts and circumstances outside my personal knowledge are supported by affidavit(s) annexed hereto as Exhibit(s).

Date: May 2, 2003 Signed: Camille D. Luzier

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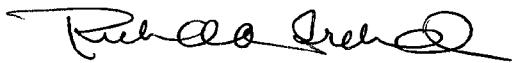
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AND NOW this 2nd day of May, 2003, upon presentation and consideration of the Clearfield County Area Agency on Aging, Inc.'s, Emergency Petition under Section 10 of the Older Adults Protective Services Act with regard to William Beau Seigneur, Age 84, presently located at PO Box 166 Miller Road, Frenchville, Pennsylvania 16836, this Court/District Justice finding that the Petition and Affidavit submitted therewith provide clear and convincing evidence that unless protective services are provided, William Beau Seigneur, is at imminent risk of death or serious physical harm, the following protective services are hereby ordered to be performed by the Clearfield County Area Agency on Aging, Inc., in accordance with the Older Adults Protective Services Act:

William Beau Seigneur will be transferred to Clearfield Hospital for medical evaluation and treatment. William will receive appropriate medical attention as necessary. CCAA will work with William and his family to arrange for the clean-up of his home and services as deemed appropriate by William's Treating Physician, including nursing facility placement if deemed necessary.

This Order is effective immediately and shall be for a duration of 30 days. This Order shall constitute full and complete authority for the provision of the above protective services by the Clearfield County Area Agency on Aging, Inc. Any person willfully interfering with the provision of services ordered may be found to be in contempt of court. The original Petition and this Order shall be filed by the petitioner with the Prothonotary of the Court of Common Pleas of Clearfield County as soon as practicable on the next business day. The Prothonotary shall seal, impound, and withhold the record of these proceedings from inspection. The costs of the protective services hereby ordered shall be the financial obligation of the estate of the Older Adult.


Judge/District Justice

RICHARD A. IRELAND
District Justice, State of Pennsylvania
No. 46-3-02, Clearfield County
Term Expires Jan. 3, 2006