

# SENATE BILL REPORT

## SB 5349

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As Reported by Senate Committee On:  
Health Care, February 13, 2017

**Title:** An act relating to elder justice centers.

**Brief Description:** Concerning elder justice centers.

**Sponsors:** Senators Cleveland, Billig, Rivers, Conway, Keiser, Saldaña, Hasegawa, Frockt and Kuderer.

**Brief History:**

**Committee Activity:** Health Care: 1/31/17, 2/13/17 [DPS-WM].

**Brief Summary of Substitute Bill**

- Requires the Department of Social and Health Services to establish elder justice demonstration programs.
- Requires a final report on the effectiveness of the elder justice center model in responding to abuse of vulnerable adults.

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### SENATE COMMITTEE ON HEALTH CARE

**Majority Report:** That Substitute Senate Bill No. 5349 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Rivers, Chair; Becker, Vice Chair; Cleveland, Ranking Minority Member; Kuderer, Assistant Ranking Minority Member; Bailey, Conway, Fain, Keiser, Miloscia, Mullet, O'Ban and Walsh.

**Staff:** Kathleen Buchli (786-7488)

**Background:** A vulnerable adult is a person 60 years of age or older who lacks the functional, physical, or mental ability to care for himself; an adult with a developmental disability; an adult with a legal guardian; an adult living in a long-term care facility such as an adult family home, boarding home, or nursing home; an adult living in the adult's own or family's home receiving services from an agency or contracted individual provider; or an adult self-directing the adult's own care.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Adult Protective Services (APS), located within the Department of Social and Health Services (DSHS), investigates reports of abandonment, abuse, neglect, and financial exploitation of vulnerable adults. If an investigator determines that abuse of the vulnerable adult has occurred, APS may offer protective services. If abuse is confirmed, APS will take steps to ensure the health and safety of the vulnerable adult. This may include having a case manager work with the vulnerable adult to determine what care services are needed and helping the vulnerable adult get those services—emergency shelter, food, medical care, counseling, or help moving if it is necessary—and follow-up to ensure the vulnerable adult is safe.

APS may report the alleged abuser to law enforcement, help get an emergency protective order, an injunction to allow access to an alleged victim, or a referral for legal assistance. APS may also work with the Attorney General’s Office to appoint a guardian.

**Summary of Bill (First Substitute):** Elder justice centers are senior-focused programs that provide a multidisciplinary approach to the prevention, investigation, prosecution, and treatment of abandonment, abuse, neglect, and financial exploitation of vulnerable adults.

DSHS must coordinate the implementation of an elder justice demonstration program to include establishing them in counties with a population of between 400,000 and 500,000. As part of this coordination, DSHS must contract directly with selected counties to implement the demonstration program with the goal of preventing and investigating accusations of vulnerable adult abandonment, abuse, neglect, and financial exploitation. This includes coordination of services such as APS, law enforcement, prosecuting attorneys, victim advocates, and guardianship program representatives.

DSHS must submit a series of three reports to the Governor and the Legislature, with the first report due January 10, 2018, and the last one due December 1, 2020. The December 1, 2020, report is a final report that will discuss the effectiveness of the elder justice center model in increasing community capacity to prevent and respond to issues relating to vulnerable adult abuse. The final report must also contain recommendations for modifying or expanding additional demonstration programs.

**EFFECT OF CHANGES MADE BY HEALTH CARE COMMITTEE (First Substitute):**

- Removes the names of counties selected for the pilot project and requires that demonstration counties be selected based on population.
- Removes the requirement that DSHS work with the counties under a memorandum of understanding and requires that DSHS contract with the selected counties directly.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Original Bill:** *The committee recommended a different version of the bill than what was heard.* PRO: Too many seniors do not have the benefit of family or friends to help them when they are abused by a family member. Elder abuse is on the rise. This provides a solution to the national disgrace of elder abuse which includes financial abuse. There is an increase in reporting of elder abuse cases but many more go unreported. We support data collection and we need to collect and analyze data related to elder abuse. Investigations of elder abuse are complicated and they need dedicated people to staff these investigations. These investigations must be funded. Elder abuse leads to higher medical costs and more support for victims who may need income support after the abuse. Older people are more dependent on others and this leads to isolation. We see neglect and financial exploitation in cases of elder abuse; people are being manipulated by those people they thought they could trust. People become injured or die as a result of their abuse.

**Persons Testifying:** PRO: Senator Annette Cleveland, Prime Sponsor; Dianna Kretzschmar, Friends of the Elder Justice Center; Abbie Bartlett, Clark County Prosecuting Attorney's Office- Elder Justice Center Prosecutor/Director; Stacie Jesser-Westerdahl, Prestige Care and Friends of the Elder Justice Center.

**Persons Signed In To Testify But Not Testifying:** No one.