

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Elizabeth Poirier

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to establishing multi disciplinary teams with district attorneys to investigate elder abuse.

PETITION OF:

NAME:

Elizabeth Poirier

DISTRICT/ADDRESS:

14th Bristol

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 622 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

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 1. Section 15 of Chapter 19A of the General Laws, as appearing in the 2004 Official
2 Edition, is hereby amended by adding the following subsection:—
3 (g) The area director shall promptly advise the department and protective service agency along with
4 the opinion of the director, evidences a pattern of abuse or neglect or an ongoing problem in need of
5 attention. Subsequently, the director of the appropriate council on aging shall, in cooperation with
6 the department and the appropriate district attorney, establish one or more multi-disciplinary service
7 teams to review the provisions of services to the persons, their families or responsible parties who
8 are the subject of such reports. Such teams shall consist of 1 representative of the agency who shall
9 be the case worker for the particular case, 1 representative of the appropriate district attorney, 1
10 representative of the appropriate council on aging and at least 1 other member who is not an
11 employee of any such office, who shall be appointed by the department. The additional member
12 shall have training and experience in the fields of elder abuse, the provision of care to the elderly or
13 criminal justice and, as far as practicable, be involved with the provision of services to such
14 families. No members of such team shall receive any compensation, or in the case of a state
15 employee, any additional compensation, for service on such team. Such team shall review, evaluate
16 and monitor the services provided to the person named in the report in regard to their effectiveness

17 in protecting the person and their family from further abuse or neglect. Such team shall make
18 recommendations regarding changes or additions to the services provided, the advisability of
19 prosecuting members of the family or responsible party or parties and the possibility of utilizing
20 diversionary alternatives. Such multi-disciplinary service team shall have full access to any data
21 know to the protective service agency which is directly related to the provision of services to the
22 persons named in the report, notwithstanding any other general or special to the contrary. The
23 members of such team shall be considered employees of the protective service agency for the
24 purposes of protecting the confidentiality of such data and such data shall be utilized solely to carry
25 out the purposes of this section, provided, however, that such team may report to such district
26 attorney the information that the family or responsible party or parties have failed to participate in
27 the provision of such services. Each team shall file a monthly report with the secretary of elder
28 affairs regarding the activities which have occurred in the previous month pursuant to this section.
29 Such report shall be written on a form prescribed by said secretary. Said secretary after deleting all
30 personal identifying information, shall combine these reports into on monthly report which shall be
31 filed with the secretary of health and human services, each district attorney, the joint committee on
32 human services and elderly affairs, and the house and senate committees on ways and means.

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