



**"THE KAY INITIATIVE"-  
LEGISLATION CHANGE FOR  
ELDERLY PROTECTION**

**THEKAYINITIATIVE.ORG**

# **LEGAL STATEMENT –**

## **“THE KAY INITIATIVE”**

**Legislation Change for the  
ENFORCED PROTECTION of the  
ELDERLY and INCAPACITATED**

**"LIFE ACCOUNTABILITY" IS "THE  
SACRED RESPONSIBILITY" OF  
FIDUCIARIES AND MEDICAL AND  
CARE MANAGEMENT!**

## **The Commonwealth of Virginia**

**WHEREAS, the Commonwealth of Virginia recognizes that elderly citizens are among its most vulnerable populations, frequently dependent upon guardians, fiduciaries, care managers, health providers, and state agencies for their protection, well-being, and dignity;**

CASE

#CL-2018-11871

CLASS 4 FELONY

Session Information

Bills & Resolutions

State Budget

Virginia Law

Reports to the General Assembly

Code of Virginia

Title 18.2. Crimes and Offenses Generally

Chapter 8. Crimes Involving Morals and Decency

EGREGIOUS DISREGARD OF  
LIFE"-18.2-369-B violation

## § 18.2-369. Abuse and neglect of vulnerable adults; penalties.

A. It is unlawful for any responsible person to abuse or neglect any vulnerable adult. Any responsible person who abuses or neglects a vulnerable adult in violation of this section and the abuse or neglect does not result in serious bodily injury or disease to the vulnerable adult is guilty of a Class 1 misdemeanor. Any responsible person who is convicted of a second or subsequent offense under this subsection is guilty of a Class 6 felony.

B. Any responsible person who abuses or neglects a vulnerable adult in violation of this section and the abuse or neglect results in serious bodily injury or disease to the vulnerable adult is guilty of a Class 4 felony. Any responsible person who abuses or neglects a vulnerable adult in violation of this section and the abuse or neglect results in the death of the vulnerable adult is guilty of a Class 3 felony.

C. For purposes of this section:

"Abuse" means (i) knowing and willful conduct that causes physical injury or pain or (ii) knowing and willful use of physical restraint, including confinement, as punishment, for convenience or as a substitute for treatment, except where such conduct or physical restraint, including confinement, is a part of care or treatment and is in furtherance of the health and safety of the vulnerable adult.

"Neglect" means the knowing and willful failure by a responsible person to provide treatment, care, goods, or services which results in injury to the health or endangers the safety of a vulnerable adult.

"Responsible person" means a person who has responsibility for the care, custody, or control of vulnerable adult by operation of law or who has assumed such responsibility voluntarily by contract or in fact.

"Serious bodily injury or disease" includes but is not limited to (i) disfigurement, (ii) a fracture, (iii) a severe burn or laceration, (iv) mutilation, (v) maiming, or (vi) life-threatening internal injuries or conditions, whether or not caused by trauma.

"Vulnerable adult" means any person 18 years of age or older who is impaired by reason of mental illness, intellectual or developmental disability, physical illness or disability, or other causes, including age, to the extent the adult lacks sufficient understanding or capacity to make

communicate, or carry out reasonable decisions concerning his well-being or has one or more limitations that substantially impair the adult's ability to independently provide for his daily needs or safeguard his person, property, or legal interests.

D. No responsible person shall be in violation of this section whose conduct was (i) in accordance with the informed consent of the vulnerable adult that was given when he was not vulnerable a person authorized to consent on his behalf; (ii) in accordance with a declaration by the vulnerable adult under the Health Care Decisions Act (§ 54.1-2981 et seq.) that was given when he was not vulnerable or with the provisions of a valid medical power of attorney; (iii) in accordance with the wishes of the vulnerable adult that were made known when he was not vulnerable or a person authorized to consent on behalf of the vulnerable adult and in accordance with the tenets and practices of a church or religious denomination; (iv) incident to necessary movement of, placement of, or protection from harm to the vulnerable adult; or (v) a bona fide recognized, or approved practice to provide medical care.

1992, c. 551; 1994, c. 620; 2000, c. 796; 2001, c. 181; 2004, c. 863; 2007, cc. 562, 653; 2012, cc. 476, 507; 2019, c. 234; 2022, cc. 259, 642.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired. 11/27/20

☒ Virginia Law Library

The Code of Virginia, Constitution of Virginia, Charters, Authorities, Compacts and Uncodified Acts are now available in EPub eBook format. ☒

☒ Helpful Resources

[Virginia Code Commission](#)  
[Virginia Register of Regulations](#)  
[U.S. Constitution](#)

☒ For Developers

The Virginia Law website data is available via a web service. ☒



**MALLORY-2-7-25-MEDICAL EXPERT Affidavit #3 revised on Kapusta.pdf ATTESTING TO VIRGINIA CRIMINAL MEDICAL ELDER NEGLECT-18.2-369-B OF ELAINE MAE KAPUSTA SINCE OCTOBER 2022-TEETH PAIN**



**GEORGE W. DODGE AND ALL FIDUCIARIES DEFIED AND IGNORED ALL DOCTOR'S ORDERS INSTRUCTING TO PROVIDE CARE AND TREATMENT ON-9/20/22 & 12/2/22, 1/28/23, 5/8/23, 5/22/23, 12/26/23 AND 1/4/24. AND 2/7/25 AND GAVE MY MOM FDA-UNAPPROVED BLACK-BOXED ANTIPSYCHOTICS NOT APPROVED FOR ELDERLY DEMENTIA AND NOT APPROVED FOR HEART PATIENTS AT RISK OF DEATH OF HEART ATTACK AND STROKE CAUSING QT PROLONGATION-ENLARGED HEART AND SIGNED D.N.R.-DO NOT RESUSCITATE ON MOM DEPRIVED FOR 4 YEARS OF PROPER AND DOCTOR-ORDERED DENTAL AND MEDICAL CARE SINCE APRIL 2021.**

**WHEREAS, repeated investigations and public reports, including but not limited to charges announced by the Attorney General of Virginia in December 2024 concerning elder abuse and neglect, demonstrate systemic failures in the protection of elderly persons;**

**§ 18.2-369. Abuse and neglect of vulnerable adults; penalties.**

**WHEREAS, existing statutes do not adequately deter or punish the willful disregard of mandated reporting duties, concealment of elder abuse, or the criminal exploitation of incapacitated adults;  
"EGREGIOUS DISREGARD OF LIFE"**

**THEREFORE, The Kay Initiative proposes legislation with the following mandates for "THE EGREGIOUS DISREGARD OF LIFE":**

**Mandated Reporter Accountability-§ 63.2-1606.**

**Protection of aged or incapacitated adults;  
mandated and voluntary reporting of "THE**

**EGREGIOUS DISREGARD OF LIFE"**

[Code of Virginia](#)[Budget](#)[Virginia Law](#)[Reports to the General](#)[Title 63.2. Welfare \(Social Services\)](#)[ALL FIDUCIARIES AIDING AND ABETTING "CRIMINAL ELDER CRUELTY-EXTREME DEPRIVATION OF CARE"](#)[Assembly](#)[Chapter 16. Adult Services](#)

## § 63.2-1606. Protection of aged or incapacitated adults; mandated and voluntary reporting.

A. Matters giving reason to suspect the abuse, neglect or exploitation of adults shall be reported immediately upon the reporting person's determination that there is such reason to suspect. Medical facilities inspectors of the Department of Health are exempt from reporting suspected abuse immediately while conducting federal inspection surveys in accordance with § 1864 of Title XVIII and Title XIX of the Social Security Act, as amended, of certified nursing facilities as defined in § 32.1-123.

Reports shall be made to the local department or the adult protective services hotline in accordance with requirements of this section by the following persons acting in their professional capacity:

1. Any person licensed, certified, or registered by health regulatory boards listed in § 54.1-2503, with the exception of persons licensed by the Board of Veterinary Medicine;

2. Any mental health services provider as defined in § 54.1-2400.1;

3. Any emergency medical services provider certified by the Board of Health pursuant to § 32.1-111.5, unless such provider immediately reports the suspected abuse, neglect or exploitation directly to the attending physician at the hospital to which the adult is transported, who shall make such report forthwith;

4. Any guardian or conservator of an adult;

5. Any person employed by or contracted with a public or private agency or facility and working with adults in an administrative, supportive or direct care capacity;

6. Any person providing full, intermittent or occasional care to an adult for compensation, including, but not limited to, companion, chore, homemaker and personal care workers;

7. Any law-enforcement officer; and

8. Any person who engages in the practice of behavior analysis, as defined in § 54.1-2900.

B. The report shall be made in accordance with subsection A to the local department of the county or city wherein the adult resides or wherein the adult abuse, neglect or exploitation is believed to have occurred or to the adult protective services hotline. Nothing in this section shall be construed to eliminate or supersede any other obligation to report as required by law. If a person required to report under this section receives information regarding abuse, neglect or exploitation while providing professional services in a hospital, nursing facility or similar institution, then he may, in lieu of reporting, notify the person in charge of the institution or his designee, who shall report such information, in accordance with the institution's policies and procedures for reporting such matters, immediately upon his determination that there is reason to suspect abuse, neglect or exploitation. Any person required to make the report or notification required by this subsection shall do so either orally or in writing and shall disclose all information that is the basis for the suspicion of adult abuse, neglect or exploitation. Upon request, any person required to make the report shall make available to the adult protective services worker and the local department investigating the reported case of adult abuse, neglect or exploitation any information, records or reports which document the

basis for the report. All persons required to report suspected adult abuse, neglect or exploitation shall cooperate with the investigating adult protective services worker of a local department and shall make information, records and reports which are relevant to the investigation available to such worker to the extent permitted by state and federal law.

Criminal investigative reports received from law-enforcement agencies shall not be further disseminated by the investigating agency nor shall they be subject to public disclosure; such reports may, however, be disclosed to the Adult Fatality Review Team as provided in § 32.1-283.5 or to a local or regional adult fatality review team as provided in § 32.1-283.6 and, if reviewed by the Team or a local or regional adult fatality review team, shall be subject to applicable confidentiality requirements of the Team or a local or regional adult fatality review team.

C. Any financial institution staff who suspects that an adult has been exploited financially may report such suspected financial exploitation and provide supporting information and records to the local department of the county or city wherein the adult resides or wherein the exploitation is believed to have occurred or to the adult protective services hotline.

D. Any person other than those specified in subsection A who suspects that an adult is an abused, neglected or exploited adult may report the matter to the local department of the county or city wherein the adult resides or wherein the abuse, neglect or exploitation is believed to have occurred or to the adult protective services hotline.

E. Any person who makes a report or provides records or information pursuant to subsection A, C, or D, or who testifies in any judicial proceeding arising from such report, records or information, or who takes or causes to be taken with the adult's or the adult's legal representative's informed consent photographs, video recordings, or appropriate medical imaging of the adult who is subject of a report shall be immune from any civil or criminal liability on account of such report, records, information,

photographs, video recordings, appropriate medical imaging or testimony, unless such person acted in bad faith or with a malicious purpose.

F. An employer of a mandated reporter shall not prohibit a mandated reporter from reporting directly to the local department or to the adult protective services hotline. Employers whose employees are mandated reporters shall notify employees upon hiring of the requirement to report.

G. Any person 14 years of age or older who makes or causes to be made a report of adult abuse, neglect, or exploitation that he knows to be false is guilty of a Class 4 misdemeanor. Any subsequent conviction of this provision is a Class 2 misdemeanor.

H. Any person who fails to make a required report or notification pursuant to subsection A shall be subject to a civil penalty of not more than \$500 for the first failure and not less than \$100 nor more than \$1,000 for any subsequent failures. Civil penalties under subdivision A 7 shall be determined by a court of competent jurisdiction, in its discretion. All other civil penalties under this section shall be determined by the Commissioner for Aging and Rehabilitative Services or his designee. The Commissioner for Aging and Rehabilitative Services shall establish by regulation a process for imposing and collecting civil penalties, and a process for appeal of the imposition of such penalty pursuant to § 2.2-4026 of the Administrative Process Act.

I. Any mandated reporter who has reasonable cause to suspect that an adult died as a result of abuse or neglect shall immediately report such suspicion to the appropriate medical examiner and to the appropriate law-enforcement agency, notwithstanding the existence of a death certificate signed by a licensed physician. The medical examiner and the law-enforcement agency shall receive the report and determine if an investigation is warranted. The medical examiner may order an autopsy. If an autopsy is conducted, the medical examiner shall report the findings to

law enforcement, as appropriate, and to the local department or to the adult protective services hotline.

J. No person or entity shall be obligated to report any matter if the person or entity has actual knowledge that the same matter has already been reported to the local department or to the adult protective services hotline.

K. All law-enforcement departments and other state and local departments, agencies, authorities and institutions shall cooperate with each adult protective services worker of a local department in the detection, investigation and prevention of adult abuse, neglect and exploitation.

L. Financial institution staff may refuse to execute a transaction, may delay a transaction, or may refuse to disburse funds if the financial institution staff (i) believes in good faith that the transaction or disbursement may involve, facilitate, result in, or contribute to the financial exploitation of an adult or (ii) makes, or has actual knowledge that another person has made, report to the local department or adult protective services hotline stating a good faith belief that the transaction or disbursement may involve, facilitate, result in, or contribute to the financial exploitation of an adult. The financial institution staff may continue to refuse to execute a transaction, delay a transaction, or refuse to disburse funds for a period no longer than 30 business days after the date upon which such transaction or disbursement was initially requested based on a good faith belief that the transaction or disbursement may involve, facilitate, result in, or contribute to the financial exploitation of an adult, unless otherwise ordered by a court of competent jurisdiction. Upon refusing to execute a transaction, delaying a transaction, or refusing to disburse funds, the financial institution shall report such refusal or delay within five business days to the local department or the adult protective services hotline. Upon request, and to the extent permitted by state and federal law, financial institution staff may report any information or records relevant to a report or investigation to the local department of social services or to a court-appointed guardian ad

litem for the adult who is the subject of the investigation. Absent gross negligence or willful misconduct, the financial institution and its staff shall be immune from civil or criminal liability for (a) providing information or records to the local department of social services or to a court-appointed guardian ad litem or (b) refusing to execute a transaction, delaying a transaction, or refusing to disburse funds pursuant to this subsection. The authority of a financial institution staff to refuse to execute a transaction, to delay a transaction, or to refuse to disburse funds pursuant to this subsection shall not be contingent upon whether financial institution staff has reported suspected financial exploitation of the adult pursuant to subsection C.

1977, c. 547, § 63.1-55.3; 1984, c. 628; 1986, cc. 448, 487; 1990, c. 308; 1991, c. 33; 1994, c. [891](#); 1997, c. [687](#); 1999, c. [749](#); 2001, c. [191](#); 2002, c. [747](#); 2004 cc. [749](#), [1011](#); 2008, c. [539](#); 2009, c. [538](#); 2012, cc. [803](#), [835](#); 2013, cc. [72](#), [331](#); 2015, c. [108](#); 2017, c. [195](#); 2019, cc. [339](#), [420](#), [421](#); 2020, c. [931](#); 2021, Sp. Ses I, cc. [207](#), [208](#); 2022, cc. [743](#), [766](#).

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

4/15/2022

### Virginia Law Library

The Code of Virginia, Constitution of Virginia, Charters, Authorities, Compacts and Uncodified Acts are now available in EPub eBook format. 

### Helpful Resources

[Virginia Code Commission](#)  
[Virginia Register of Regulations](#)  
[U.S. Constitution](#)

### For Developers

The Virginia Law website data is available via a web service. 



**Any fiduciary, care manager, attorney-"OFFICER OF THE COURT", guardian, physician, nurse, or other mandated reporter who willfully fails to report suspected or informed known elder abuse, neglect, or exploitation shall be subject to:**

**(a) A criminal penalty of not less than 1 year and up to 5 years imprisonment;**

**(b) A civil penalty of not less than \$10,000 per "EGREGIOUS DISREGARD OF LIFE"-18.2-369-B violation for knowingly and willfully failing to report ELDER CRUELTY CRIMES, payable to the Commonwealth of Virginia ELDER PROTECTION PROGRAMS.**

## **Fraud Upon the Court in Elder Cases**

**Any individual who fabricates, falsifies, or conceals evidence in guardianship or elder care proceedings shall be guilty of FELONY ELDER CRUELTY, punishable by imprisonment and permanent disqualification from fiduciary roles and CARE MANAGEMENT AND MEDICAL AND ATTORNEY LICENSES WILL BE PERMANENTLY TERMINATED. And will also pay a civil penalty of not less than \$25,000 per "EGREGIOUS DISREGARD OF LIFE"-18.2-369-B violation, payable to the Commonwealth and earmarked for ELDER PROTECTION PROGRAMS.**

THE PREDATORY AND CORRUPT FRAUDULENT CONSERVATORSHIP OF CARY CUCINELLI AND VALERIE GEIGER AND ELIZABETH WILDHACK AND LAURIE KIRKLAND AND 4 CARE MANAGEMENT COMPANIES HAS BEEN CONTEMPT, CONCEALMENTS, CONSPIRACIES, COVER-UPS, COLLUSIONS, COMPLETE INCOMPETENCE, COMPLETE CHAOS AND CONFUSION, CRUELTY AND CRIMES OF HUMANITY AND CRIMES OF CORRUPTION AND ABSOLUTE UNCARINGNESS OF THE HUMAN LIFE AND WELL-BEING OF MY MOM!

MY MOM AND I HAVE BEEN "BEGGING FOR HELP FOR MY MOM FOR MORE THAN 4 YEARS" NOW AND BEING DENIED BY ALL EVIL FIDUCIARIES AND PERSONS.

THIS ALL COMES DOWN TO INCOMPETENCE AND IGNORALS OF BASIC DENTAL AND MEDICAL CARE AND "THE ORCHESTRATED COMPLETE CRIMINAL TAKEOVER OF OUR LIVES SINCE 2022.

HOW DOES 12+ PEOPLE MOST BEING "MANDATED REPORTERS" ALL FAIL TO REPORT THE COMPLETE FAILURE AND DENIAL OF 681 DAYS WITHOUT MY MOM RECEIVING QUARTERLY DENTAL CLEANINGS AND 883 DAYS FAILURE AND DENIAL TO PROVIDE DENTAL X-RAYS WHILE SUFFERING SEVERE GUM DISEASE AND TEETH PAIN? AND DEFYING 9 DOCTORS ORDERS?

EVIL PREDATORY CRIMINAL BEHAVIOR "SEEKING TO DESTROY BY FORCIBLY PHYSICALLY AND PERMANENTLY INCAPACITATING" AND "ISOLATING AND MEDICALLY ABANDONING" BY "DEPRIVATION OF CARE!" WHICH HAS BEEN ACCOMPLISHED WITH MOM AND I AND THE ESTATE "DECIMATEDLY DESTROYED!"

# 9 DOCTORS ORDERS

"CRIMINALLY IGNORED/  
DEFIED/DENIED"-2021-2025:

---

DOCUMENTED "CRIMINAL MEDICAL ELDER  
NEGLECT-ELDER CRUELTY CRIMES" BY  
ALL FIDUCIARIES-VIRGINIA CRIMINAL  
LAW §18.2-369-B:

1. APRIL 2021-DR. HU
2. 5/10/22-DR. LESSIN
3. 9/20/22-DR. CUSUMANO
4. 12/2/22-DR. LESSIN
5. 1/25/23-VIRGINIA HEART
6. 5/8/23-DR. CUSUMANO
7. 5/22/23-DR. DOKI
8. 1/4/24-DR. CUSUMANO
9. 2/7/25-DR. MALLORY

\*1. APRIL 2021-DR. HU-(MCLEAN DENTAL)  
INFORMED LIZ SHIFFLETT-(PREMIER  
PLANNING) THAT MOM NEEDED 3 ROOT  
CANALS AND TO CHECK TO REPLACE OLD  
FILLINGS

**\*2. 5/10/22-DR. LESSIN INFORMED LIZ SHIFFLETT 1 MONTH FOLLOWUP VISIT OR SOONER IF NEEDED P.R.N., DUE TO LOW PLATELETS AND DECREASED BLOODCELLS AND ELEVATED SED RATE**

**\*3. 9/20/22-DR. CUSUMANO INFORMED LIZ SHIFFLETT DUE TO SEVERE GUM DISEASE AND "TEETH PAIN" MOM NEEDS "QUARTERLY DENTAL CLEANINGS" AND THIS WAS IGNORED BY ALL FIDUCIARIES FOR 681 DAYS- (9/20/22-8/1/24)**

**4. 10/16/22-ALL FIDUCIARIES IGNORED REQUEST FOR DENTAL X-RAYS-SUFFERING TEETH PAIN-IGNORED 883 DAYS WITHOUT DENTAL X-RAYS-(3/2/22-8/1/24)**

**5. 11/18/22-THE DESTRUCTION OF PLATELETS AND BLOODCELLS IGNORED BY DR. DAPPEN- (DOCTALKER)**

**\*6. 12/13/22-DR. LESSIN ADVISED TO MONITOR FOR CONTINUAL DROP IN BLOODCELLS AND PLATELETS- (IGNORED BY DR. DAPPEN AND ALL FIDUCIARIES)**

7. 12/13/22-IGNORED PLATELETS AND BLOODCELLS DESTRUCTION

8. DECEMBER 2022-REPORTED SIGNS OF UROSEPSIS AND SUFFERING- (IGNORED BY DR. DAPPEN AND ALL FIDUCIARIES)

\*9. 1/25/23-VIRGINIA HEART RECOMMENDATION FOR FOLLOWUP WITH PLATELETS AND BLOODCELLS DESTRUCTION DETERIORATION AND BONE MARROW DAMAGE-(IGNORED BY DR. DAPPEN AND ALL FIDUCIARIES)

\*10. 1/28/23-VIRGINIA HEART RECOMMENDED AND LYNN REQUESTED HEMATOLOGIST-(IGNORED BY DR. DAPPEN AND ALL FIDUCIARIES)

\*11. 5/8/23-DENTAL GUM ABSCESS SEPTICEMIA-(DR. CUSUMANO WRITTEN ORDERS: SEDATION DENTAL, COMPREHENSIVE EVALUATION AND FOLLOWUP TREATMENT)-(IGNORED BY DR. DAPPEN AND ALL FIDUCIARIES)

12. 5/11/23-"22 GROSSLY ABNORMAL LABS AND 5 BLOOD DISORDERS"- (IGNORED BY DR. DAPPEN AND ALL FIDUCIARIES)

**\*13. 5/22/23-DR. DOKI/DR. DAPPEN-ALL FIDUCIARIES REFUSED TO PROVIDE ELAINE MAE KAPUSTA ANY FURTHER MEDICAL CAREIMONITORING-\*GAVE 2 WEEKS IRON PILL/COQ10 SUPPLEMENTS- REFUSED TO GIVE LONGER THAN 2 WEEKS-NEVER RECHECKED THE LAB VALUES)-\*\*REFUSED TO PROVIDE IRON SUPPLEMENTS AFTER 6/5/23-SUFFERING IRON-DEFICIENCY**

**14.(10/24/22-10/26/23)-PLATELETS/BLOOD CELLS/IMMUNE SYSTEM/BONE MARROW DESTRUCTION:**

**\*\*51% DESTRUCTION OF BLOODCELLS-(4.60-2.26) AND**

**\*\*41% DESTRUCTION OF PLATELETS-(167-118) AND**

**\*\*60% DESTROYED IMMUNE SYSTEM\*\*-(MONOCYTES #)-(.014-.08)-**

**(IGNORED BY DR. DAPPEN AND ALL FIDUCIARIES)- PANCYTOPENIA-(8.0. HEMOGLOBIN)-NEEDING HOSPITAL EVALUATION FOR BLOOD TRANSFUSION/IRON INFUSION-\*MOM RECEIVED NOTHING!\***



\*15. 1/4/24-DENTAL GUM ABSCESS  
SEPTICEMIA-\*5/8/23-FOLLOWUP ORDER\*-  
(DR. CUSUMANO 2ND WRITTEN ORDERS:  
SEDATION DENTAL, COMPREHENSIVE  
EVALUATION AND FOLLOWUP  
TREATMENT)-(IGNORED BY DR. DAPPEN  
AND ALL FIDUCIARIES)

16. 8/2/24-SO BADLY NEGLECTED & ABUSED  
AND "MEDICALLY ABANDONED" AND  
"MEDICALLY ABUSED" AND "IMPRISONED  
AND ISOLATED" AND DEPRIVED OF SIMPLE  
BASIC DENTAL AND MEDICAL CARE-\*\*911  
PARAMEDICS NEEDED TO REVIVE MY MOM'S  
HEART\*\* AND AT THE HOSPITAL MY MOM  
BEGGED "PLEASE LET ME GO HOME, I WANT  
TO GO HOME" AND THAT WAS 367 DAYS  
AGO AND 790 DAYS SINCE 6/6/23 THE DAY  
MY MOM WAS "CRIMINALLY ABDUCTED AND  
KIDNAPPED BY "ARMED GUARDS" FROM  
OUR HOME

\*2/7/25-DR. MALLORY NOTARIZED AFFIDAVIT

681 DAYS DENIED "QUARTERLY DENTAL  
CLEANINGS WHILE SUFFERING TEETH PAIN  
AND DENTAL GUM ABSCESS-(9/20/22-8/1/24)

883 DAYS DENIED DENTAL X-RAYS  
SUFFERING SEVERE GUM DISEASE WITHOUT  
TREATMENT-(3/2/22-8/1/24)



EVERYONE SEEMS TO BE DISREGARDING THAT "THIS IS A HORRIFIC HUMAN TRAGEDY OF EPIC PROPORTIONS SUFFERED BY MY MOM FOR 3 YEARS OF HER SECOND-BY-SECOND SUFFERING "TORTUROUS ABUSIVE IMPRISONMENT AND MEDICAL ABANDONMENT"-BEING LEFT IN "A CONTINUAL STATE OF ISOLATION AND HEARTACHE AND PAIN AND PARALYZING FEAR OF DEATH!"

ELAINE MAE KAPUSTA IS "NOT A PIECE OF PROPERTY TO CONTAIN AND CONTROL".

SHE IS A SWEET AND INNOCENT WOMAN OF FLESH AND BLOOD WITH A BEATING HEART AND A PULSE-AND SHE HAS THE GOD-GIVEN RIGHT TO NOT BE "TORTURED AND NEGLECTED AND ABUSED AND FINANCIALLY EXPLOITED IN HER ASSETS BEING LIQUIDATED BY FRAUDULENT FIDUCIARIES AND HER "PSYCHOPATHIC SON"!

## **Enhanced Elder Cruelty Penalties**

Acts of "EGREGIOUS DISREGARD OF LIFE" elder cruelty, defined as willful deprivation of medical, dental, or life-sustaining care, shall be classified as aggravated felonies subject to maximum sentencing guidelines.

## **Transparency in Emergency Petitions**

No emergency petition for guardianship or removal may proceed without immediate notice to the current guardian or next of kin, and full disclosure of all supporting medical records, under penalty of perjury for concealment.

## **Right of Action for Victims and Families**

Victims of "EGREGIOUS DISREGARD OF LIFE" elder cruelty crimes of neglect and abuse, or their heirs, shall have a private right of action for compensatory and punitive damages against mandated reporters, fiduciaries, and institutions that willfully ignored their duty to act "IN THE BEST INTERESTS OF THE ELDERLY OR INCAPACITATED PERSON"



MOM BEGGING FOR HELP

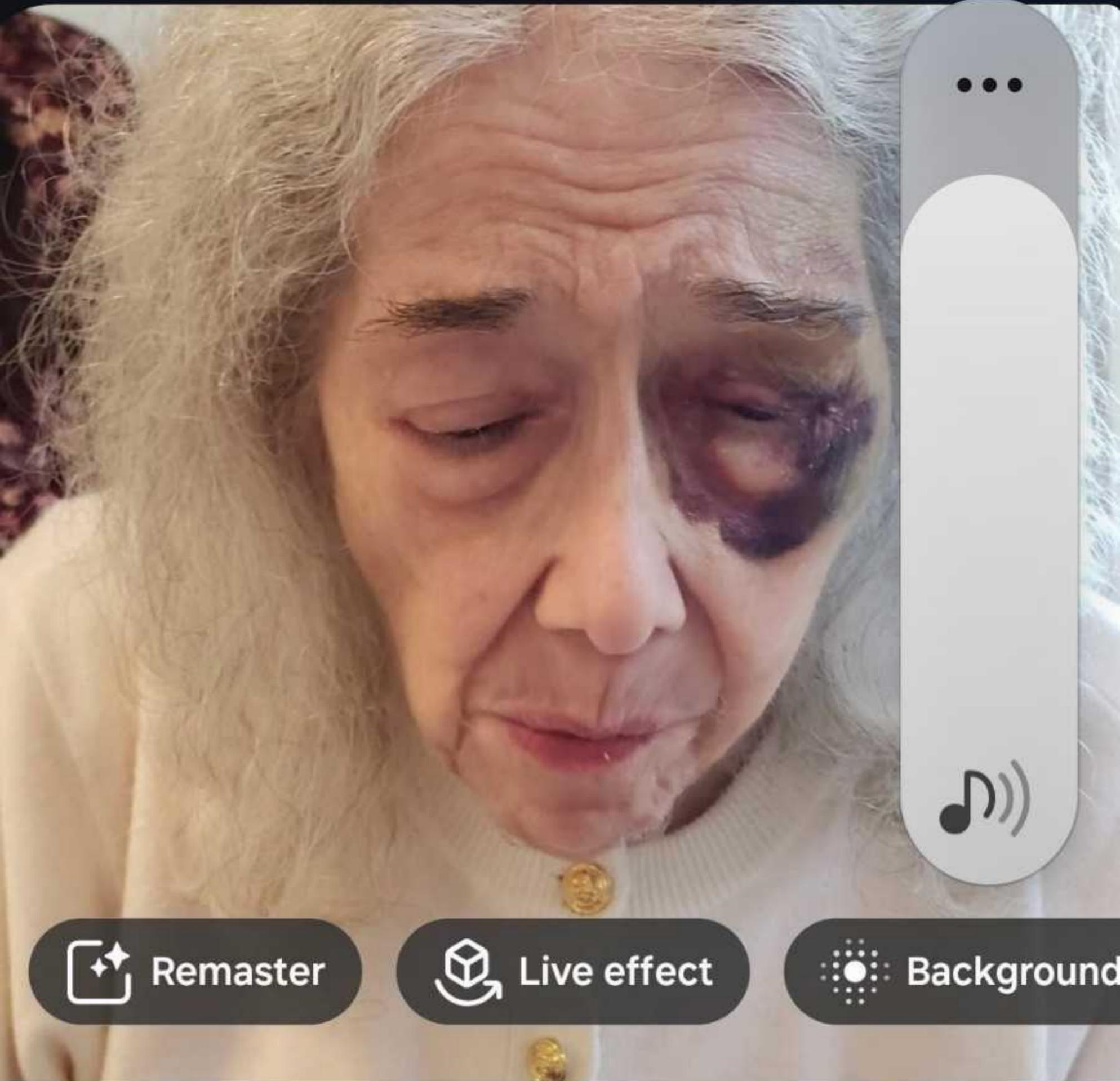
# Details



July 9, 2022 5:47 PM

7-9-22-MOM BEGGING FOR HELP SINCE 5/18/22-UNWELLNESS IGNORED BY ALL CRIMINAL FIDUCIARIES SINCE APRIL 2021 DEPRIVATION OF CARE

# AFTER 39 MONTHS OF SUFFERING UNDER CONSERVATORSHIP



"THECOBDDALE DEATHTRAP"-ASSISTED LIVING-(FAIRFAX, VA)

**Tuesday, October 3, 2023**  
• **2:20 PM**

[Edit](#)



FAIRFAX HOSPITAL  
3300 Gallows Road  
Fairfax VA 22042-3307  
Inpatient Record

Kapusta, Elaine M  
MRN: 13302576 DOR: [REDACTED] Legal Sex: F  
Adm: 8/2/2024, D/C: 8/2/2024

ED Notes (continued)

ED Provider Notes by Shah, Aman A, MD at 8/2/2024 1:07 PM (continued)

Elaine M Kapusta is a 86 y.o. female with history of A-fib on Eliquis, hypertension and diastolic heart failure who presents to the emergency department via EMS after syncopal episode while at her group home. Patient was noted to go unconscious while sitting at the chair, no seizure-like activity reported. Per EMS, when they got there, the patient was unresponsive but did have a carotid pulse. They noted her to be bradycardic so they attempted pacing after which the patient promptly woke up. The patient's severe dementia precludes further history taking.

Review of Systems:

Review of Systems  
Unable to perform ROS:  
Dementia

Positive and negative  
ROS per above and in  
HPI. All other systems  
reviewed and negative.

Physical Exam:

Triage Vitals: Pulse 78 | BP 110/55 | Resp 12 | SpO2 97 % |  
Temp 97.7 °F (36.5 °C)

Physical Exam

Constitutional:

Appearance: Normal appearance.

HENT:

Head: Normocephalic and atraumatic.

Nose: Nose normal.

Mouth/Throat:

Mouth: Mucous membranes are dry.

Cardiovascular:

Rate and Rhythm: Normal rate. Rhythm irregular.

Pulmonary:

Effort: Pulmonary effort is normal. No respiratory distress.

Breath sounds: Normal breath sounds.

Abdominal:

General: Abdomen is flat.

Tenderness: There is no abdominal tenderness.

Musculoskeletal:

General: No tenderness or signs of injury.

Skin:

General: Skin is warm and dry.

Capillary Refill: Capillary refill takes less than 2 seconds.

Neurological:

General: No focal deficit present.

Mental Status: She is alert. Mental status is at baseline.

She is disoriented.

VIENNA  
MANOR  
CRIMINAL  
ABUSE AND  
NEGLECT

Interpretations, Clinical Decision Tools and Critical Care:

**"THE KAY INITIATIVE" FOR SEEKING STRICT ELDER NEGLECT AND ABUSE CRIMINAL ENFORCEMENT FOR THE MANDATED CRIMINAL INVESTIGATION AND PROSECUTION OF VIRGINIA CRIMINAL LAW § 18.2-369-ELDER CRUELTY-(NEGLECT AND ABUSE AND FINANCIAL EXPLOITATION) AND § 63.2-1606-MANDATED REPORTER LAW TO BE STRICTLY ENFORCED BY THE FAIRFAX COUNTY POLICE AND BY THE ADULT PROTECTIVE SERVICES-(A.P.S.)- ENFORCEMENT DUTY FOR CONDUCTING PROPER AND THOROUGH MANDATED CRIMINAL INVESTIGATIONS FOR SEEKING AN "ORDER OF PROTECTION ON "THE LIFE OF THE ENDANGERED ELDERLY OR INCAPACITATED PERSON BEING IMMEDIATELY REMOVED FROM THE HANDS OF THOSE COMMITTING ELDER CRUELTY CRIMES" FOR THE AUTHORITIES BEING MANDATED IN "SEEKING THE LIFE PROTECTION AND WELFARE OF THE ELDERLY AND THE INCAPACITATED"**

**SEEKING THE TERMINATION OF ALL ASSISTED LIVING FACILITIES COMMITTING NEGLECT AND ABUSE OF GIVING ANTI-PSYCHOTICS AND “THE MANDATED CRIMINAL INVESTIGATION AND PROSECUTION OF ALL PERSONS RESPONSIBLE FOR COMMITTING ELDER CRUELTY CRIMES OF NEGLECT AND ELDER ABUSE”-TO BE IMMEDIATELY REPORTED TO THE AUTHORITIES FOR MANDATED PROPER AND THOROUGH CRIMINAL INVESTIGATIONS.**

**AND FOR ALL ASSISTED LIVING TO BE PERMANENTLY SHUTDOWN FOR ELDER CRUELTY CRIMES VIOLATIONS OF “MEDICAL ABANDONMENT“ AND “MEDICALLY-FORCIBLY DETAINING WITH ANTI-PSYCHOTICS” AND “ISOLATION AND IMPRISONMENT” BEING AGAINST THE WILL AND AGAINST THE BEST INTERESTS OF THE ELDERLY PERSON AND INCAPACITATED PERSON AND THEIR FAMILY.**

**PURPOSE:**

**“THE KAY INITIATIVE”  
SEEKS TO CLOSE  
DANGEROUS  
LOOPHOLES IN  
VIRGINIA LAW,  
ENSURING THAT ALL  
MANDATED**

**REPORTERS ARE HELD  
LEGALLY AND CRIMINALLY  
RESPONSIBLE FOR THE  
LIVES ENTRUSTED TO  
THEM, AND THAT ELDER  
CRUELTY IS MET WITH JAIL  
TIME, MASSIVE FINES FOR  
"THE EGREGIOUS  
DISREGARD OF  
LIFE"-**

**18.2-369-B-C CIVIL violation**

**PERMANENT  
DISQUALIFICATION FROM  
POSITIONS OF TRUST.  
FIDUCIARIES HOLD  
ANOTHER PERSONS "SACRED  
LIFE IN THEIR HANDS!"**

**8/30/25**





Remaster



Live effect



Background

THIS WAS MY MOM-HEALTHY AND HAPPY AND PROSPERING AND HIGHLY FUNCTIONAL AT HOME WITH LYNN KAY LIVING TOGETHER-MOM AND DAUGHTER SINCE 2006 TOGETHER! THIS WAS AT MY MOM'S REQUEST FOR AFTER 21 YEARS FOR LYNN KAY TO MOVE BACK HOME FROM CALIFORNIA, SACRIFICING HER LIFE FOR HER MOM. THE CUCINELLI-GEIGER-WILDHACK-KIRKLAND CRIMINALLY FRAUDULENT PREDATORY CONSERVATORSHIP BEGAN ON 7/31/20! FINANCIAL EXPLOITATION SOON BEGAN IN 2020-2025 LOSING MULTI-MULTI MILLIONS IN THE ESTATE FUNDS BY FIDUCIARIES GROSS FINANCIAL FRAUDULENT ACTS AND IN APRIL 2021, THE CRIMINAL ELDER CRUELTY DEPRIVATION OF CARE BEGAN. IN 2022, THE CRIMINAL FRAUD AND THE JUDICIAL FRAUD AND WRITTEN THREATS TO OUR LIVES WITH A "CRIMINAL TAKEOVER OF OUR LIVES" BEGAN. THE CRIMINAL CONCEALMENTS AND CRIMINAL FABRICATIONS AND FALSIFICATIONS OF DOCUMENTS USED TO COMMIT FRAUDULENT BREACH OF CONTRACT GRAND THEFT LARCENY. OUR LIVES HAVE BEEN DESTROYED FOR 5 YEARS. THE POLICE AND A.P.S. AND THE COURT REFUSES TO CARE ABOUT 13 CRIMES COMMITTED AGAINST MOM AND I FOR 5 YEARS!

Edit

**Monday, November 16,**

**2020 · 2:24 PM**

FACE\_SC\_1605804897986.jpg

/Internal storage/DCIM/!(MOM'S HEALTH)

**11/16/20-THIS WAS MY MOM-  
HEALTHY AND HAPPY AND  
PROSPERING AND HIGHLY  
FUNCTIONAL AT HOME WITH  
LYNN KAY LIVING TOGETHER-**

**MOM AND DAUGHTER SINCE 2006  
TOGETHER! THIS LIVING  
TOGETHER WAS AT MY MOM'S  
REQUEST FOR AFTER 21 YEARS  
FOR LYNN KAY TO MOVE BACK  
HOME FROM CALIFORNIA, FOR  
SACRIFICING HER LIFE FOR HER  
MOM.**

**WITH BOTH OF OUR LIVES NOW  
DESTROYED!**

\*\*\*\*\*

\*FYI: MY MOM'S SON-PHILIP KAPUSTA HAS "CRIMINALLY AIDED AND ABETTED-18.2-18" ALL OF THE "CRIMINAL ELDER CRUELTY CRIMES-18.2-369-B KNOWINGLY \*\*\*SINCE THE 6/7/23 THREAT TO MY LIFE AND HEALTH AND HOME-(SELL 4136 AND EVICT LYNN)-WRITTEN THREAT BY PHILIP KAPUSTA\*\*\*-SIMPLY NOT CARING-ALLOWING BOTH MY MOM AND I AND OUR LIVES TO BE DESTROYED SINCE 2020 UNDER THIS "CRIMINAL PREDATORY CONSERVATORSHIP GUARDIANSHIP CORRUPT AND INHUMANE AND PURE EVIL CARE MANAGEMENT SYSTEM OF DEPRIVATION OF CARE SEEKING FORCED PHYSICAL INCAPACITATION AND DEATH"

\*\*PHILIP KAPUSTA IS "A CLEAR AND PRESENT DANGER TO MOM AND I" AS HE HAS CAUSED THE LAST "8 YEARS NIGHTMARE OF HELL" FOR US SINCE 2017. HE IS A CLEARLY DEFINED BY ACTIONS PSYCHOPATH AND HE NEEDS TO ALSO BE "CRIMINALLY INVESTIGATED AND PROSECUTED FOR HIS ROLE IN 9-5-23-"KNOWINGLY AND WILLFULLY AIDING AND ABETTING ELDER CRUELTY CRIMES"\*\*ALONG WITH ALL FIDUCIARIES AND LAWYERS AND CARE MANAGEMENT WHO HAVE ALL COLLECTIVELY KNOWINGLY AND WILLFULLY ALL "AIDED AND ABETTED IN CRIMINAL ELDER CRUELTY FOR 3 YEARS!"-\*\*SEE 9-5-23 EMAIL INFORMING PHILIP KAPUSTA THAT MY MOM NEEDED MEDICAL HELP AND RECEIVED NONE!-SEE 10-3-23-"BLACK EYE COBBDLE ASSISTED LIVING 9/29/23 INJURY PHOTO.

\*\*\*\*\*