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Delegate Luke Clippinger , Chair  
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Judiciary Committee

From: Gloria Brown Burnett, Director of Prince George's County Department of Social Services

Date: Thursday, March 4, 2021

Subject: Support for House Bill 1281 – Adult Protective Services – Vulnerable Adults Registry – Investigations and Records of Abuse and Neglect and Workgroup Study

As Director of the Prince George's County Department of Social Services (the Department), I ask for your support of House Bill 1281. This bill will require local departments of social services to report individuals who have been determined after an Adult Protective Services (APS) investigation to have abused or neglected a vulnerable adult to a centralized Vulnerable Adult Abuse Registry. This bill allows the individual to request a conference with the supervisor and contest the finding through an appeals process. House Bill 1281 also requires that the Social Services Administration (SSA) of the Department of Human Services (DHS) adopt regulations surrounding the acquisition of records, confidentiality, and creation of a centralized confidential database and establishing a workgroup to study best practices for a Vulnerable Adult Registry in Maryland. The workgroup would study and make recommendations to the Governor, General Assembly, and the Department of Legislative Services regarding the implementation of the registry.

House Bill 1281 will have a positive impact on the Adult Protective Services (APS) Program within the State of Maryland. Currently, the State of Maryland has no reporting system to retain names of indicated maltreaters of vulnerable adults as is within the child welfare system. This has left many vulnerable adults exposed to a population of maltreaters who work in various settings where the vulnerable adult may be considered as prey to them. A reporting registry of vulnerable adult maltreaters indicated by APS investigations would be beneficial in that it would pose consequences for those individuals even if they are not criminally prosecuted. This registry would also serve as a screening tool in assisting community partners such as long-term nursing facilities and other agencies that employ individuals who work with vulnerable adults, seniors, and disabled adults. These community partners, along with the public, would be able to check the registry before offering employment to applicants or onboarding volunteers, providing a safety net of protection to our vulnerable adults, seniors, and the disabled in the community.

Between July 2019 and June 2020, the Department has indicated 306 cases where abuse, neglect or exploitation occurred. In one such case, there was an allegation of neglect and financial exploitation of a senior couple. The alleged maltreater in the referral was listed as their adult son. The case was indicated for neglect by others and financial exploitation by the APS Investigator. The case was then referred to the Financial Crimes unit within Prince George's County Police Department. The Sergeant initiated an investigation. However, the couple

refused to press charges on their son and thus would not cooperate with the investigation. The concern is that he could, at any time, apply for employment with an agency/company that services vulnerable adults. Without an Abuse Registry, the employer, as well as the vulnerable adults, are prey for this indicated maltreater and others like him.

The National Adult Protective Services Association (NAPSA) conducted a nationwide study of APS national registries. The project focused on state registries that fit the definition: "a system for maintaining the identity of individuals who are found, only as a result of an APS investigation, to have abused, neglected or exploited seniors or adults (18 and older) with disabilities living in the community or a facility. The purpose of such a registry is to make information available to individuals, agencies, or employers who are authorized to receive such information." The study of existing registries revealed that the registry reduces access of abusers to vulnerable adults and improves the hiring practices of providers. Also, common components of APS abuse registries included perpetrator notification and the existence of due process provisions. It is expected that the workgroup would operate similarly to the NAPSA project and study the best practices of a Vulnerable Adult Registry in Maryland and make the appropriate recommendations before the deadline indicated in the bill.

For the reasons stated above, we ask the committee for a favorable report.