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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/11/2018	.	
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Appropriations Subcommittee on Health and Human Services
(Gibson) recommended the following:

1 **Senate Amendment to Amendment (634064) (with title**
2 **amendment)**

3
4 Delete lines 11 - 86
5 and insert:

6 abuse or neglect. The teams are housed, for administrative
7 purposes only, in the Department of Elderly Affairs.

8 (b) An elder abuse fatality review team may include, but is
9 not limited to, representatives from the following entities
10 within the review team's judicial circuit:



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- 11 1. Law enforcement agencies;
- 12 2. The state attorney;
- 13 3. The medical examiner;
- 14 4. A county court judge;
- 15 5. Adult protective services;
- 16 6. The area agency on aging;
- 17 7. The State Long-Term Care Ombudsman Program;
- 18 8. The Agency for Health Care Administration;
- 19 9. The Office of the Attorney General;
- 20 10. The Office of the State Courts Administrator;
- 21 11. The clerk of the court;
- 22 12. A victim services program;
- 23 13. An elder law attorney;
- 24 14. Emergency services personnel;
- 25 15. A certified domestic violence center;
- 26 16. An advocacy organization for victims of sexual
- 27 violence;
- 28 17. A funeral home director;
- 29 18. A forensic pathologist;
- 30 19. A geriatrician;
- 31 20. A geriatric nurse;
- 32 21. A geriatric psychiatrist or other individual licensed
- 33 to offer behavioral health services;
- 34 22. A hospital discharge planner;
- 35 23. A public guardian; or
- 36 24. Any other persons who have knowledge regarding fatal
- 37 incidents of elder abuse, domestic violence, or sexual violence,
- 38 including knowledge of research, policy, law, and other matters
- 39 connected with such incidents involving elders or who are



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40 recommended for inclusion by the review team.

41 (c) A person eligible under paragraph (b) may initiate the
42 establishment of a team in his or her judicial circuit and call
43 the first organizational meeting of the team. At the initial
44 meeting, members of the team shall choose two members to serve
45 as co-chairs.

46 (d) Participation in a review team is voluntary. Members of
47 the review team shall serve without compensation and may not be
48 reimbursed for per diem or travel expenses.

49 (e) Members shall serve for terms of 2 years, to be
50 staggered as determined by the co-chairs. Chairs may be
51 reelected by a majority of the review team but not for more than
52 2 consecutive terms.

53 (f) A review team shall determine the local operations of
54 the team, including, but not limited to, the process for case
55 selection, which must be limited to closed cases in which an
56 elderly person's death is verified to have been caused by abuse
57 or neglect, and the meeting schedule, to include at least one
58 meeting in each fiscal year.

59 (g) Administrative costs of operating the review team shall
60 be borne by the team members or entities whom they represent.

61 (2) An elder abuse fatality review team must do all of the
62 following:

63 (a) Review deaths of elderly persons in its judicial
64 circuit alleged or found to have been caused by, or related to,
65 abuse or neglect.

66 (b) Consider the events leading up to a fatal incident,
67 available community resources, current law and policies, and the
68 actions taken by systems and individuals related to the fatal



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69 incident.

70 (c) Identify gaps, deficiencies, or problems in the
71 delivery of services to elderly persons by public and private
72 agencies which may be related to deaths reviewed by the team.

73 (d) Whenever possible, develop a communitywide approach to
74 address causes of, and contributing factors to, deaths reviewed
75 by the team.

76 (e) Develop practice standards and recommend changes in
77 law, rules, and policies to support the care of elderly persons
78 and prevent elder abuse deaths.

79
80 ===== T I T L E A M E N D M E N T =====

81 And the title is amended as follows:

82 Delete line 182

83 and insert:

84 each judicial circuit housed, for administrative
85 purposes only, in the Department of Elderly Affairs;
86 providing conditions for team