

# HOUSE BILL REPORT

## HB 2379

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**As Reported by House Committee On:**  
Judiciary

**Title:** An act relating to the creation of two elder justice center demonstration programs.

**Brief Description:** Creating two elder justice center demonstration sites.

**Sponsors:** Representatives Moeller, Jinkins and Appleton.

**Brief History:**

**Committee Activity:**

Judiciary: 1/19/16, 1/28/16 [DP].

**Brief Summary of Bill**

- Requires the Department of Social and Health Services to establish two elder justice center demonstration programs, one in Clark County and the other in Spokane County, that coordinate a multidisciplinary approach to the prevention, investigation, prosecution, and treatment of abandonment, abuse, neglect, and financial exploitation of vulnerable adults.

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### HOUSE COMMITTEE ON JUDICIARY

**Majority Report:** Do pass. Signed by 9 members: Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Goodman, Hansen, Kirby, Kuderer, Muri and Orwall.

**Minority Report:** Do not pass. Signed by 4 members: Representatives Shea, Assistant Ranking Minority Member; Haler, Klippert and Stokesbary.

**Staff:** Cece Clynch (786-7195).

**Background:**

Protection of Vulnerable Adults.

The term "vulnerable adult" includes a person who:

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- is 60 years of age or older and has the functional, mental, or physical inability to care for himself or herself;
- is an adult and legally incapacitated;
- is an adult with developmental disabilities; or
- is an adult admitted to certain facilities, or receiving services from certain care agencies or certain individual providers or personal aides.

The Department of Social and Health Services' (DSHS) Adult Protective Services (APS) receives reports of, and investigates, incidents of suspected abandonment, abuse, neglect, and financial exploitation of vulnerable adults. The APS may offer protective services and take steps to facilitate the health and safety of the vulnerable adult. Such steps may include having a case manager work with the vulnerable adult to:

- determine what care services are needed; and
- help the vulnerable adult get those services, such as emergency shelter, food, medical care, counseling, and help moving if it is necessary.

The APS may also report the abuser to law enforcement, assist in obtaining an emergency protective order or an injunction, and make referrals for legal assistance. Additionally, the APS may work with the Office of the Attorney General to have a guardian appointed.

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### **Summary of Bill:**

An "elder justice center" is a senior-focused program that coordinates a multidisciplinary approach to the prevention, investigation, prosecution, and treatment of abandonment, abuse, neglect, and financial exploitation of vulnerable adults.

The DSHS must establish two elder justice center demonstration programs, one in Clark County and the other in Spokane County, and may contract with the counties for the implementation of the programs. These centers must coordinate access to services, including but not limited to:

- adult protective services;
- law enforcement officers;
- a prosecuting attorney;
- a victim advocate; and
- a program coordinator.

Multidisciplinary teams may also include community agencies and systems that are involved with the prevention and response to elder abandonment, abuse, neglect, and financial exploitation.

The county prosecuting attorney, with the assistance of others such as law enforcement, the APS, and local advocacy groups, must develop protocols to address coordination of investigations.

The DSHS must submit reports to the Governor and the Legislature as follows:

- by January 10, 2017, a brief progress report describing the status of implementation;

- by January 10, 2018, an interim report outlining the structure and operation of both centers; and
  - by December 1, 2019, a final report discussing the effectiveness of the elder justice center model in increasing community capacity to prevent and respond to abandonment, abuse, neglect, and financial exploitation of vulnerable adults. This final report must also contain recommendations for modifying or expanding additional demonstration programs.
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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) There is a huge increase in the number of persons over 65 years old. There has also been an increase in elder abuse. This bill would provide for two elder justice centers in two counties that share similarities with one another. Each center will develop protocols and will provide a coordinated approach to prevention, investigation, prosecution, and treatment. It is useful to look at the history of the response to child abuse. Twenty-five years ago there was a fractured response. Since then, a coordinated, cohesive process has been put in place. It is clear that taking a similar approach to elder abuse is the appropriate way to handle these cases. Clark County is seeing greater numbers of cases due to the aging of the county's population. These cases require specialization, co-location, and communication among the police, prosecutors, the DSHS, and the community. Clark County has made strides with its elder justice center.

(Opposed) None.

(Other) The DSHS is involved in three centers, in Clark, Thurston, and Pierce counties. All of these have co-located APS staff with others. The policy behind this bill is supported, but there is concern that the fiscal costs of this are not in the Governor's budget. It is possible that the fiscal note could be reduced by making this more like the existing centers.

**Persons Testifying:** (In support) Representative Moeller, prime sponsor; and Tony Golik, Clark County Prosecutor.

(Other) Bea-Alise Rector, Department of Social and Health Services.

**Persons Signed In To Testify But Not Testifying:** None.