

HCS SCS SB 574 -- PROTECTION OF VULNERABLE PERSONS

SPONSOR: Wallingford (Bernskoetter)

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on General Laws by a vote of 12 to 0. Voted "Do Pass" by the Standing Committee on Rules- Legislative Oversight by a vote of 13 to 0.

Currently, in-home service providers and home health agencies are guilty of a class A misdemeanor if they employ a person to provide services to a patient who is listed on any of the background checklists in the Family Care Safety Registry. This bill repeals that provision and instead provides that such entities shall be guilty of a class A misdemeanor if they employ a person who is guilty or has pleaded guilty or nolo contendere to certain offenses, is on the Department of Health and Senior Services' employee disqualification list or the Department of Mental Health's employee disqualification registry, or has a finding on the child abuse and neglect registry. Additionally, no state or federal financial assistance shall be available to pay for personal care assistance services if the personal care attendant has not undergone this background check process or if the personal care attendant has a disqualifying finding specified in the bill.

These provisions are identical to SCS HB 1350 (2018) and similar to SB 997 (2018).

This bill amends the provision relating to reporting of suspected abuse or neglect of a resident of a long-term care facility who is 60 years of age or older or other certain eligible adults. Currently, a report is required to be made to the Department of Health and Senior Services in the event of suspected abuse or neglect. This bill specifies that in the event of suspected sexual assault of the resident, specified mandated reporters shall also report to local law enforcement under the procedures of the federal Elder Justice Act of 2009.

This provision is similar to SB 301 and HB 551 (2017).

PROPONENTS: Supporters say that this is a common sense bill. It is important to protect our most vulnerable citizens. Suspected abuse needs to be reported to the police so that they can open an investigation and hopefully prevent others from being abused as well. Unfortunately most of these cases of abuse are not currently being reported, either because residents fear retaliation or because they are unable to report on their own. This bill would ensure that abuse is reported to law enforcement whenever possible.

Testifying for the bill were Senator Wallingford; Missouri Coalition Against Domestic and Sexual Violence; Mary Lynn Faunda Donovan, VOYCE; Missouri Education Reform Council; Maribeth Russell; and the Missouri Health Care Association.

OPPONENTS: There was no opposition voiced to the committee.