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Senate Bill 464 (Substitute S-2 as reported)
Sponsor: Senator Tonya Schuitmaker
Committee: Families and Human Services

CONTENT

The bill would amend the Social Welfare Act to do the following:

- Require an investigation of vulnerable adult abuse to include an in-person interview with the adult suspected of being abused, neglected, or exploited.
- Require representatives from certain entities to develop a State model protocol for the investigation of vulnerable adult abuse cases.
- Allow a county prosecuting attorney to adopt a local protocol based on the State model.

The Act requires certain individuals, including health care providers, mental health professionals, and law enforcement officers, to report to the county department of human services (DHS) when they suspect or have reason to believe that an adult has been abused, neglected, or exploited. Within 24 hours after receiving a report, the county DHS must commence an investigation to determine whether the person is an adult in need of protective services (i.e., a vulnerable person who is at least 18 years old who is suspected of being or believed to be abused, neglected, or exploited). The investigation must include an interview with the adult by a personal visit, a telephone conversation, or other means. Under the bill, the interview would have to be conducted in person, in the adult's home or at the county DHS office.

Within one year after the bill took effect, a representative from the State DHS, the Michigan State Police, the Department of Attorney General, and the Office of Services to the Aging, and an individual who represented long-term care providers and was designated by the Attorney General, would have to develop a State model protocol for the investigation of vulnerable adult abuse cases. A county prosecuting attorney, in cooperation with the local county DHS and local law enforcement agencies, could adopt a local protocol that was based on the State model protocol.

MCL 400.11b

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The Adult Services Manual provides a policy and procedure by which the Department of Human Services coordinates with the agencies mentioned above to investigate adult abuse cases. Any potential fiscal impact would depend on the degree of change that would be required to develop a model protocol. The requirement to conduct an in-person interview with any adult suspected of being abused, neglected, or exploited is already part of Department policy, and therefore would not result in additional costs to the State. The bill would not have a fiscal impact on local units of government.

Date Completed: 10-20-11

Fiscal Analyst: Frances Carley