

SENATE BILL 214

N2, D4, O2

8lr0835

By: **Senators Kelley, Benson, Brochin, Conway, Currie, Guzzone, Kasemeyer, Klausmeier, Lee, Mathias, McFadden, Middleton, Nathan-Pulliam, Oaks, Pinsky, Ramirez, Rosapepe, Smith, and Young**

Introduced and read first time: January 18, 2018

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Task Force to Study the Need for Enhanced Monitoring of Guardians of**
3 **Vulnerable Adults**

4 FOR the purpose of establishing the Task Force to Study the Need for Enhanced Monitoring
5 of Guardians of Vulnerable Adults; providing for the composition, cochairs, and
6 staffing of the Task Force; prohibiting a member of the Task Force from receiving
7 certain compensation, but authorizing the reimbursement of certain expenses;
8 requiring the Task Force to study and make recommendations regarding certain
9 matters related to the monitoring of guardians of vulnerable adults; requiring the
10 Task Force to report its findings and recommendations to the Governor and the
11 General Assembly on or before a certain date; defining a certain term; providing for
12 the termination of this Act; and generally relating to the Task Force to Study the
13 Need for Enhanced Monitoring of Guardians of Vulnerable Adults.

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
15 That:

16 (a) In this section, “vulnerable adult” means an adult who lacks the physical or
17 mental capacity to provide for the adult’s daily needs.

18 (b) There is a Task Force to Study the Need for Enhanced Monitoring of
19 Guardians of Vulnerable Adults.

20 (c) The Task Force consists of the following members:

21 (1) two members of the Senate of Maryland, appointed by the President of
22 the Senate;

23 (2) two members of the House of Delegates, appointed by the Speaker of

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 the House;

2 (3) the Secretary of Aging, or the Secretary's designee;

3 (4) the Secretary of Human Services, or the Secretary's designee;

4 (5) the Attorney General, or the Attorney General's designee;

5 (6) three members of the public, appointed by the Governor;

6 (7) three representatives from area agencies on aging, including one
7 representing a rural county, one representing an urban county, and one representing a
8 suburban county, appointed by the Governor; and

9 (8) one representative from each of the following organizations, designated
10 by the organization:

11 (i) the Elder Law and Disability Rights Section of the Maryland
12 State Bar Association;

13 (ii) the Estate and Trust Law Section of the Maryland State Bar
14 Association;

15 (iii) the Maryland Bankers Association; and

16 (iv) AARP Maryland.

17 (d) The President of the Senate and the Speaker of the House of Delegates shall
18 jointly designate a member who is a Senator and a member who is a Delegate to serve as
19 cochairs of the Task Force.

20 (e) The Department of Legislative Services shall provide staff for the Task Force.

21 (f) A member of the Task Force:

22 (1) may not receive compensation as a member of the Task Force; but

23 (2) is entitled to reimbursement for expenses under the Standard State
24 Travel Regulations, as provided in the State budget.

25 (g) The Task Force shall:

26 (1) study the processes by which the State and local governments currently
27 monitor guardians of vulnerable adults for:

28 (i) mismanagement of the assets and finances of vulnerable adults;

(ii) neglect of vulnerable adults; and

(iii) abuse of vulnerable adults; and

(2) make recommendations on whether there is a need for enhanced monitoring of the guardians of vulnerable adults, including any necessary regulatory changes or legislation.

6 (h) On or before December 15, 2018, the Task Force shall report its findings and
7 recommendations to the Governor and, in accordance with § 2-1246 of the State
8 Government Article, the General Assembly.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
10 1, 2018. It shall remain effective for a period of 1 year and 1 month and, at the end of June
11 30, 2019, this Act, with no further action required by the General Assembly, shall be
12 abrogated and of no further force and effect.