

HCS SS SB 619 -- INVESTIGATIONS OF ELDER ABUSE

SPONSOR: Wallingford

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Children and Families by a vote of 10 to 1. Voted "Do Pass" by the Select Committee on Social Services by a vote of 9 to 0.

This bill requires a person from the Department of Health and Senior Services who is responding to or investigating a report of elder abuse to provide the alleged perpetrator, if he or she is present during a visit, with written material informing him or her of his or her rights regarding such visit, including but not limited to the right to contact an attorney. The department investigator shall give the alleged perpetrator time to read the materials or read the materials to him or her if necessary. Additionally, the department shall make these written materials available to the public at all times on the department's website.

PROPONENTS: Supporters say that the bill deals with investigation of elder abuse or neglect by the department. An investigation is initiated via a hotline call. The bill requires the department to provide their policies to the alleged perpetrator of the abuse or neglect. The Childrens' Division uses a similar process for child abuse and neglect investigations and it has improved their interactions.

Testifying for the bill was Senator Wallingford.

OPPONENTS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say the department's staff often go to investigate on their own without law enforcement unless there is reason to believe the situation might be dangerous or there is a potential for harm to victim. When the department receives a hotline call they first call the reporter and then meet with the individual who was hotlined regarding the allegations to see what is actually occurring and what resources might be needed. As the language is currently written the department believes they have to tell the individual that they believe he or she is the alleged perpetrator of abuse or neglect of an elderly person. The department does not have authority to remove someone from the home; they must use law enforcement to remove someone.

Testifying on the bill were Bobbi Jo Garber, Division of Senior and Disability Services, Missouri Department of Health and Senior Services and Steven Alan Ramsey, Missouri Department of Health and Senior Services.