

Legislative Analysis



INVESTIGATIVE PROTOCOLS FOR VULNERABLE ADULTS

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Senate Bill 464 (Substitute S-2)
Sponsor: Sen. Tonya Schuitmaker
House Committee: Families, Children, and Seniors
Senate Committee: Families and Human Services
Complete to 4-30-12

A SUMMARY OF SENATE BILL 464 AS PASSED BY THE SENATE 11-2-2011

Currently, within 24 hours after receiving a report of abuse, neglect, or exploitation, a county department of human services must begin an investigation to determine whether the person suspected of being the victim is an adult in need of protective services. At the request of the county department, local law enforcement officers must cooperate in an investigation of suspected abuse. The investigation must include, among other things, a determination of the nature, extent, and cause of the abuse, and must include an interview with the adult. Senate Bill 464 would require that this be an "in-person" interview with the adult in the adult's home or at the county DHS office. The bill eliminates language that permits an interview by telephone or other available means. It amends Section 11b of the Social Welfare Act (MCL 400.11b).

Senate Bill 464 would also amend Section 11b to require representatives from the departments of Human Services, State Police, Attorney General, and the Office of Services to the Aging, and an individual who is a representative of long term care providers and is designated by the state Attorney General, to meet and develop a state model protocol for the investigation of vulnerable adult abuse cases. The state protocol would have to be developed within one year after the bill takes effect. A county prosecuting attorney, in cooperation with the local county DHS department and local law enforcement agencies, could adopt a local protocol for the investigation of vulnerable adult abuse cases that is based on the state model.

FISCAL IMPACT:

The development of a statewide protocol for investigating vulnerable adult abuse cases could have a minimal fiscal impact related to training costs associated with any changes made to current protocol.

The requirement that the investigation includes a face-to-face interview codifies current DHS policy and would have no fiscal impact. DHS policy requires either in-person or phone contact within 24 hours with the adult or other collateral contact and requires a face-to-face interview with the adult within 72 hours.

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