

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY

H.P. 1462 - L.D. 2058

**An Act To Strengthen Protections for Incapacitated and Dependent Adults
from Abuse, Neglect and Exploitation**

Be it enacted by the People of the State of Maine as follows:

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. 4. 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, neglected or exploited persons with intellectual disabilities or autism~~ of abuse, neglect or

exploitation in accordance with Title 22, chapter 958-A. The department shall fully establish the reportable event and adult protective services system through rulemaking.