

STATE OF NEW YORK

2160

2017-2018 Regular Sessions

IN SENATE

January 12, 2017

Introduced by Sen. SERINO -- read twice and ordered printed, and when printed to be committed to the Committee on Aging

AN ACT to amend the social services law, in relation to investigating reports of suspected elder abuse or maltreatment

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

1 Section 1. Article 9-B of the social services law is amended by adding
2 a new title 4 to read as follows:

TITLE 4

ELDER ABUSE

3
4
5 Section 473-m. Elder abuse reporting.

6 § 473-m. Elder abuse reporting. 1. Within amounts appropriated there-
7 for, the commissioner shall establish a program for the development of a
8 multidisciplinary investigative team or teams for the purpose of inves-
9 tigating reports of suspected elder abuse or maltreatment.

10 (a) The program shall provide that the social services district shall
11 have discretion with regard to the category or categories of suspected
12 elder abuse or maltreatment such team or teams may investigate,
13 provided, however, that the social services district shall place partic-
14 ular emphasis on cases involving physical abuse, sexual abuse, emotional
15 abuse, active, passive or self neglect, and financial exploitation as
16 defined in subdivision six of section four hundred seventy-three of the
17 social services law.

18 (b) Members of multidisciplinary teams shall include but not be limit-
19 ed to representatives from the following agencies: adult protective
20 services, law enforcement, the district attorney's office, banks and
21 financial institutions, as well as forensic accountants, physician or
22 medical providers trained in elder abuse and maltreatment, mental health
23 professionals, and victim advocacy personnel. Members of the multidisci-
24 plinary team primarily responsible for the investigation of elder abuse
25 and maltreatment reports, including those representatives from adult

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

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1 protective services, law enforcement, and the district attorney's
2 office, shall participate in joint interviews and conduct investigative
3 functions consistent with the mission of the particular agency member
4 involved. It shall not be required that members of a multidisciplinary
5 team not responsible for the investigation of reports participate in
6 every investigation. Such other members shall provide victim advocacy,
7 emotional support, and access to medical and mental health care, where
8 applicable.

9 (c) All members, consistent with their respective agency missions and
10 professions, shall facilitate efficient delivery of services to victims
11 and appropriate disposition of cases through the criminal justice system
12 in a collaborative manner. However, non-investigative team members
13 shall note their specific role in the team for reports covered by this
14 section.

15 (d) Notwithstanding any other provision of law to the contrary,
16 members of a multidisciplinary investigative team may share with other
17 team members client-identifiable information concerning the victim or
18 the victim's family to facilitate the investigation of suspected elder
19 abuse or maltreatment. Nothing in this subdivision shall preclude the
20 creation of multidisciplinary teams which include more than one social
21 services district. Each team shall develop a written protocol for inves-
22 tigation of elder abuse and maltreatment cases and for interviewing
23 elder abuse and maltreatment victims.

24 2. Approved projects shall submit a report to the director of the
25 state office for the aging, who shall make such reports available to the
26 majority leader of the senate, the speaker of the assembly, and the
27 chairs of the aging committees of the senate and assembly, by November
28 first, two thousand seventeen, documenting initial findings of the
29 multidisciplinary team investigations, including, but not limited to:

30 (a) final dispositions of criminal cases that were investigated and
31 assisted by the multidisciplinary team, with appropriate confidentiality
32 measures taken to protect the identities of victims and the accused;

33 (b) physical and mental health outcomes of victims who were the
34 subjects of elder abuse and maltreatment cases;

35 (c) financial judgments and repayments made as a result of the inves-
36 tigation and intervention of the multidisciplinary team;

37 (d) necessary measures taken to ensure cross-collaboration across
38 agencies and providers; and

39 (e) necessary training that each social services district took to
40 train members including appropriate ways to assess risk, identify indi-
41 cators of elder abuse and maltreatment, and conduct appropriate inter-
42 views.

43 § 2. This act shall take effect immediately.