

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 1822

SPONSOR: Children and Families Committee and Senator Margolis

SUBJECT: Adult Protective Services

DATE: April 9, 2003

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Collins</u>	<u>Whiddon</u>	<u>CF</u>	<u>Favorable/CS</u>
2.	<u> </u>	<u> </u>	<u>AHS</u>	<u> </u>
3.	<u> </u>	<u> </u>	<u>AP</u>	<u> </u>
4.	<u> </u>	<u> </u>	<u> </u>	<u> </u>
5.	<u> </u>	<u> </u>	<u> </u>	<u> </u>
6.	<u> </u>	<u> </u>	<u> </u>	<u> </u>

I. Summary:

Committee Substitute for SB 1822 directs the Department of Children and Family Services (DCF or the department) to enter into working agreements with law enforcement agencies having jurisdiction to conduct criminal investigations arising from allegations of abuse, neglect, or exploitation of vulnerable adults by March 1, 2004. The Office of Program Policy Analysis and Government Accountability (OPPAGA) is directed to conduct a review of the efficacy of the agreements by March 1, 2005.

This bill defines the term “Multidisciplinary adult protection team” as two or more persons who are trained in the prevention, identification, and treatment of abuse of elderly persons as defined in s. 430.602, F.S., or of dependent persons and who are qualified to provide a broad range of services related to abuse of elderly or dependent persons. The composition of this team is suggested to include mental health, medical, and law enforcement personnel.

The department is required to provide a report to the Legislature by December 1, 2003, reflecting the status of its compliance with the recommendations included in Report No. 03-08, by OPPAGA. This report must also include an analysis of, and a plan for implementing, at least one multidisciplinary adult protection team in each of its districts.

This bill substantially amends sections 415.1045 and 415.1102, of the Florida Statutes.

II. Present Situation:

Working Agreements

The department is currently required by s. 415.1045, F.S., to enter into working agreements with law enforcement agencies having jurisdiction to conduct criminal investigations arising from an allegation of abuse, neglect, or exploitation of vulnerable adults. These agreements are intended to facilitate standard, consistent, and thorough investigations through improved cooperation, communication, and sharing of information during the investigative process. The current statute does not identify a date for completion of these agreements and does not require a review of the efficacy of these agreements by a certain date.

During a January 2003 review conducted by OPPAGA it was found that more than 2 years after the law was passed requiring working agreements, most of the state still did not have working agreements in place. In January 2003, 129 working agreements had been developed, 210 agreements were still in negotiation and four districts had not established any agreements. This slow progress was attributed primarily to the central offices directing the development of a statewide model for the agreements before implementation at the district level.

In August 2002, the model agreement was completed and forwarded to the districts to serve as a starting point for negotiations. Implementation of the agreements began during September 2002. The headquarters program office has now established an internal deadline for all districts to have signed working agreements by June 30, 2003 and a district progress report is collected every 2 weeks.

There are 339 law enforcement entities statewide where agreements are needed. The department has made progress towards developing signed agreements with all of these entities. As of March 27, 2003 the department has 238 signed agreements (70.21percent).

Section 415.1102 of the Florida Statutes authorizes the department to create Adult Protection Teams subject to appropriations. Adult Protection Teams are used for consultation, evaluation, coordination and other supportive activities relating to the investigation of allegations of abuse, neglect, or exploitation of vulnerable adults. Currently, there is no funding appropriated to the department for services provided by district level Adult Protection Teams. Although districts have tried a variety of methods for creating and maintaining these teams, it has become increasingly difficult to maintain a core multidisciplinary membership as volunteers are used to provide these services and receive no compensation.

Presently, districts convene Adult Protection Teams on an as needed basis, and utilize volunteers with qualifications to provide needed services. There is little information available pertaining to the frequency with which these teams are convened or the number of individuals who receive their services.

In FY 2001-2002 and FY 2002-2003 the Legislature appropriated \$100,000 to fund a pilot Adult Protection Team through the Public Health Trust of Dade County and the University of Miami in DCF's District 11. The pilot was established for purposes of demonstrating the effectiveness of conducting medical and psychological assessment, evaluations and therapeutic referrals

associated with adult victims of abuse, neglect, or exploitation. A contract was executed in the district on January 4, 2002 and the first cases received on January 24, 2002.

A report provided to the department on the Adult Protection Team that was inclusive of information through April 2002 reflects that 27 vulnerable adults received services from the Adult Protection Team. The reported benefits and savings resulting from the use of this team include:

- The intensive follow up for individuals referred to the program and the interdisciplinary approach used by the team.
- The improved quality of life for two vulnerable individuals receiving services.
- Financial savings that have resulted from a decrease in 911 phone calls made by one of the individuals receiving services.

III. Effect of Proposed Changes:

Working Agreements

This bill requires that the department enter into working agreements with local law enforcement agencies by March 1, 2004. Although the department expects to meet this deadline, the ability to meet it is dependent, in part, upon the timely routing, review, and approval of the working agreements by local law enforcement agencies. The bill also requires the Office of Program Policy Analysis and Government Accountability (OPPAGA) to conduct a review of the efficacy of the agreements by March 1, 2005

Multidisciplinary Adult Protection Teams

The term “multidisciplinary adult protection team” is defined as a team of two or more persons who are trained in the prevention, identification, and treatment of abuse of elderly persons as defined in s. 430.602, F.S., or of dependent persons and who are qualified to provide a broad range of services related to abuse of elderly or dependent persons.

Adult Protection Teams provide similar services to those provided by Child Protection Teams but receive no state funding. There has been some discussion of providing these services to adults by linking with the existing child protection teams. However, this does not appear to be feasible as the issues experienced by the two groups and the expertise required for team members are frequently disparate and age related.

The bill suggests the composition of the Adult Protective Teams as: psychiatrists, psychologists, or other trained counseling personnel; police officers or other law enforcement officers; medical personnel who have sufficient training to provide health services; social workers who have experience or training in preventing the abuse of elderly or dependent persons; and public guardians describe in part IX of ch. 744, F.S. It may be difficult to maintain this type of membership on a voluntary basis.

Report from Department

CS/SB 1822 requires the department to report to the Legislature by December 1, 2003, on the status of its compliance with recommendations for improvements to the Adult Services Program that are included in Report No. 03-08 from OPPAGA. The department is additionally directed to analyze and include as a part of this report a plan for implementing at least one multidisciplinary adult protection team in each of its districts.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.