

Legislative Analysis



INVESTIGATIVE PROTOCOLS FOR VULNERABLE ADULTS

Mitchell Bean, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 5210 (Substitute H-2)
Sponsor: Rep. Dian Slavens
Committee: Senior Health, Security, and Retirement

Complete to 8-20-09

A SUMMARY OF HOUSE BILL 5210 AS REPORTED FROM COMMITTEE 8-19-09

Currently, within 24 hours after receiving a report of abuse, neglect, or exploitation, the county department of human services must begin an investigation to determine whether the person suspected of being abused is an adult in need of protective services. Upon request of the county department, local law enforcement officers are required to 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.

House Bill 5210 would amend Section 11b of the Social Welfare Act (MCL 400.11b) to require that representatives from the departments of Human Services, State Police, Attorney General, and the Office of Services to the Aging meet and develop a state model protocol for the investigation of vulnerable adult abuse cases. The state protocol would have to be developed within 120 days after this amendatory act takes effect. Any county prosecuting attorney, in cooperation with the local county 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.

Definition of Vulnerable Adult. As defined in the Michigan Penal Code, a vulnerable adult, generally speaking, is (1) an individual age 18 or over who, because of age, developmental disability, mental illness, or physical disability requires supervision or personal care or lacks the personal and social skills required to live independently; (2) an individual unable to protect himself or herself from abuse, neglect, or exploitation because of a mental or physical impairment or because of advanced age; or (3) a child placed in an adult foster care family home or an adult foster care small group home with the approval of the Department of Human Services.

FISCAL IMPACT:

The bill could create a minor administrative cost to the Department of Human Services associated with implementing standard vulnerable adult abuse and neglect investigation and interview protocols.

POSITIONS:

The Office of Services to the Aging supports the bill. (8-19-09)

AARP supports the bill. (8-19-09)

Legislative Analyst: E. Best
Fiscal Analyst: Bob Schneider
Kevin Koorstra

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.