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HOUSE JOINT RESOLUTION NO. 650

Offered January 12, 2011

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Directing the Joint Commission on Health Care to study the Commonwealth's procedures for receiving, investigating, and addressing reports of abuse, neglect, and exploitation of adults. Report.

Patron—Athey

Referred to Committee on Rules

WHEREAS, in 2009 the Department of Social Services investigated more than 15,000 reports of suspected abuse, neglect, or exploitation of adults; and

WHEREAS, abuse, neglect, or exploitation of adults was found to have occurred in 59 percent of the cases investigated by the Department in 2009; and

WHEREAS, the most likely victims of abuse, neglect, or exploitation of an adult are women, persons age 75 or older, and individuals who are isolated and dependent on others for care; and

WHEREAS, caregivers who want to and are capable of providing good care may become stressed with caregiving duties and act out their stress by lashing out at the person in their care; other caregivers may not be capable of providing the necessary level of care; and yet other caregivers may become abusive as a means of exercising power and control over a weaker person or as a means to exploit the adult's financial resources; and

WHEREAS, Virginia law requires protective services to be offered to abused, neglected, or exploited adults who are 60 years or older, or 18 years of age or older and have a disability; and

WHEREAS, an effective and efficient system for detecting and reporting abuse, neglect, or exploitation of adults is an integral part of Virginia's commitment to protect this valued and vulnerable segment of our society; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Joint Commission on Health Care be directed to study the Commonwealth's procedures for receiving, investigating, and addressing reports of abuse, neglect, and exploitation of adults.

In conducting its study, the Joint Commission on Health Care shall (i) study existing administrative procedures for identifying and addressing cases of abuse, neglect, or exploitation of adults; (ii) determine whether statutory, regulatory, or policy changes may be necessary to improve existing procedures for identifying and addressing cases of abuse, neglect, or exploitation of adults; (iii) determine the frequency with which abuse, neglect, or exploitation of adults is prosecuted under the criminal laws of the Commonwealth; (iv) determine whether abuse, neglect, or exploitation of adults can be adequately prosecuted under existing laws of the Commonwealth and whether statutory changes may be required to ensure adequate prosecution of abuse, neglect, or exploitation of adults; and (v) develop recommendations for statutory, regulatory, policy or budgetary changes that may be necessary to improve the Commonwealth's procedures for identifying and addressing abuse, neglect, or exploitation of adults.

All agencies of the Commonwealth shall provide assistance to the Joint Commission on Health Care for this study, upon request.

The Joint Commission on Health Care shall complete its meetings for the first year by November 30, 2011, and for the second year by November 30, 2012, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the next Regular Session of the General Assembly for each year. Each executive summary shall state whether the Joint Commission on Health Care intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summaries and reports shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

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