



Senate Judiciary Committee:

February 16, 2017

**SB 72: Adult Protective Services and
Mandatory Reporting of Adult
Abuse/Neglect**

Testimony by:

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Testimony of:

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Testimony on:

SB 72, Adult Protective Services and Mandatory Reporting of Adult Abuse/Neglect

Chair Wilborn, Vice Chair Lynn, Ranking Member Haley and Members of the Committee:

Thank you for the opportunity to provide testimony in support of SB 72.

SB 72 amends certain statutes related to reporting abuse, neglect or exploitation of adults. The Adult Protective Services (APS) statutes have not been revised for a significant period of time. Language proposed in SB 72 brings statutes in line with current terminology employed and best practices with respect to service to adults who have allegedly been abused, neglected or exploited.

K.S.A. 39-1430(a) proposes the term “vulnerable” be added for clarity to the definition of vulnerable adults for applicable statutes. Specifying “vulnerable adult,” a term many states currently use, emphasizes the potential victims for whom these statutes were enacted to protect.

K.S.A. 39-1431 establishes a list of persons who are mandated to report and when. Revision of the statutory provision would require the listed mandated reporters submit a report to the Kansas Department for Children and Families (DCF) when mandated reporters have “reasonable cause to believe that a vulnerable adult is being or has been abused, neglected, exploited or subjected to fiduciary abuse.”

SB 72 sets forth language which organizes the list of mandated reporters of adult abuse and neglect into categories similar to the list set out in the Child in Need of Care (CINC) Code. By categorizing the mandated reporters, as proposed, the statutory provision is improved. In 39-1431 (a)(1) “persons licensed to practice...optometry” and “persons engaged in postgraduate training programs approved by the state board” of healing arts are added. In (a)(2), proper existing terms for certain mental health professionals are included (i.e. licensed addiction counselors and licensed clinical addiction counselors). In (a)(3), “and other school employees of an educational institution that a vulnerable adult is attending” is added.

A substantive change of note is the addition of “firefighters and emergency medical services personnel” as mandated reporters of adult abuse and neglect in (a)(4). These professionals are mandated reporters in the CINC Code. Pragmatically, many of these professionals often report as they are first responders in numerous emergency situations. The addition of the statutory requirement will ensure reporting by all such professionals and the protection of those vulnerable adults our agency serves.

Proposed changes to 39-1433 include changing “personal visit” to “face-to-face assessment” and replacing the dated term “confirmed” with “substantiated.”

In 39-1437, “involved” is added before “adult.” When a “vulnerable adult” comes into contact with our agency, and a submitted report is investigated and/or services offered, the term “involved adult” is used to reflect involvement with the agency or services.

Additional language changes are made for the purpose of clarification, but do not substantively alter current investigations, practices or services.

DCF strives to improve the process to serve vulnerable adults who are or have been victims of abuse, neglect or exploitation.

Thank you for the opportunity to provide testimony in support of SB 72.