STATE OF NEW YORK

8258--A

2017-2018 Regular Sessions

IN ASSEMBLY

June 2, 2017

Introduced by M. of A. LUPARDO, SEPULVEDA, GOTTFRIED, BARRON -- read once and referred to the Committee on Aging -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the elder law, in relation to developing guidelines for identifying and reporting elder abuse in healthcare settings

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The elder law is amended by adding a new article 3 to read as follows:

ARTICLE 3

IDENTIFYING AND REPORTING SELF NEGLECT, ABUSE AND MALTREATMENT IN HEALTHCARE SETTINGS

Section 260. Definitions.

261. Guidelines for identifying and reporting suspected self neglect, abuse and maltreatment.

262. Publishing and distribution of guidelines.

§ 260. Definitions. For purposes of this article:

1. "Abuse and maltreatment" shall mean actions as defined in paragraphs (a), (b), (c), (d), (e) and (g) of subdivision six of section four hundred seventy-three of the social services law.

2. "Self neglect" shall have the same meaning as defined in paragraph (f) of subdivision six of section four hundred seventy-three of the social services law.

3. "Older adult" shall mean an individual aged sixty years of age or older.

4. "Director" shall mean the director of the office for the aging.

§ 261. Guidelines for identifying and reporting suspected self neglect, abuse and maltreatment. The director, in conjunction with the commissioner of the department of health and the commissioner of the

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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office of children and family services, shall develop guidelines to assist healthcare providers and others working in healthcare settings to identify suspected self neglect, abuse and maltreatment of an older adult. Such guidelines may be tailored to specific healthcare providers or industries and shall include, but shall not be limited to:

1. Common signs and symptoms of self neglect, abuse and maltreatment;

2. Screening questions and tools that can be used during a visit to help detect whether self neglect or abuse and maltreatment may be occurring;

3. Training materials for distribution to healthcare providers and others working in healthcare settings regarding appropriate interventions and suggestions for discussing the possibility of self neglect, abuse and maltreatment with older adults; and

4. Information regarding options for reporting suspected cases of self neglect or abuse and maltreatment and available resources for older adult victims.

§ 262. Publishing and distribution of guidelines. The office for the aging, the department of health, and the office of children and family services shall make the guidelines and materials developed in accordance with this article available on their respective websites and provide such materials upon request to healthcare providers and facilities.

§ 2. This act shall take effect immediately.