

## **SB 30 STAFF MEASURE SUMMARY**

### **Senate Committee On Human Services**

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**Sub-Referral To:** Senate Committee On Judiciary

**Meeting Dates:** 1/29

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#### **WHAT THE MEASURE DOES:**

Prohibits guardians from moving adult protected persons without prior court approval. Provides exceptions for guardian to move protected persons without required 15 day notice if: it is the first move following the guardian's appointment and the petition for appointment includes notice; the protected person desires the move and the guardian determines that delay might jeopardize the placement; or the guardian determines that the protected persons's move must occur to protect the immediate health, welfare, or safety of the protected person or others.

#### **ISSUES DISCUSSED:**

#### **EFFECT OF AMENDMENT:**

No amendment.

#### **BACKGROUND:**

Guardians of adult protected persons are currently permitted to change the abode or place adult protected persons in a mental health treatment facility, a nursing home, or another residential facility. To make this move or placement, a guardian must file with the court and serve a statement to the protected person declaring the intent to make a move or placement change at least 15 days in advance. The notice provided to the protected person must inform them how to object and the court must schedule a hearing on any objection it receives. If a guardian determines that the move must occur in less than 15 days to protect the immediate health, welfare, or safety of the protected person or others, the statement must so state and must be filed and served with as much advanced notice as possible but not more than two judicial days after the move has occurred. Guardians are also permitted to move a protected person prior to a hearing on an objection.

Senate Bill 30 prohibits guardians from moving adult protected persons without prior court approval and clarifies the process to change a protected person's abode or placement. A guardian may move a protected person with less than 15 days notice, or prior to a hearing on an objection, if: it is the first move following the guardian's appointment and the petition for appointment includes a statement of intent to move the protected person; the protected person desires the move and delay may jeopardize the placement; or the guardian determines that the protected persons's move must occur in less than 15 days to protect the immediate health, welfare, or safety of the protected person or others.