



MEMBERS:
SENATOR ROCCA,
MAJORITY VICE CHAIR
SENATOR NOFS
SENATOR GREGORY,
MINORITY VICE CHAIR

STATE OF MICHIGAN
THE SENATE
FAMILIES, SENIORS, AND
HUMAN SERVICES
COMMITTEE

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SENATOR JUDY EMMONS, CHAIR

MINUTES

A meeting of the Senate Families, Seniors, and Human Services Committee was held on Wednesday, September 28, 2011, at 3:00 p.m. in the Farnum Building, Room 210.

Attendance was recorded as follows:

Present: Emmons (C), Rocca, Nofs, Gregory

Absent: None

Senator Emmons announced the order of business:

- SB 454 Sen. Nofs - Civil procedure; evidence; testimony of a vulnerable adult; allow to be presented by videotape or closed-circuit television.
- SB 455 Sen. Rocca - Criminal procedure; sentencing guidelines; sentencing guidelines for certain fraud violations; revise.
- SB 459 Sen. Emmons - Crimes; embezzlement; crime of obtaining signature by fraud and penalties for financial exploitation of vulnerable adults; increase under certain circumstances.
- SB 465 Sen. Hildenbrand - Criminal procedure; sentencing guidelines; sentencing guidelines for crime of financial exploitation of vulnerable adult; revise to reflect increased penalties.
- SB 466 Sen. Schuitmaker - Law enforcement; reports; senior medical alert program; provide for.
- SB 468 Sen. Hansen - Criminal procedure; arrests; complainant's signature requirement to file a criminal complaint in cases alleging vulnerable adult abuse; prohibit magistrate from refusing to accept complaint because signed upon information and belief by individual other than the victim.
- HB 4721 Rep. Bumstead - Human services; other; information sharing between human services and state police; provide for.

(Testimony only)

- SB 457 Sen. Colbeck - Counties; employees and officers; county medical examiner to establish an elder death review team; allow.
- SB 461 Sen. Schuitmaker - Probate; guardians and conservators; miscellaneous provisions in EPIC regarding legally incapacitated and other protected and vulnerable individuals; revise.
- SB 462 Sen. Bieda - Health facilities; nursing homes; reporting requirements for abuse or neglect in nursing homes; modify.
- SB 464 Sen. Schuitmaker - Criminal procedure; other; development of investigative protocols and abuse and neglect interview protocols for vulnerable adults; require by certain local agencies.

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Senator Rocca motioned, supported by Senator Nofs to adopt the minutes of September 14, 2011 and September 22, 2011.

Without objection, the motion prevailed by unanimous voice.

Senator Emmons gave opening remarks regarding the legislative bill package referred to as elder abuse legislation.

Senator Schuitmaker gave verbal testimony explaining the elder abuse legislation and the Senate Substitutes.

Senator Schuitmaker then answered questions from committee members.

Senator Bieda gave verbal testimony explaining the elder abuse legislation and the Senate Substitutes. Senator Bieda then answered questions from committee members.

Senator Bieda then answered questions from committee members.

Senator Nofs gave verbal testimony explaining the amendments to SB466.

The following individuals submitted testimony cards in support of the elder abuse legislation but did not wish to speak:

Kristin Cahill, representing the Area Agencies on Aging (AAA 1-B) (all bills in package)

Robert Fox, representing the Area Agencies on Aging (AAA 1-B) (all bills)

Mary Ablan, representing the Area Agencies on Aging (AAA) (all bills)

Stephanie Winslow, representing the Aging Services of Michigan (all bills)

Sara Wich, representing MSAC (all bills)

Melissa Samuel, representing Health Care Association of Michigan (all bills)

Kate White, representing Elder Law of Michigan (all bills)

Alan Cropsey & Rick Adams, representing the Attorney General Bill Schuette (all bills)

Glen Junior Love, representing the Council on Aging (all bills)

Dave Worthams, representing the Michigan Association of Bankers

(SB455, SB459 – support; SB461 – neutral)

Felicia Wasson, representing AARP (SB466 – neutral; support all others)

Ben Bodkin, representing the Michigan County Medical Care Facilities Council (SB457, SB462)

Bill Kandler, representing the Michigan Probate Judges Association (SB461)

Karyn Ferrick, representing the Department of Human Services submitted a testimony card in support of the concept of the elder abuse package and in support of HB4721 but did not wish to speak.

Ann Lanford, representing the Area Agency on Aging 1-B, gave both verbal and written testimony in support of the elder abuse legislation.

Paula Zimmer, representing Oakland County SAVE gave verbal testimony in support of the elder abuse legislation.

Senator Rocca motioned, supported by Senator Nofs, that the committee adopt the Senate Substitute S-1 to SB454.

Yeas: Emmons, Rocca, Nofs, Gregory

Nays: None

The motion prevailed.

Senator Rocca motioned, supported by Senator Gregory, that the committee report SB454 S-1 with recommendation.

Yeas: Emmons, Rocca, Nofs, Gregory

Nays: None

The motion prevailed.

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Senator Rocca motioned, supported by Senator Nofs that the committee recommend immediate effect to SB454 S-1.

Without objection, the motion prevailed by unanimous voice.

Senator Gregory motioned, supported by Senator Nofs, that the committee adopt the Senate Substitute S-2 to SB455.

Yeas: Emmons, Rocca, Nofs, Gregory

Nays: None

The motion prevailed.

Senator Gregory motioned, supported by Senator Nofs, that the committee report SB455 S-2 with recommendation.

Yeas: Emmons, Rocca, Nofs, Gregory

Nays: None

The motion prevailed.

Senator Rocca motioned, supported by Senator Nofs that the committee recommend immediate effect to SB455 S-2.

Without objection, the motion prevailed by unanimous voice.

Senator Nofs motioned, supported by Senator Rocca, that the committee report SB459 with recommendation.

Yeas: Emmons, Rocca, Nofs, Gregory

Nays: None

The motion prevailed.

Senator Gregory motioned, supported by Senator Rocca that the committee recommend immediate effect to SB459.

Without objection, the motion prevailed by unanimous voice.

Senator Rocca motioned, supported by Senator Nofs, that the committee adopt the Senate Substitute S-2 to SB465.

Yeas: Emmons, Rocca, Nofs, Gregory

Nays: None

The motion prevailed.

Senator Rocca motioned, supported by Senator Nofs, that the committee report SB465 S-2 with recommendation.

Yeas: Emmons, Rocca, Nofs, Gregory

Nays: None

The motion prevailed.

Senator Rocca motioned, supported by Senator Nofs that the committee recommend immediate effect to SB465 S-2.

Without objection, the motion prevailed by unanimous voice.

Senator Rocca motioned, supported by Senator Nofs, that the committee adopt Amendment #1 to SB466.

Yeas: Emmons, Rocca, Nofs, Gregory

Nays: None

The motion prevailed.

Senator Rocca motioned, supported by Senator Nofs, that the committee adopt Amendment #2 to SB466.

Yeas: Emmons, Rocca, Nofs, Gregory

Nays: None

The motion prevailed.

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Senator Nofs motioned, supported by Senator Gregory, that the committee report with recommendation SB466 as amended as a clean substitute.

Yeas: Emmons, Rocca, Nofs, Gregory

Nays: None

The motion prevailed.

Senator Rocca motioned, supported by Senator Nofs that the committee recommend immediate effect to SB466 as amended as a clean substitute.

Without objection, the motion prevailed by unanimous voice.

Senator Rocca motioned, supported by Senator Nofs, that the committee report with recommendation SB468.

Yeas: Emmons, Rocca, Nofs, Gregory

Nays: None

The motion prevailed.

Senator Gregory motioned, supported by Senator Nofs that the committee recommend immediate effect to SB468.

Without objection, the motion prevailed by unanimous voice.

Senator Rocca motioned, supported by Senator Gregory, that the committee report with recommendation HB4721.

Yeas: Emmons, Rocca, Nofs, Gregory

Nays: None

The motion prevailed.

Senator Gregory motioned, supported by Senator Rocca that the committee recommend immediate effect to HB4721.

Without objection, the motion prevailed by unanimous voice.

Being no further business before the Committee, Senator Emmons adjourned the meeting without objection at 3:25 p.m.

Respectfully submitted,

Date approved by the Committee: October 19, 2011

(An audio recording of this committee meeting is available upon request for a minimal fee.)