

**REVENUE:** No revenue impact

**FISCAL:** Fiscal statement issued

---

<b>Action:</b>	Do Pass with Amendments to the A-Engrossed Measure. (Be Printed B-Engrossed)
<b>Vote:</b>	5 - 0 - 0
<b>Yeas:</b>	Close, Dingfelder, Kruse, Roblan, Prozanski
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Bill Taylor, Counsel
<b>Meeting Dates:</b>	5/8, 5/22

---

**WHAT THE MEASURE DOES:** Adds members of the Oregon Legislative Assembly, attorneys, dentists, optometrists, and chiropractors to the list of those persons who must report elderly abuse. Exempts attorneys and members of the clergy from reporting elderly abuse if the information was obtained pursuant their respective professional capacities. Requires those with a duty to report to do so not just when working in their professional capacity but all the time. Directs the Oregon State Bar to adopt minimum training standards for lawyers on elderly abuse. Adds five members to the Oregon Elderly Abuse Work Group. Directs the work group to study and make recommendations that align definitions of abuse of vulnerable persons across populations, agencies, law enforcement and service providers. Requires the work group to report to the legislature no later than February 1, 2014. Requires Department of Human Services (DHS) to adopt rules to ensure that investigations of abuse of vulnerable persons are conducted in uniform, objective and thorough manner throughout state. Directs DHS to prepare annual report to Legislative Assembly regarding reports and complaints of abuse against vulnerable persons. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Six year statute of limitations for the prosecution of elderly abuse
- When professionals are required to report

**EFFECT OF COMMITTEE AMENDMENT:** Removes the provision that would have shorted the statute of limitations to three years from six years unless an elderly abuse report was filed. Directs the Oregon State Bar by rule to adopt minimum training requirements for attorneys. Makes the requirement to report elderly abuse applicable all the time, not just while acting within an official capacity.

**BACKGROUND:** Oregon law defines an elderly person as any person 65 years of age or older. Oregon law defines elder abuse as: (a) physical injury caused by other than accident; (b) neglect leading to harm; (c) abandonment; (d) willful infliction of physical pain or injury; (e) unwanted sexual contact or the inability to consent to sexual contact; or (f) financial exploitation. According to DHS, state and local offices investigate more than 11,000 complaints of elder abuse or neglect each year. This abuse can occur both in care facilities and in the home. The 2011 Oregon Legislature passed House Bill 2325 which created the Elder Abuse Work Group (Work Group) to study and make recommendations on elder abuse issues. House Bill 4084 A of the 2012 Oregon legislative session integrated multiple recommendations from the Work Group. House Bill 2205 B, among other things, would extend out the sunset provision for the Work Group.

5/23/2013 4:11:00 PM

*This summary has not been adopted or officially endorsed by action of the committee.*