



# NEWSLETTER

October / November / December 2002 Edition

## Next Meeting of the Coalition

Wednesday, October 30, 2002

8:30am - 11:00am

455 Sherman Street  
Denver, CO

### Program:

Fraud Update,

Awareness & Reporting

*Program/Meeting is open to anyone who would like to attend. You do not need to be a member of CCERAP.*

### Speaker:

Janice Friddle, Director  
AARP ElderWatch  
Denver, Colorado

Networking Spotlight  
Benefit's CheckUp

Jeff Rubin, Project Director

8:30 - 9:00am Continental Breakfast

9:00 - 9:30am Network Spotlight

9:30 - 10:15am Program

10:15-10:30am Question & Answers

10:30-10:45am Meeting/Networking  
Adjournment

11:00am CCERAP Steering  
Committee Meeting

### CCERAP Manager:

Kathy Rickart

970-674-1774

970-674-8712 fax

Email: [ElderRightsMgr@cs.com](mailto:ElderRightsMgr@cs.com)

## AARP ElderWatch: Colorado's Answer to Elder Financial Abuse

Janice L. Friddle is the Director of AARP ElderWatch.

She will be the featured guest speaker at the October 30, 2002, CCERAP Meeting, to be held at 455 Sherman, Denver. Her program will begin at 9:30 am. Janice will be sharing the exciting things accomplished during the first year of AARP ElderWatch, such as the statewide hotline, the website and what information can be extracted for future use for stating the importance of elderly issues, when submitting grants or supporting legislation on protective issues for elder adults.



In the first year AARP has presented information to over 5000 people in 41 Colorado counties and displayed public information at events throughout the State. AARP ElderWatch is the first of its kind nationwide and hopes to serve as national model for other states.

Come to the meeting and discover how the ElderWatch Program will be invaluable to any professional organization serving the elderly, disabled and at-risk adults. Discover what happens when Seniors are educated about ElderWatch and empowered to report abuse. Take your awareness of the potential of AARP ElderWatch to the next stage of empowerment for the elderly and for your organization.

Janice Friddle has worked as an advocate for aging adults and their families for the past ten years. We are excited to have Janice as our guest speaker at the October 30 meeting to update us on this valuable resource and how we can use it better.

AARP ElderWatch is a joint project of Colorado Attorney General Ken Salazar and the AARP Foundation. Its mission is to collect information about incidents of financial exploitation of the elderly, provide consumer education to help prevent financial exploitation, and provide alerts to the public, law enforcement and others about exploitation issues. Partners also include the County Sheriffs of Colorado, Inc., and the Better Business Bureaus serving Colorado.

# AARP ElderWatch Launches Website As Part of National Fraud Against Senior Citizens



By Janice Friddle, Joan Padilla, Garth Lucero, AARP ElderWatch

Colorado Attorney General Ken Salazar joined with AARP ElderWatch, the County Sheriffs of Colorado, Inc., and the Better Business Bureaus serving Colorado to launch a website devoted to preventing the financial exploitation of the elderly. The website address is [www.aarpelderwatch.org](http://www.aarpelderwatch.org).

The public will be able to report incidents of financial exploitation against the elderly online. This may include incidents ranging from door-to-door sales scams or sweepstakes fraud, to sophisticated investment and confidence scams. AARP ElderWatch volunteers will assist those who file incident reports, and provide referrals to other agencies and organizations that might provide additional assistance. Seniors, law enforcement, adult protective agencies and the business community will be able to access information on fraud prevention and other resources through the website.

*"When we introduced AARP ElderWatch Program last September, one goal was to utilize modern technology to help address the financial exploitation issues of our senior citizens. The introduction of this website is an important step in fulfilling the mission of ElderWatch,"* said Attorney General Salazar. *"We will now have in Colorado a mechanism to gather informa-*

*tion statewide on the occurrence of financial exploitation of the elderly and what types of exploitation are the most prevalent. What we learn from gathering this information will be invaluable to helping reduce exploitation. We will be able to focus both consumer education and law enforcement efforts on those areas about which elders are reporting financial exploitation,"* said Salazar.

Janice L. Friddle, Director of AARP ElderWatch, said *"Because older citizens are the fastest-growing population learning to use the Internet, this website offers additional outreach and educational opportunities."* These outreach efforts are aimed at educating consumers - senior adults, their families and caregivers - about the signs of fraudulent activities and how to report suspected fraud to the appropriate authorities.

In addition to the website, elders may also file incident reports and get information from AARP ElderWatch through a statewide toll-free number at 1-800-222-4444. Additional resources and materials of interest to senior adults will be added to the site on an ongoing basis.

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## Consumer Myths

By Bill Ritter, Denver District Attorney

Consumers lose thousands of dollars each year due to common misconceptions. Here are some popular consumer assumptions:

**MYTH: You have the right to cancel any purchase within three days.**

**FACT:** Contrary to popular belief, the three-day Cooling Off Rule, or right to cancel, applies only to a limited number of cash or credit transactions of \$25 or more. The Rule applies to door-to-door sales or other places other than at the company's regular place of business. Car purchases are usually not covered.

**MYTH: You have the right to a store refund if you request one.**

**FACT:** Unless the product is defective or was misrepresented, a refund or exchange is a privilege and not a right that you can demand. Ask about the merchant's policy

before you make a purchase.

**MYTH: Almost all money donated to a charity must go to the intended purpose.**

**FACT:** Charities are not obligated to spend a minimum percentage of what they raise on the stated charitable purposes. If solicited by phone, donors should ask if the caller is a paid solicitor or a volunteer, and request written materials stating what percentage of the donation would actually go to the organizations' programs.

**MYTH: Purchasing magazines will improve your chances of winning a sweepstakes.**

**FACT:** Sweepstakes players who do not purchase magazines or other products must be given the same chance of winning as those who do make purchases. It is illegal in Colorado for any sweepstakes promotion to require any kind of purchase or payment to enter.

**Denver District Attorney Fraud Hot Line:  
720-913-9179**

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# Beware ! “Do Not Call Verification” is a Scam!

By Kathy Rickart, CCERAP Manager

Just because you signed up for the “Do Not Call” list doesn’t mean you are now protected from the scam artist that finds a way to open any closed door. And...that’s just what they are doing. They have devised a way to capitalize on the popularity of the “Do Not Call” registry in order to trick people into giving them information they need to participate in ID theft and “yes” rob you of your hard earned money.

Colorado Attorney General Ken Salazar warns all consumers to be wary of telephone calls purporting to “verify” their registration with the “No Call” list. The phony “registry official” asks for your personal information, supposedly to verify that you are on the “Do Not Call” list. The caller is a con artist who then can use your personal information to run up debts in your name or otherwise steal your identity. There is a company calling itself the “National Association Against Fraud,” that is calling and requesting credit card information to verify an Internet request to be placed on a no-call list. Another company that goes by the name of “Fraud Stoppers” has contacted consumers seeking bank account verification information related to the no-call services. These types of solicitations are completely fraudulent and are unrelated to Colorado’s official No-Call law that went into effect July 1st.

Once a consumer signs up with Colorado’s “Do Not Call” registry, there is no need to confirm personal information. The National Association of Attorneys General, the Direct Marketing Association, the National Consumers League, and the AARP all urge consumers to be cautious with their personal information. According to FTC Chairman Timothy J. Muris, consumers can avoid these scams by taking the following precautions:

- Don’t share your personal information if someone calls you to represent a “Do Not Call” registry, an organiza-

tion attempting to stop fraud, or even the FTC itself. In fact, don’t even stay on the line. Hang up!

- Keep information about your bank accounts and credit cards to yourself - including the numbers, unless you know the person with whom you’re dealing.
- Never share your Social Security number with a person you don’t know.

If you didn’t get signed up by the July 1 deadline on the “Do Not Call” list, you can still sign up and get on the list. To register call 1 (888) 249-9097 or go to [www.Coloradonocall.com](http://www.Coloradonocall.com). Sign up is completely free. You need to give your residential telephone number and a zip code. No credit card or bank account information is required. Under no circumstances are consumers asked to provide credit card numbers, social security numbers or other personal information.

Know your rights! There is the national Telemarketing Sales Rule (TSR) that protects consumers from unwanted late-night telemarketing calls and prohibits deceptive sales calls. Under the current TSR, it is illegal for a telemarketer to call you once you’ve asked them not to. The TSLR also:

- Restricts calling times to the hours between 8am and 9pm.
- Requires telemarketers to tell you it’s a sales call and who’s doing the selling before they make their pitch.
- Prohibits telemarketers from lying or misrepresenting any information.

If they call you anyway, report them to the Colorado Consumer Line or AARP ElderWatch at 1(800) 222-4444 or the State Attorney General.

Colorado Consumers may also loan the videos “Don’t Fall for a Telephone Line” or “They Can’t Hang Up” to show at Senior Centers, church or other groups from the Colorado Coalition for Elder Rights and Adult Protection by calling Kathy Rickart, CCERAP Manager at 970-674-1774. Both videos are excellent and depict how seniors are targeted, trapped and victimized.

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## Colorado Fraud & Actions Taken!

By Robert Pierce, Senior Health Insurance Assistant Program, Colorado Division of Insurance

Eversley Don Haswell and Karla Haswell were convicted of billing Medicare and TRICARE for mental health counseling never provided or provided by an unlicensed provider. Prison terms and restitution of \$426,538 to Medicare and \$498,330 to TRIACARE were ordered by the court.

Initha Stuckey, a Fort Collins physician, was sentenced to a 60-day jail term and ordered to pay restitution of \$26,000 to Medicare and

Medicaid for billing for services not provided and billing for more expensive services than actually provided.

The President of a North Dakota hospital operated by MaryCrest Health System of Denver will collect \$1 million for reporting improper financial arrangements with a North Dakota clinic. The system was designed to induce doctors to refer patients to the hospital. The action violated self-referrals that are illegal under federal law. They also falsified cost reports.

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# No-Call Law Does Not Say “NO” To Everyone

Source: Ken Salazar, Colorado Attorney General and Denver TRIAD Telegraph Newsletter

The Colorado No-Call law is the newest addition to the State's Consumer Protection laws. This law prohibits telemarketing calls to residential telephones or faxes and provides penalties for non-compliance such as civil lawsuits and fines.

The law went into effect on July 1, 2002 with 707,302 registered No-Call numbers. Numbers placed on the No-Call list after May 31 will be added to the next edition of the No-Call, List, effective November 1, 2002. There is no cost to add a number to the No-Call list.

The No-Call law does not apply to cellular or business numbers. There are also exemptions from the No-Call list. The following calls do not violate the No-Call Law:

- Calls made on behalf of charitable organizations
- Calls made with your prior invitation or permission
- Calls made on behalf of anyone with whom you have an established business relationship
- Calls made in response to your purchasing inquiries to a business
- Opinion surveys, political calls, or calls to business numbers.

The Attorney General's office has jurisdiction to enforce the Colorado No-Call law when a business has engaged in a pattern of No-Call violations. In the first two weeks of July after the law went into effect, 3,153 complaints were received alleging possible violations. Thirty cease-and-desist orders were issued.

To file a complain about a possible violation, visit the No-Call website [www.coloradonocall.com](http://www.coloradonocall.com) or call toll free 1-888-600-5688 or 1-888-249-9097.

*Provide the following information: Date of call, business name, address, phone, time of call, goods and services offered and any other information.*



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## Senior Security Video Wins National Award

By: Kathy Rickart, CCERAP Manager

The “Senior Security” video produced by the collaborative efforts of the Colorado Division of Insurance, Administration on Aging, Colorado Coalition for Elder Rights and Adult Protection, Kaiser Permanente and The Denver TRIAD was recently selected to receive the Silver Award in the 2002 National Mature Media Awards.



The “Senior Security” video is a crime prevention educational video focusing on Identity Theft, Telephone Scams, Junk Mail Offers, Home Repair Cons, Caregiver and Medicare Fraud. It is available free to law enforcement officials, senior center and residence directors; religious, social, health, financial and adult protective professionals who work with older adults. Over 1000 videos have been distributed since it was introduced one year ago. It is also being shown on public access TV in several counties in the state.

The video is still available if you have not requested a free copy and would like a one. Contact Lori Conway, Colorado Division of Insurance, 1560 Broadway, Suite 850, Denver, CO 80202, 303-894-7553; or Bob Pierce at [Robert.pierce@dora.state.co.us](mailto:Robert.pierce@dora.state.co.us); or CCERAP at 1-800-773-1366, or Kathy Rickart, CCERAP Manager at [ElderRightsMgr@cs.com](mailto:ElderRightsMgr@cs.com).

“Senior Security II” a new video in the making will be released in the Spring of 2003. Economic Security Scams, Power of Attorney Fraud and Charitable Donation Scams will be featured. Look for an order form in the next newsletter to order your free video or get your name on the list by e-mailing [ElderRightsMgr@cs.com](mailto:ElderRightsMgr@cs.com) and request “Senior Security II”.

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# Chief Postal Inspector Warns of Charity Scams

Resource: United States Postal Inspection Service and Federal Trade Commission

America's generosity and patriotism always shine through in times of tragedy. Unfortunately, there are always those who will prey on tragedy and a giving spirit. Postal Inspectors warn people who want to donate to check out the organization first, to ensure their money will go to the people in need and not to a con artist.



During the Gulf War, Postal Inspectors investigated a scam asking for money to send Bibles to Desert Storm troops. The money was used to pad the wallets of the scammers, and no Bibles were ever purchased. After the Oklahoma City bombing and the Twin Tower 9/11 Terrorist Tragedy, some scammers solicited funds for the victims' families, but the families never received a dime from the scam artists. In Colorado we need to be wary of con artist of bogus charities for victims of wildfires. Plus, the Colorado No-Call Law allows charity organizations to call and to some con artist that's an open invitation. If you believe you have been victimized, file a complaint with Postal Inspectors at 1-800-FRAUD-IS (1-800-372-8347) or through our Web site at [www.usps.com/postalinspectors](http://www.usps.com/postalinspectors).

*"Sometimes it can be difficult to know whether you are dealing with a reputable organization,"* said Ken Weaver, Chief Postal Inspector. *"But there are guidelines you can follow to reduce the chance of becoming a victim of a charity fraud."*

- Give to organizations you're familiar with and have already decided to donate. Check out the ones you've never heard of, or those with names similar to well-known charities. Several organizations, (listed below), will help you identify legitimate charities. You may also contact your local Postal Inspector.
- If you are unfamiliar with a charity, ask for its annual report and financial statement. If the organization is unwilling to provide these, you should be wary of supporting it financially.
- Don't feel pressured to give money on the spot. Legitimate charities will welcome your donation at any time. Relief efforts in the wake of the attacks or disasters will be needed for a long time to come—long enough to check out a charity.
- Be suspicious of a charity that says it will accept your donation in cash only; the con artist wants cash so there will be no written record to allow authorities to determine who really received the money. Make checks payable to the organization, not an individual.

There are many charities assisting with relief efforts during difficult time, but unfortunately con artists try to capitalize on the good names of legitimate charities and the good will of their donors. Make sure that your donation gets into the proper hands—not the hands of the con artists—by doing a little homework prior to donating.

To check on legitimate charities you can contact:

Philanthropic Advisory Services  
Council of Better Business  
Bureaus  
4200 Wilson Boulevard, Suite 800  
Arlington, VA 22203-1838  
703-276-0100  
[www.bbb.org](http://www.bbb.org)

National Charities Information  
Bureau  
19 Union Square West, 6th Floor  
New York, NY 10003-3395  
212-929-6300  
[www.give.org](http://www.give.org)

American Institute of  
Philanthropy  
4905 Del Ray Avenue, Suite 300  
Bethesda, MD 20814  
301-913-5200

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## Possible Medicare Fraud Watch!

By Robert Pierce, Senior Health Insurance Assistant Program, Colorado Division of Insurance

A woman carrying some sort of badge and claiming to be from Medicare was reported going door-to-door and asking for Medicare cards and other information from people on the program. Advocates should note that official Medicare representatives do not go door-to-door unannounced requesting information. This incident occurred in Washington State.

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# How To Fight Junk Marketing – And Protect Yourself From Telemarketing & Mail Fraud

By Lisa Curtis, Economic Crime Unit Director, Denver District Attorney Office

Betty got a call in June from a man who claimed to be an IRS agent. He told Betty that she had won a Canadian lottery. A check for \$250,000 issued to her from Meridian Equity in Montreal, Quebec was being held in a Canadian government account. To release the check, Betty had to pay escrow and insurance fees. She was instructed to make four withdrawals over the next two days and wire the funds - \$11,000 - through Western Union to four agents in Quebec.

Betty now knows criminal Canadian lottery telemarketers victimized her, and that she will never get her money back. Betty admitted to playing numerous direct mail sweepstakes. By sending off dozens of sweepstakes entries every month, she always hoped she would win a big prize someday. Instead, she won a place on criminal telemarketing “mooch” lists, which target people like Betty who want to hear that they have won a prize.

The best way to protect yourself from fraudulent telemarketing is to keep your name off marketing lists.

## Getting Your Name Off of Lists

- Don't play mail sweepstakes and contests or talk to telemarketers.
- Sign up for the Colorado No Call List, at 1-888-249-9097 or online at [www.coloradonocall.com](http://www.coloradonocall.com)
- Call companies with whom you have a business relationship, such as Qwest, AT&T, etc. and request that they put you on their DO NOT CALL LIST.
- Call Cole Information Services at 303-571-1077 to remove your name from their Cole Directories, which are found in city libraries and used by direct marketers.
- Call the customer service department of your bank and credit card companies requesting that your name not be shared within or without the company – this is your “Opting Out” right under Federal law.
- Call the credit bureaus' opt out line to get off mailing lists for unsolicited credit card offers: 1-888-567-8688.
- Write to the Mail Preference Service, P.O. Box 9008, and the Telephone Preference Service, P.O. Box 9014, Farmingdale, NY, 11735. Include your name, address, and phone number and request that your name be removed.
- Call each magazine and catalog you receive and ask to be removed from its marketing lists.
- Make an annual charitable giving plan and give to just a few charities once a year. Request those to whom you give not share your name with other organizations. Ask all other charitable solicitors to remove your name from their mailing lists.

Although, you may see a decrease in mail and phone calls, understand that criminal telemarketers – like the one who called Betty – will continue to call. Remember what our Mothers told us “Never talk to strangers!”

## Furnace Replacement Fraud Tip

Source: Xcel Energy Update Newsletter, September 2002

Don't believe everything the salesman that came to your door “unsolicited” said. In fact, don't even let him in your home! But if you did let him in and he says you need a new furnace, get a second opinion.

Call HomeSmart from Xcel Energy<sup>SM</sup> 1-888-848-6133 for a free in-home estimate on replacing your furnace.



## Beware of Frauds That Target Older Adults

By: Gale Loeffler, CSU Extension Director, Arapahoe County

A NEW series of five brochures dealing with fraud will be available in November. They are written for senior audiences and are produced by Colorado State University Cooperative Extension Agents Front Range Issues for Aging Team in cooperation with the Economics Crime Division of the Denver District Attorney's Office. The brochures will cover specific areas of fraud, and can be used as handouts for programs or to compliment the “Senior Security” video. See the next newsletter for information on how to order these brochures.

# Be On Alert For Wildfire-Related Scams

Source: Rocky Mountain Better Business Bureau

Colorado residents should be cautious about possible consumer frauds arising from the recent fires throughout Colorado. These scams can come in the form of disaster relief and charity fundraising efforts, or by fraudulent construction, home repair offers or loan schemes. The Attorney General's office has not received complaints about scams related to the recent fires in Colorado, but issues this advisory as precautionary consumer information. *"Unfortunately, natural disasters provide an excellent opportunity for unscrupulous people to profit by taking advantage of individuals whose lives have been disrupted,"* said Attorney General Salazar. *"Consumers should carefully research any organization offering services or soliciting donations related to the recent fire damage,"* advised Salazar. *"It is important to know who you are doing business with,"* said Carol Odell, Executive Director/CEO of the Better Business Bureau of the Pikes Peak Region. *"Check with the Better Business Bureau. Obtain references and bids. People are anxious to get their lives back to normal. Take the time to protect yourself and your money,"* advised Odell.

In the aftermath of the fires, consumers whose property is damaged will need repair and restoration services. Home and business owners, therefore, are cautioned to check out general repair companies and contractors before any work begins. Consumers should consider using reputable local businesses within the community. The Better Business Bureau is a good source to check the reputation of a contractor or business. Also, consumers may avoid problems by observing the following suggestions:

- Get detailed proposals and contracts in writing, and get a second opinion;
- Avoid dealing with contractors who require an unusually large down payment or full payment before the job is complete;
- Be sure the contractor has the necessary insurance (liability, workers compensation and property) coverage before work is started; and
- Check the contractor's references and try to inspect work they have done.

Property owners in need of loans to repair damaged property may be vulnerable to loan scams. Consumers should not be tempted by promises of "guaranteed" loans for up-front fees. Advanced fee loans are illegal in Colorado. A loan broker can only legally collect a finder's fee after the borrower has received the loan proceeds. Also, beware of

classified ads asking you to call a 1-800 or 1-900 number for a "guaranteed" loan. Consumers should consider doing business with a local bank or finance company. Consumers are also warned to be wary of high-pressure sales tactics by door-to-door salespersons and telemarketers. Do not let yourself be hurried, intimidated, or coerced. Get everything in writing, including price, warranty, and all conditions. Tell the salesperson that you will check out the company first and respond later. By law, consumers must be informed by the salesperson during a door-to-door sales presentation that there is a three-day right to cancel any purchase over \$25.



The Regional BBB Offices serving Colorado are:  
Pike's Region, Inc. BBB

25 North Wahsatch, Colorado Springs, CO 80903  
719-636-1155 \*Phone, 719-636-1956 Fax  
[www.coloradosprings.bbb.org](http://www.coloradosprings.bbb.org)

Mountain States BBB

1630 S College Ave, #303, Fort Collins, CO 80525  
970-484-1348 \*Phone, 970-221-1239 Fax  
[www.rockymtn.bbb.org](http://www.rockymtn.bbb.org)

Denver Area BBB

1020 Cherokee Street, Denver, CO 80204  
303-758-2100 \*Phone, 303-758-8321 Fax  
[www.denver.bbb.org](http://www.denver.bbb.org)

Southern Colorado BBB

119 W 6th Street, Suite 203, Pueblo, CO 81003  
719-542-6464 \*Phone, 719-542-5229 Fax  
[www.pueblo.bbb.org](http://www.pueblo.bbb.org)

Four Corners BBB

308 North Locke, Farmington, NM 87401  
505-326-6501 \*Phone, 505-327-7731 Fax  
[www.farmington.bbb.org](http://www.farmington.bbb.org)

You can also go to [www.bbb.org](http://www.bbb.org) to find a BBB Office within your community or close to where you live.

*\*These numbers are automated help lines available 24 hours a day, 7 days a week. Operators are available on these numbers from 9am to 4:30pm M-F by pressing "0".*

*Consumers who suspect they may have been solicited by or victimized by a fraudulent scam should notify their local district attorney or the Colorado Attorney General at 1-800-222-4444. Consumers can also notify the Colorado Attorney General's office online at [www.stop.fraud@state.co.us](mailto:www.stop.fraud@state.co.us).*

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