

# Senate Bill 840

Sponsored by Senator DEVLIN; Senators AVAKIAN, BURDICK, MONROE, MORRISSETTE, PROZANSKI, VERGER, WALKER

## 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 **as introduced**.

Requires financial institution and employee or agent of financial institution to report suspected abuse of elderly person.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to reporting of abuse of elderly persons; amending ORS 124.050; and declaring an emer-  
3 gency.

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

5 **SECTION 1.** ORS 124.050 is amended to read:

6 124.050. As used in ORS 124.050 to 124.095:

7 (1) "Abuse" means one or more of the following:

8 (a) Any physical injury caused by other than accidental means, or which appears to be at vari-  
9 ance with the explanation given of the injury.

10 (b) Neglect which leads to physical harm through withholding of services necessary to maintain  
11 health and well-being.

12 (c) Abandonment, including desertion or willful forsaking of an elderly person or the withdrawal  
13 or neglect of duties and obligations owed an elderly person by a caretaker or other person.

14 (d) Willful infliction of physical pain or injury.

15 (e) An act that constitutes a crime under ORS 163.375, 163.405, 163.411, 163.415, 163.425, 163.427,  
16 163.465 or 163.467.

17 (f) Wrongfully taking or appropriating money or property, or knowingly subjecting an elderly  
18 person [*or person with disabilities*] to alarm by conveying a threat to wrongfully take or appropriate  
19 money or property, which threat reasonably would be expected to cause the elderly person [*or per-*  
20 *son with disabilities*] to believe that the threat will be carried out.

21 (2) "Elderly person" means any person 65 years of age or older who is not subject to the pro-  
22 visions of ORS 441.640 to 441.665.

23 (3) "Law enforcement agency" means:

24 (a) Any city or municipal police department.

25 (b) Any county sheriff's office.

26 (c) The Oregon State Police.

27 (d) Any district attorney.

28 (4) "Public or private official" means:

29 (a) Physician, naturopathic physician, osteopathic physician, chiropractor or podiatric physician  
30 and surgeon, including any intern or resident.

**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 (b) Licensed practical nurse, registered nurse, nurse's aide, home health aide or employee of an  
2 in-home health service.

3 (c) Employee of the Department of Human Services, county health department or community  
4 mental health and developmental disabilities program.

5 (d) Peace officer.

6 (e) Member of the clergy.

7 (f) Licensed clinical social worker.

8 (g) Physical, speech or occupational therapists.

9 (h) Senior center employee.

10 (i) Information and referral or outreach worker.

11 (j) Licensed professional counselor or licensed marriage and family therapist.

12 (k) Any public official who comes in contact with elderly persons in the performance of the of-  
13 ficial's official duties.

14 (L) Firefighter or emergency medical technician.

15 (m) **A financial institution, as defined in ORS 706.008, or an employee or agent of a fi-**  
16 **ancial institution.**

17 **SECTION 2. This 2007 Act being necessary for the immediate preservation of the public**  
18 **peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect**  
19 **on its passage.**

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