

SB

57

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 3/29/99

FURTHER:

DATE TURNED
IN TO OFFICE: 4/07/99

Finance Committee considered SENATE BILL NO. 57

"An Act relating to vulnerable adults; and providing for an effective date."

and recommends:

- be replaced with _____ CS — SB 57
- adopt previous _____ CS —
- attached amendment(s) _____
- adopt Letter of Intent by _____
- further referral to the _____

- Senate Bill:
 - same title
 - new title
- House Bill:
 - same title
 - technical title
 - new: SCR# _____

forthcoming
CS

— (FIN) —
— () —

| SIGNING DO PASS | DP | OTHER RECOMMENDATIONS | NR | DNP | AM |
|------------------------------|----|-----------------------|----|-----|----|
| <i>[Signature]</i> | ✓ | <i>[Signature]</i> | ✓ | | |
| <i>[Signature]</i> | ✓ | | | | |
| <i>[Signature]</i> | X | | | | |
| <i>[Signature]</i> | ✓ | | | | |
| <i>[Signature]</i> | ✓ | | | | |
| <i>[Signature]</i> | ✓ | | | | |
| <i>[Signature]</i> | ✓ | | | | |
| Co-Chair: <i>[Signature]</i> | ✓ | Co-Chair: | | | |
| Co-Chair: <i>[Signature]</i> | ✓ | Co-Chair: | | | |

NEW FISCAL NOTE(S):

| Department | Date | Zero | Fiscal |
|------------|------|------|--------|
| | | | |
| | | | |
| | | | |
| | | | |
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| | | | |

PREVIOUS FISCAL NOTE(S):*

| Department | Date | Zero | Fiscal |
|---------------------|--------|------|--------|
| Admin. Senior Svcs. | 4/2/99 | Ø | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

4/7/99

FISCAL NOTE

STATE OF ALASKA
1999 LEGISLATIVE SESSION

No. 2
Bill Version: CSSB 57 (JUD)
(S) Publish Date: 4-6-99

Revision Date: 4/1/99
Title: "An act relating to vulnerable adults"

Department Affected: Administration
BRU: Senior Services
Component: Protection, Community Services, Administration

Sponsor: Health, Education & Social Services
Requestor: (S) JUD

COMPONENT SERIAL NO. 2083

EXPENDITURES/REVENUES:

(Thousands of Dollars)

| OPERATING EXPENDITURES | FY 2000 | FY 2001 | FY 2002 | FY 2003 | FY 2004 | FY 2005 |
|------------------------|------------|------------|------------|------------|------------|------------|
| PERSONAL SERVICES | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

| | | | | | | |
|----------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES | | | | | | |
|----------------------|--|--|--|--|--|--|

| | | | | | | |
|------------------------|--|--|--|--|--|--|
| CHANGE IN REVENUES () | | | | | | |
|------------------------|--|--|--|--|--|--|

FUND SOURCE:

(Thousands of Dollars)

| | | | | | | |
|--------------------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | | | | | | |
| 1005 GF/Program Receipts | | | | | | |
| 1037 GF/Mental Health | | | | | | |
| OTHER | | | | | | |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimate of any current year (FY 97) cost: \$ _____

POSITIONS:

| | | | | | | |
|-----------|--|--|--|--|--|--|
| FULL-TIME | | | | | | |
| PART-TIME | | | | | | |
| TEMPORARY | | | | | | |

ANALYSIS: (Attach a separate page if necessary.)

This bill will have no fiscal impact on the Department of Administration.

SB 57 increases the department's legal authority to protect vulnerable adults from harm perpetrated by guardians, attorneys-in-fact, or surrogate decision makers by making changes and additions to AS 47.24.015 (c), .019 (a), .019 (c), and .050 (b). The amended language in these sections includes the additions of the terms "guardians, attorneys-in-fact, or surrogate decision makers" as possible perpetrators of harm. Additional amended language gives the department clear authority to petition for a "change of guardian." The amended language also gives the department authority to not disclose a report of harm to "guardians, attorneys-in-fact, or surrogate decision makers" who are alleged perpetrators who are being investigated as such.

Prepared by: Jane Demmert
Division: Senior Services

Phone: (907)269-3674
Date: _____

Approved by Commissioner: Robert Poe Jr.
Agency: Department of Administration

Date: 4/12/99

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FISCAL NOTE

1999 LEGISLATIVE SESSION

BILL: CSSB 57(JUD)

ANALYSIS: (continued)

2) It provides for the Alaska Commission on Aging to annually contract with the State Ombudsman to operate the Long Term Care Ombudsman function. The Alaska Commission on Aging will initiate an annual RSA to the State Ombudsman for up to \$213,016: this provides for continuation at FY 99 functional levels. Incorporated are costs for 1) salaries and benefits for three present employees; 2) travel; 3) contractual including IT support, utilities, space for fee of 4 (includes one office area for housing p-t Senior Employment workers) at current state space allocation rates calculated at current lease rates, membership dues, conference registrations, etc.

CS FOR SENATE BILL NO. 57(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:

Referred:

Sponsor(s): SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to vulnerable adults; and providing for an effective date."
 (deleted lines 1-3)

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

3 * Section 1. AS 47.24.015(c) is amended to read:
 (deleted old sec. 1 thru 14)

4 (c) The department, or its designee, shall immediately terminate an
 5 investigation under this section upon the request of the vulnerable adult who is the
 6 subject of the report made under AS 47.24.010 unless [. HOWEVER, IF] the
 7 investigation to that point has resulted in probable [REASONABLE] cause to believe
 8 that the vulnerable adult is in need of protective services, the request is made
 9 personally by the vulnerable adult and the vulnerable adult is not competent to
 10 make the request on the adult's own behalf, or the request is made by the
 11 vulnerable adult's guardian, attorney-in-fact, or surrogate decision maker and
 12 that person is the alleged perpetrator of the abandonment, exploitation, abuse, or
 13 neglect of the vulnerable adult and is being investigated under this chapter. If the
 14 department has probable cause to believe that the vulnerable adult is in need of
 15 protective services.

1 (1) the department may petition the court as set out in AS 47.24.019;
2 or

3 (2) the department or its designee may refer the report made to the
4 department under AS 47.24.010 to a police officer for criminal investigation.

5 * Sec. 2. AS 47.24.019(a) is amended to read:

6 (a) If, after investigation under AS 47.24.015, the department has reasonable
7 cause to believe that a vulnerable adult is in need of protective services and is an
8 incapacitated person, the department may petition the court under AS 13.26 for
9 appointment of a guardian or temporary guardian, or for a change of guardian, for
10 the vulnerable adult for the purpose of deciding whether to consent to the receipt of
11 protective services for the vulnerable adult.

12 * Sec. 3. AS 47.24.019(c) is amended to read:

13 (c) If a vulnerable adult who has consented to receive protective services, or
14 on whose behalf consent to receive protective services has been given, is prevented by
15 a caregiver, guardian, attorney-in-fact, or surrogate decision maker from receiving
16 those services, the department may [ASSIST THE VULNERABLE ADULT OR THE
17 PERSON WHO CONSENTED TO THE VULNERABLE ADULT'S RECEIPT OF
18 THE SERVICES TO] petition the superior court for an injunction restraining the
19 caregiver, guardian, attorney-in-fact, or surrogate decision maker from interfering
20 with the provision of protective services to the vulnerable adult.

21 * Sec. 4. AS 47.24.050(b) is amended to read:

22 (b) The department shall disclose a report of the abandonment, exploitation,
23 abuse, neglect, or self-neglect of a vulnerable adult if the vulnerable adult who is the
24 subject of the report or the vulnerable adult's guardian, attorney-in-fact, or
25 surrogate decision maker consents in writing. The department may not disclose
26 a report of the abandonment, exploitation, abuse, neglect, or self-neglect of a
27 vulnerable adult to the vulnerable adult's guardian, attorney-in-fact, or surrogate
28 decision maker if that person is an alleged perpetrator of the abandonment,
29 exploitation, abuse, or neglect of the vulnerable adult and is being investigated
30 under this chapter. The department shall, upon request, disclose the number of
31 verified reports of abandonment, exploitation, abuse, neglect, or self-neglect of a

- 1 vulnerable adult that occurred at an institution that provides care for vulnerable adults
 2 or that were the result of actions or inactions of a public home care provider.
 3 *(old sec. 19 deleted)* *(secs. 15-18 of deleted)*
 4 * **Sec. 5. TRANSITION.** A department affected by this Act may proceed to adopt
 5 regulations necessary to implement this Act. Regulations to implement a provision of this Act
 6 take effect under AS 44.62 (Administrative Procedure Act), but not before the effective date
 7 of sec. 1 of this Act. *(sec. 15 deleted)*
- * **Sec. 6.** Section 5 of this Act takes effect immediately under AS 01.10.070(c).
(old sec. 23 deleted)

SENATE FINANCE
COMMITTEE
Amendment Number: 2
Bill Number: CS SB 57 (JUD)
Sponsor: Green Date: 4/6/99
Logged In By: Mindy
A M E N D M E N T

1-LS01351G.2
Lauterbach
4/6/99

OFFERED IN THE SENATE
TO: CSSB 57(JUD)

moved by Sen. Green
object Sen. Torgerson
withdrawn
w/o obj ADOPTED

- 1 Page 1, lines 1 - 3:
- 2 Delete "and to the functions of the office of the state long term care ombudsman
- 3 on behalf of vulnerable adults and senior citizens"

- 4 Page 1, line 5, through page 5, line 21:
- 5 Delete all material.

- 6 Page 5, line 22:
- 7 Delete "Sec. 15"
- 8 Insert "Section 1"

- 9 Renumber the following bill sections accordingly.

- 10 Page 7, lines 4 - 13:
- 11 Delete all material.

- 12 Renumber the following bill sections accordingly.

- 13 Page 7, line 14:
- 14 Delete "secs. 15 - 18 of"

- 15 Page 7, line 15:
- 16 Delete "secs. 15 - 18 of"

- 17 Page 7, line 16:

1 Delete "secs. 15 - 18 of"

2 Page 7, line 17:

3 Delete "sec. 15"

4 Insert "sec. 1"

5 Page 7, line 18:

6 Delete "Section 21"

7 Insert "Section 5"

8 Page 7, line 19:

9 Delete all material.

SENATE FINANCE
COMMITTEE

1-LS0135\G.1
Lauterbach ✓
4/5/99

Adopted

Amendment Number: 1

Bill Number: CSSB 57 (JUD)

Sponsor: Wilken Date: 4/6/99

A M E N D M E N T In By: Mindy

OFFERED IN THE SENATE

BY SENATOR WILKEN

TO: CSSB 57(JUD)

1 Page 5, line 31:

2 Delete "abuse"

3 Insert "the abandonment, exploitation, abuse, or neglect of the vulnerable adult"

4 Page 6, line 30:

5 Delete "abuse"

6 Insert "the abandonment, exploitation, abuse, or neglect of the vulnerable adult"

SENATE FINANCE COMMITTEE
1999 COMMITTEE ACTION

| | |
|-----------------------------------|--------------------|
| Bill Number | 1 |
| Amendment | SB 57 |
| Motion | f/dopt |
| <u>Motion by</u> | Wilken |
| <u>Objection</u> | |
| <u>Objection by</u> | Torgerson |
| <u>Removed</u> | J |
| <u>Second Objection by</u> | |
| <u>Committee Member</u> | <u>Vote</u> |
| Senator Al Adams | |
| Senator Gary Wilken | |
| Senator Pete Kelly | |
| Senator Lyda Green | |
| Senator Randy Phillips | |
| Senator Dave Donley | |
| Senator Loren Leman | |
| Co-Chair Sean Parnell | |
| Co-Chair John Torgerson | |
| | |
| <u>Tally</u> | |
| Yea | 0 |
| Nay | 0 |
| Absent | 0 |
| | |
| <u>MOTION</u> | w/out object |

**Testimony regarding CS for SB 57
"An act relating to vulnerable adults"
for Senate Finance Hearing Tuesday 4/6/99 6PM**

**by
Dwight Becker, Program Coordinator
Adult Protective Services Division of Senior Services, Department of
Administration**

Adult protective services supports SB 57. In addition, we do not believe this bill will have any fiscal impact on the Department of Administration. This analysis speaks specifically to the changes indicated in Sections 15 through 18. These sections increase the department's legal authority to protect vulnerable adults from harm perpetrated by guardians, attorneys-in-fact, or surrogate decision makers by making changes and additions to AS 47.24.015 (c), .019 (a), .019 (c), and .050 (b). The amended language in these sections includes the additions of the terms "guardians, attorneys-in-fact, or surrogate decision makers" as possible perpetrators of harm. Additional amended language gives the department clear authority to petition for a "change of guardian." The amended language also gives the department authority to not disclose a report of harm to "guardians, attorneys-in-fact, or surrogate decision makers" who are alleged perpetrators who are being investigated as such.

As amended, AS 47.24.015 (c) in **Section 15** specifically gives the department authority to continue a needed protective services investigation over the objections of the vulnerable adult's guardian, attorney-in-fact, or surrogate decision maker who is, also, the alleged perpetrator of the harm being investigated when probable cause exist that protective services are needed. This section also clarifies that a protective services investigation may be continued over the objections of a vulnerable adult who is not competent, if probable cause exists that protective services are needed. In both of these instances, the remedy is to either file a petition for the appointment of a guardian, or refer the matter to law enforcement for investigation. In either event, the department may conduct further investigation in coordination with the attorney general's office or the law enforcement agency over the objection of any perpetrator. This section raises the standard of proof from reasonable cause to probable cause for the department when establishing the need for protective services over the objections of the vulnerable adult or the decision maker who is the alleged abuser for the purpose of continuing the investigation and filing for guardianship or referring the matter to law enforcement.

Testimony regarding CS for SB 57
Analysis of CS for SB 57
"An act relating to vulnerable adults"
continued

As amended, AS 47.24.019 (a) in **Section 16** gives the department authority to petition for a "change of guardian." In the past, the statute has not addressed how the department would proceed in asking the court to appoint a different guardian when protection requires it.

As amended, AS 47.24.019 (c) in **Section 17** now includes "guardians, attorneys-in-fact, or surrogate decision makers" with caregivers, as persons who may be interfering with the provision of protective services, and against whom a petition may be filed by the department with the superior court for injunctive relief restraining the person from interfering. This change takes into account that caregivers are not the only persons who may interfere with the provision of protective services

As amended, AS 47.24.050 (b) in **Section 18** protects vulnerable adults from having their confidential reports of harm disclosed or made available to a perpetrator who may be harming them and who is under investigation for doing so even though the perpetrator is the "guardian, attorney-in-fact, or surrogate decision maker" for the vulnerable adult. Releasing the confidential report to the perpetrator can compromise the investigation and expose the vulnerable adult to further harm. Currently, the "guardian, attorney-in-fact, or surrogate decision maker" can legally request a copy of the report of harm and investigation on behalf of the vulnerable adult under any circumstance.

The changes and additions in SB 57 are needed to improve upon the existing legal authority of the department to provide protection for vulnerable adults from abuse, neglect, exploitation, and abandonment by "guardians, attorneys-in-fact, or surrogate decision makers", and others. This bill does not prevent the department from providing the reporter and the perpetrator the status of the investigation, and limited information necessary to complete an investigation, reach a resolution, and provide necessary protective services. The bill protects the vulnerable adult from have their full investigative report and records disclosed.

We do recommend that line 31 on page 5, and line 30 on page 6 include the terms, "exploitation, neglect, and abandonment" along with the term abuse as possible allegations to be included. Adult protective services, specifically in the past, had a situation in which a guardian was being investigated for allegedly financially exploiting a client. During the investigation the guardian made a formal written request to obtain a copy of our investigative records pertaining to the

Testimony regarding CS for SB 57
Analysis of CS for SB 57
"An act relating to vulnerable adults"
continued

client. Our records specifically included the investigation of exploitation of the client by the guardian. Although we made a decision to not release the records to the guardian for the purpose of not releasing sensitive information and compromising the client's safety and our investigation, the law did not provide for this type of protection. The current amendments to the statute do provide for this type of protection when the allegation is abuse. We recommend that the other allegations of exploitation, neglect, and abandonment be included in the amendment.

Adult protective services supports strongly SB 57. We do not believe this bill will have any fiscal impact on the Department of Administration.

Respectfully Submitted by
Adult Protective Services
Division of Senior Services
Department of Administration
State of Alaska

April 2, 1999

Alaska State Legislature



State Capitol
Juneau AK
99801-1182

Official Business

Long-Term Care Task Force

Senate Bill No. 57

An Act relating to vulnerable adults; and providing for an effective date.

This bill will enhance the protective services afforded to vulnerable adults by reducing the possibility of exploitation or abuse by guardians, attorneys-in-fact, and surrogate decision-makers.

Under current law, the Department of Administration must immediately terminate an investigation of abuse upon the request of the vulnerable adult who is the subject of the report. Unfortunately, in some instances, the adult's guardian, attorney-in-fact, or surrogate decision-maker, who is the alleged perpetrator of the abuse and the subject under investigation, may make the request. As written, AS 47.24.015 (c) does not allow the department any option but to terminate the investigation. This proposed legislation allows the department to continue the investigation and protect the vulnerable adult.

In addition, this bill gives the Department of Administration the option to withhold investigative findings and reports of abandonment, exploitation, abuse, neglect or self-neglect filed with the department if the vulnerable adult's guardian is suspected of the abuse and currently under investigation. This flexibility will give the department the necessary information to effectively continue its inquiry.

The proposed statutory changes are necessary to adequately protect a vulnerable adult in the rare instance in which a guardian, attorney-in-fact, or surrogate decision-maker is the alleged perpetrator. These changes give the Department of Administration the needed leeway to conduct a thorough investigation.

LTC **TASK FORCE**
Long-Term Care Task Force



FINAL REPORT
January 1999

Representative Con Bunde, Co-chairman
Senator Gary Wilken, Co-chairman

State Capitol Building
Juneau, Alaska 99801-1182

LEGISLATION TO PROTECT VULNERABLE ADULTS

RECOMMENDATION

7

The Task Force recommends that legislation be drafted and introduced to protect a vulnerable adult from a guardian, attorney-in-fact or surrogate decision-maker who may harm the vulnerable adult.

AS 47.24.900 (16) defines a vulnerable adult as a person 18 years of age or older who, because of physical or mental impairment, is unable to meet his or her own needs or to seek help without assistance.

“After the department conducts an investigation, a written report is prepared.”

Under current law, if a person has reason to believe that a vulnerable adult suffers from abandonment, exploitation, abuse, neglect or self-neglect, the concerned individual must contact the Department of Administration which, in most instances, initiates an investigation. After the department conducts an investigation, a written report is prepared of the department’s findings, recommendations, and determination of whether supportive or protective services are necessary.

The department must immediately terminate an investigation upon the request of the vulnerable adult who is the subject of the report. Unfortunately, in some instances, the adult’s guardian, attorney-in-fact, or surrogate decision-maker, who is the alleged perpetrator of the abuse and the subject under investigation, may make the request. Currently AS 47.24.015 (c) does not allow the Department of Administration any option in such a case but to terminate the investigation. A change to this statute is necessary to adequately protect the vulnerable adult.

“A problem arises when the vulnerable adult’s guardian is under investigation.”

The investigation findings and the reports of the abandonment, exploitation, abuse, neglect or self-neglect of a vulnerable adult filed with the department are considered confidential. However, the reports are disclosed if the vulnerable adult who is the subject of the report consents in writing. A problem arises when the vulnerable adult’s guardian, attorney-in-fact or surrogate decision-maker is suspected of abuse and is under investigation. The disclosure of the complaint, in this case, would severely restrict the department’s ability to effectively continue with its inquiry.

The Task Force recognizes that a situation may arise where a guardian, attorney-in-fact or surrogate decision-maker will abuse or harm a vulnerable adult and the statutes should reflect this possibility. The proposed legislation addresses this like-

likelihood and gives the Department of Administration the needed leeway to conduct a thorough investigation in order to protect the vulnerable adult. (Appendix B)

Federal and state law provides for long-term care ombudsman services for vulnerable adults who are 60 years and older and reside in a nursing home or an assisted living facility. The Task Force recognizes that vulnerable persons under the age of 60 who reside in nursing homes or assisted living facilities also have a need for protective services. The Disability Law Center, the State Independent Living Council and its regional centers, the Division of Senior Services, and the Division of Mental Health and Developmental Disabilities offer protective and advocacy services to these individuals. Greater access and collaboration between these organizations will help strengthen their ability to meet the needs of these vulnerable persons under the age of 60 who are living in an institutional setting.

"The Task Force recognizes that vulnerable persons under the age of 60 who reside in nursing homes or assisted living facilities also have a need for protective services."

The Task Force recommends that these entities coordinate efforts: 1) to increase residents' awareness of the protection and advocacy services available within the state; 2) to facilitate the system's response to complaints and requests for assistance. ❖

WORK FORCE DEVELOPMENT SUMMIT

RECOMMENDATION

8

The Task Force endorses the efforts of the Alaska State Hospital and Nursing Home Association, in conjunction with the other training councils, to hold a statewide Work Force Development Summit.

On September 17, 1998 the Alaska Human Resource Investment Council (AHRIC) and the University of Alaska Statewide Vocational/Technical Education Advisory Council (UASVTEAC) held a joint meeting in Seward to discuss issues surrounding the demand and capacity of Alaska's health care industry.

The concerns expressed at this joint meeting parallel the testimony received by the Long-Term Care Task Force. Many long-term health caregivers testified in great detail about how fragile the job situation is for people who provide day-to-day health care for seniors and adults with disabilities. Low pay, lack of adequate training and frequent job turnover were some of the reoccurring problems mentioned.

"Low pay, lack of adequate training and frequent job turnover (are) problems."

INTERNET ADDRESS:
acoa@admin.state.ak.us



P.O. BOX 110209
JUNEAU, AK 99811-0209
(907) 465-3250
FAX: 465-4716

Alaska Commission on Aging

Resolution 99-3

In support of SB 57: Relating to vulnerable adults

Whereas SB 57 increases the protections to assure that vulnerable adults are not abused or harmed by their guardian, attorney-in-fact or surrogate decision-maker, and

Whereas SB 57 closes gaps in AS 47.24.015 (c) which currently do not provide for the State of Alaska to conduct thorough investigations in situations where such abuse or harm is believed to be occurring; and

Whereas the Legislative Long Term Task Force Report of January, 1999, recommended the introduction of this legislation in its Recommendation #7;

Now therefore the Alaska Commission on Aging strongly encourages the Twenty-First Alaska Legislature to pass SB 57.

Adopted this 9th day of March, 1999.

A handwritten signature in cursive script that reads "Alaire E. Stanton".

Alaire Stanton
Chair

FISCAL NOTE

STATE OF ALASKA
1999 LEGISLATIVE SESSION

BILL NO. CSSB 57(JUD)

Revision Date: 4/1/99
 Title: "An act relating to vulnerable adults"

Department Affected: Administration
 BRU: Senior Services
 Component: Protection, Community Services, Administration

Sponsor: Health, Education & Social Services
 Requestor: (S) JUD

COMPONENT SERIAL NO. 2083

EXPENDITURES/REVENUES: (Thousands of Dollars)

| OPERATING EXPENDITURES | FY 2000 | FY 2001 | FY 2002 | FY 2003 | FY 2004 | FY 2005 |
|------------------------|------------|------------|------------|------------|------------|------------|
| PERSONAL SERVICES | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

| | | | | | | |
|----------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES | | | | | | |
|----------------------|--|--|--|--|--|--|

| | | | | | | |
|------------------------|--|--|--|--|--|--|
| CHANGE IN REVENUES () | | | | | | |
|------------------------|--|--|--|--|--|--|

FUND SOURCE: (Thousands of Dollars)

| | | | | | | |
|--------------------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | | | | | | |
| 1005 GF/Program Receipts | | | | | | |
| 1037 GF/Mental Health | | | | | | |
| OTHER | | | | | | |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimate of any current year (FY 97) cost: \$ _____

POSITIONS:

| | | | | | | |
|-----------|--|--|--|--|--|--|
| FULL-TIME | | | | | | |
| PART-TIME | | | | | | |
| TEMPORARY | | | | | | |

ANALYSIS: (Attach a separate page if necessary.)

This bill will have no fiscal impact on the Department of Administration.

SB 57 increases the department's legal authority to protect vulnerable adults from harm perpetrated by guardians, attorneys-in-fact, or surrogate decision makers by making changes and additions to AS 47.24.015 (c), .019 (a), .019 (c), and .050 (b). The amended language in these sections includes the additions of the terms "guardians, attorneys-in-fact, or surrogate decision makers" as possible perpetrators of harm. Additional amended language gives the department clear authority to petition for a "change of guardian." The amended language also gives the department authority to not disclose a report of harm to "guardians, attorneys-in-fact, or surrogate decision makers" who are alleged perpetrators who are being investigated as such.

Prepared by: Jane Demmert
 Division: Senior Services

Phone: (907)269-3674
 Date: _____

Approved by Commissioner: Robert Poe Jr.
 Agency: Department of Administration

Date: 4/5/99

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FISCAL NOTE

1999 LEGISLATIVE SESSION

BILL: CSSB 57(JUD)

ANALYSIS: (continued)

2) It provides for the Alaska Commission on Aging to annually contract with the State Ombudsman to operate the Long Term Care Ombudsman function. The Alaska Commission on Aging will initiate an annual RSA to the State Ombudsman for up to \$213,016: this provides for continuation at FY 99 functional levels. Incorporated are costs for 1) salaries and benefits for three present employees; 2) travel; 3) contractual including IT support, utilities, space for fee of 4 (includes one office area for housing p-t Senior Employment workers) at current state space allocation rates calculated at current lease rates, membership dues, conference registrations, etc.

SENATE FINANCE COMMITTEE

SIGN-IN

SB 57-CARE FOR VULNERABLE ADULTS

NAME: Alison Sleg Subject/Bill No: SRS4
Co./Dept./Title: Dep Comm Phone: 465-2200
Address: DOA Zip: _____

Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____

Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____

Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____

Do you wish to testify? Yes No Respond To Questions