

HOUSE No. 622

By Mrs. Poirier of North Attleborough, petition of Elizabeth A. Poirier and others relative to establishing multi-disciplinary teams with district attorneys to investigate elder abuse. Elder Affairs.

The Commonwealth of Massachusetts

PETITION OF:

Elizabeth A. Poirier	Bruce E. Tarr
John P. Fresolo	Gale D. Candaras
Christine E. Canavan	

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO ESTABLISHING MULTI DISCIPLINARY TEAMS WITH DISTRICT ATTORNEYS TO INVESTIGATE ELDER ABUSE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 15 of Chapter 19A of the General Laws, as appearing in
2 the 2004 Official Edition, is hereby amended by adding the
3 following subsection:—

4 (g) The area director shall promptly advise the department and
5 protective service agency along with the opinion of the director, evi-
6 dences a pattern of abuse or neglect or an ongoing problem in need
7 of attention.

8 Subsequently, the director of the appropriate council on aging
9 shall, in cooperation with the department and the appropriate district
10 attorney, establish one or more multi-disciplinary service teams to
11 review the provisions of services to the persons, their families or
12 responsible parties who are the subject of such reports. Such teams
13 shall consist of 1 representative of the agency who shall be the case-
14 worker for the particular case, 1 representative of the appropriate
15 district attorney, 1 representative of the appropriate council on aging
16 and act least 1 other member who is not an employee of any such
17 office, who shall be appointed by the department. The additional
18 member shall have training and experience in the fields of elder
19 abuse, the provision of care to the elderly or criminal justice and, as

20 far as practicable, be involved with the provision of services to such
21 families. No members of such team shall receive any compensation,
22 or in the case of a state employee, any additional compensation, for
23 service on such team.

24 Such team shall review, evaluate and monitor the services pro-
25 vided to the person named in the report in regard to their effective-
26 ness in protecting the person and their family from further abuse or
27 neglect. Such team shall make recommendations regarding changes
28 or additions to the services provided, the advisability of prosecuting
29 members of the family or responsible party or parties and the possi-
30 bility of utilizing diversionary alternatives.

31 Such multi-disciplinary service team shall have full access to any
32 data know to the protective service agency which is directly related
33 to the provision of services to the persons named in the report,
34 notwithstanding any other general or special to the contrary. The
35 members of such team shall be considered employees of the protec-
36 tive service agency for the purposes of protecting the confidentiality
37 of such data and such data shall be utilized solely to carry out the
38 purposes of this section, provided, however, that such team may
39 report to such district attorney the information that the family or
40 responsible party or parties have failed to participate in the provision
41 of such services.

42 Each team shall file a monthly report with the secretary of elder
43 affairs regarding the activities which have occurred in the previous
44 month pursuant to this section. Such report shall be written on a
45 form prescribed by said secretary. Said secretary after deleting all
46 personal identifying information, shall combine these reports into on
47 monthly report which shall be filed with the secretary of health and
48 human services, each district attorney, the joint committee on human
49 services and elderly affairs, and the house and senate committees on
50 ways and means.