

A-Engrossed
House Bill 2325

Ordered by the House April 19
Including House Amendments dated April 19

Sponsored by Representative BARKER; Representatives DEMBROW, J SMITH, TOMEI (at the request of former Representative Chuck Riley) (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[Modifies elder abuse investigation procedures where suspicious physical injury exists.]

Creates Oregon Elder Abuse Task Force for purpose of studying and making legislative recommendations related to elder abuse. Requires task force to submit report to interim committees of Legislative Assembly related to provision of services to elderly persons and investigation of elder abuse no later than January 15, 2012. Sunsets task force February 29, 2012.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to elder abuse investigations; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) There is created the Oregon Elder Abuse Task Force consisting of 14**
5 **members appointed as follows:**

6 (a) **The President of the Senate shall appoint two members from among members of the**
7 **Senate who shall cease being members of the task force upon ceasing to be members of the**
8 **Legislative Assembly.**

9 (b) **The Speaker of the House of Representatives shall appoint two members from among**
10 **members of the House of Representatives who shall cease being members of the task force**
11 **upon ceasing to be members of the Legislative Assembly.**

12 (c) **The Governor shall appoint seven members as follows:**

13 (A) **The Long Term Care Ombudsman appointed under ORS 441.103;**

14 (B) **Two members representing long term care providers for elderly persons;**

15 (C) **Two members representing law enforcement agencies, one of whom shall be a repre-**
16 **sentative from the Oregon District Attorneys Association and one of whom shall be a rep-**
17 **resentative from a local law enforcement agency with expertise in investigating elder abuse;**
18 **and**

19 (D) **Two members representing consumers who are elderly persons.**

20 (d) **The chairperson of the Governor's Commission on Senior Services created under ORS**
21 **410.320 shall appoint one member.**

22 (e) **The Director of Human Services shall appoint two members as follows:**

23 (A) **One member with expertise in elder abuse services and investigations; and**

24 (B) **One member representing the office or department within the Department of Human**
25 **Services that performs criminal background checks of individuals providing services to el-**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **derly persons or conducting elder abuse investigations.**

2 **(2) The task force shall have its first meeting on or before the later of 30 days after**
3 **adjournment sine die of the 2011 regular session of the Seventy-sixth Legislative Assembly**
4 **or September 30, 2011.**

5 **(3) The task force shall study and make recommendations on:**

6 **(a) The definition of elder abuse.**

7 **(b) The criminal background check system and its role in prevention and investigation**
8 **of elder abuse.**

9 **(c) The process involved in conducting elder abuse investigations.**

10 **(d) Elder abuse data reporting systems.**

11 **(e) Reports to the Legislative Assembly.**

12 **(f) Information that could be made available to the public regarding elder abuse and in-**
13 **vestigations of elder abuse.**

14 **(4) The task force shall prepare a detailed assessment of the costs to implement the task**
15 **force's recommendations. The assessment must address both current and future needs in**
16 **providing elder abuse prevention and investigation services. Each agency or organization**
17 **with a member on the task force shall cooperate with the task force in assessing and iden-**
18 **tifying the costs of complying with the task force's recommendations.**

19 **(5) A majority of the members of the task force constitutes a quorum for the transaction**
20 **of business.**

21 **(6) Official action by the task force requires the approval of a majority of the members**
22 **of the task force.**

23 **(7) The task force shall elect one of its members to serve as chairperson.**

24 **(8) If there is a vacancy for any cause, the appointing authority shall make an appoint-**
25 **ment to become immediately effective.**

26 **(9) The task force shall meet at times and places specified by the call of the chairperson**
27 **or of a majority of the members of the task force.**

28 **(10) The task force may adopt rules necessary for the operation of the task force.**

29 **(11) The task force shall make a report, and may include recommendations for legis-**
30 **lation, to interim committees of the Legislative Assembly related to the provision of services**
31 **to elderly persons and investigation of elder abuse no later than January 15, 2012.**

32 **(12) The task force may accept donations of staff support, office space and equipment**
33 **from advocacy or service provider organizations to assist the task force in the performance**
34 **of its functions.**

35 **(13) Notwithstanding ORS 171.072, members of the task force who are members of the**
36 **Legislative Assembly are not entitled to mileage expenses or a per diem and serve as volun-**
37 **teers on the task force. Other members of the task force are not entitled to compensation**
38 **or reimbursement for expenses and serve as volunteers on the task force.**

39 **(14) All agencies of state government as defined in ORS 174.111 are directed to assist the**
40 **task force in the performance of its duties and, to the extent permitted by laws relating to**
41 **confidentiality, to furnish such information and advice as the members of the task force**
42 **consider necessary to perform their duties.**

43 **SECTION 2. Section 1 of this 2011 Act is repealed on February 29, 2012.**

44 **SECTION 3. This 2011 Act being necessary for the immediate preservation of the public**
45 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**

1 **on its passage.**

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