

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Resolve, Establishing a Stakeholder Group To Examine Methods of Protecting the Elderly and Persons with Disabilities from Financial Exploitation

Sec. 1 Department of Health and Human Services; financial exploitation stakeholder group. Resolved: That the financial abuse specialist team in the Department of Health and Human Services' office of aging and disability services, referred to in this resolve as "the team," shall convene a stakeholder group to review the State's criminal laws, the Adult Protective Services Act in the Maine Revised Statutes, Title 22, chapter 958-A and any other relevant state laws to identify potential statutory changes to enable and support criminal prosecution of crimes against the elderly and persons with disabilities, including the enhancement of penalties for such crimes. The team shall invite as participants in the stakeholder group, at a minimum, representatives from the Department of the Attorney General, including representatives of the health care crimes unit; the Maine Sheriffs' Association; the Maine Chiefs of Police Association; the Department of Public Safety, Bureau of State Police; the Maine Prosecutors' Association; the Maine Health Care Association; the long-term care ombudsman program described in Title 22, section 5107-A; Maine Legal Services for the Elderly; and the Department of Professional and Financial Regulation, Office of Securities. The team shall, by January 15, 2017, submit a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters detailing the stakeholder group's findings and any recommendations for legislation regarding changes to the State's laws to enable and support criminal prosecution of crimes against the elderly and persons with disabilities. After reviewing the report, the joint standing committee of the Legislature having jurisdiction over health and human services matters may report out legislation relating to the report to the First Regular Session of the 128th Legislature.

SUMMARY

This resolve, which is a recommendation of the Commission To Study Difficult-to-place Patients, directs the financial abuse specialist team in the Department of Health and Human Services' office of aging and disability services to convene a stakeholder group to review the State's criminal laws, the Adult Protective Services Act in the Maine Revised Statutes, Title 22, chapter 958-A and any other relevant state laws to identify potential statutory changes to enable and support criminal prosecution of crimes against the elderly and persons with disabilities, including the enhancement of penalties for such crimes. The financial abuse specialist team is directed to submit, by January 15, 2017, a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters detailing the stakeholder group's findings and any recommendations for legislation regarding changes to the State's laws to enable and support criminal prosecution of crimes against the elderly and persons with disabilities and the committee may report out legislation relating to the report.