

Date: (Filing No. H-)

HEALTH AND HUMAN SERVICES

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT " " to H.P. 1462, L.D. 2058, Bill, "An Act To Strengthen Protections for Incapacitated and Dependent Adults from Abuse, Neglect and Exploitation"

Amend the bill by striking out everything after the enacting clause and inserting the following:

Sec. 1. 22 MRSA §3473, sub-§2, ¶B, as amended by PL 2003, c. 653, §4, is further amended to read:

B. Take appropriate action, including providing or arranging for the provision of appropriate services and making referrals to law enforcement; and

Sec. 2. 22 MRSA §3473, sub-§2, ¶C, as amended by PL 2017, c. 402, Pt. C, §54 and PL 2019, c. 417, Pt. B, §14, is further amended to read:

C. Petition for guardianship or a protective order under Title 18-C, Article 5, when all less restrictive alternatives have been tried and have failed to protect the incapacitated adult; and

Sec. 3. 22 MRSA §3473, sub-§2, ¶D is enacted to read:

D. Establish and maintain an adult protective services registry of persons for whom there have been substantiated reports of abuse, neglect or exploitation of dependent adults or incapacitated adults. The department shall adopt routine technical rules to implement this paragraph pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. 2. 34-B MRSA §5604-A, sub-§2, as amended by PL 2011, c. 542, Pt. A, §128, is further amended to read:

2. Maintain reporting system. The department shall maintain a reportable event and adult protective services system that provides for receiving reports of alleged incidents, prioritizing such reports, assigning reports for investigation by qualified investigators, reviewing the adequacy of the investigations, making recommendations for preventive and corrective actions as appropriate and substantiating allegations against individuals who have been found under the Adult Protective Services Act to have abused,

COMMITTEE AMENDMENT

1 ~~neglected or exploited persons with intellectual disabilities or autism~~ of abuse, neglect or
2 exploitation in accordance with Title 22, chapter 958-A. The department shall fully
3 establish the reportable event and adult protective services system through rulemaking.'

4 **SUMMARY**

5 This amendment replaces the bill. It changes the references in the bill to cite the
6 Adult Protective Services Act in the Maine Revised Statutes, Title 22, chapter 958-A
7 when requiring that the Department of Health and Human Services include reports of
8 persons who have exploited, abused or neglected incapacitated and dependent adults in its
9 system as provided in Title 34-B.

10 **FISCAL NOTE REQUIRED**

11 **(See attached)**