



Montgomery County

Office of Intergovernmental Relations

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HB 1191

DATE: March 2, 2023

SPONSOR: Delegate Pasteur

ASSIGNED TO: Judiciary

CONTACT PERSON: Leslie Frey (leslie.frey@montgomerycountymd.gov)

POSITION: FAVORABLE WITH AMENDMENT (Department of Health and Human Services)

Task Force on Preventing and Countering Elder Abuse

House Bill 1191 establishes a task force to prevent and counter elder abuse by directing the task force to study existing laws, policies, and practices relating to elder abuse and other crimes commonly committed against older adults and make recommendations regarding changes to State law, policy and practice that would aid in preventing elder abuse. The recommendations from the Task Force are to be finalized by December 31, 2024 and shall address the role of the State, the amount of resources to be expended, ways to provide transparency to the public, funding mechanisms, oversight measures, and ways to prosecute elder abuse.

The Montgomery County Department of Health and Human Services (MCDHHS) provides Adult Protective Services (APS) to County residents. Under State law, APS is responsible for providing protective services for persons with disabilities and vulnerable adults over the age of 18. To undertake this work, MCDHHS currently employs twelve APS investigators and two supervisors who, in the current regulatory environment, have a very high workload of investigating over 1,000 referrals annually. By 2040, Montgomery County's population of adults over age 60 is projected to increase from 233,592 to 315,666 residents, an increase of 35 percent. Life expectancy is also increasing: the population of older adults over age 85 is expected to increase by approximately 77 percent between 2019 and 2030. The increase in the aging population will further increase the workload for APS workers in the County.

House Bill 1191 has the potential to expand the scope of the cases that would require APS services by stipulating that laws are needed to be enacted pertaining to "older adults not deemed vulnerable" and directs the task force to make recommendations regarding "elder abuse", a term which is not defined in the bill or elsewhere in State law. As the task force considers laws and policies relating to the State's elderly residents, MCDHHS respectfully requests that a representative of a local APS program have a seat on the task force in order to ensure that the eventual recommendations issued by the task force take into consideration the impact of the recommendations on APS workload, workforce and resources.