

CS FOR SENATE BILL NO. 3 (JUDICIARY)

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 3/29/91

Referred: Rules

Sponsor(s): SENATORS KERTTULA, Rodey, Uehling, Sturgulewski

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to protection of elderly persons from harm."

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

3 * Section 1. AS 47.24.020(a) is amended to read:

4 (a) Upon receiving a report of harm, the department shall promptly initiate an
5 investigation to determine the economic or physical condition of the elderly person named in the
6 report and whether action or services are needed for the protection of the elderly person. The
7 department or its designee shall personally interview the elderly person during the investigation
8 unless the elderly person is unconscious or otherwise physically or mentally impaired to such an
9 extent as to be unable to respond to questions.

10 * Sec. 2. AS 47.24.020(c) is amended to read:

11 (c) The department shall immediately terminate an investigation under this section upon
12 the request of an elderly person who is the subject of a report of harm, except that the
13 department may not terminate an investigation at any time until after the department or
14 its designee has conducted a face-to-face interview with the elderly person who is the subject

1 of the report of harm. However, if the department has reasonable cause to believe that the
2 elderly person is incapacitated, the department may petition the superior court under AS 13.26
3 for appointment of a guardian or temporary guardian for the elderly person for the purpose of
4 obtaining consent to continue the investigation.