



S.B. 13-111 CONCERNING ABUSE OF AT-RISK ADULTS Senator Hudak, Representatives Schafer & Stephens

- Colorado is one of just three states that do not require reporting of elder mistreatment. The bill is based on recommendations made by the Elder Abuse Task Force, which was created by S.B. 12-078.
- S.B. 13-111 would require specified professionals and individuals to report to law enforcement instances of suspected abuse (physical and sexual), caretaker neglect, and exploitation of at-risk elders (age 70+).
- S.B. 13-111 also addresses the need to improve accountability and funding for investigations and protective services so that the *right* services will be available at the *right* time to help ensure at-risk elders' safety and well-being.

Summary of S.B. 13-111

- In its legislative declaration, S.B. 13-111 addresses a number of issues necessary for an effective protective services system: reducing average caseload ratios from 34:1 to 25:1; providing needed emergency and protective services; creating a new data management system for Adult Protective Services (APS) to improve efficiency and accountability; establishing task forces to study the need for a public guardianship and conservatorship program and to develop recommendations for combating financial exploitation.
- The bill defines an "at-risk elder" in the criminal statute as a person age 70 or older.
- Those who are included as mandatory reporters include: health care providers, judicial, law enforcement, probate-related professions, behavioral health and social work professionals, clergy, fire protection personnel, personnel of financial institutions, staff of Community-Centered Boards, and staff and volunteers of licensed or certified health care facilities or agencies.
- The bill specifies that effective July 1, 2014 reports of suspected elder abuse should be made to law enforcement. Law enforcement would be required to forward all reports to county protective services programs within 24 hours to ensure that needed protective services are provided concurrent with the criminal investigation.
- S.B. 13-111 establishes a new section in Title 18 to facilitate criminal prosecutions of alleged perpetrators.
- The bill requires training, education and outreach for county APS staff, law enforcement, mandatory reporters, and the general public.
- Accountability and transparency to the public and General Assembly are required through a report from the Department of Human Services on the implementation and outcomes of the program on or before December 31, 2016.
- The bill does not affect the current APS statute in Title 26 (except for language to align Titles 18 and 26), which provides for continued "urged" reporting of mistreatment, exploitation, and self-neglect of an at-risk adult age 18 and over by the same group of reporters specified in the criminal code for at-risk elders.

Partners:

Colorado Office of the Attorney General, Colorado Department of Human Services, AARP CO., Bell Policy Center, Colorado Counties, Inc. (conditional - based on secured funding for reductions to current caseload), Communities Against Senior Exploitation, Emergency Medical Services Association of Colorado, Home Care Association of America (formerly NPDA Colo), Legal Center for People with Disabilities and Older People, Meyer Law Firm P.C. - Charles Carter, National Association of Social Workers - Colorado Chapter, National Private Duty Association, Seniors' Resource Center

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