

House Bill 1123 (COMMITTEE SUBSTITUTE)

By: Representatives Barrett of the 24th, Cooper of the 45th, Silcox of the 53rd, and Oliver of the 82nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 5 of Title 30 of the Official Code of Georgia Annotated, relating to
2 protection of disabled adults and elder persons, so as to require the establishment of an Adult
3 Abuse, Neglect, and Exploitation Multidisciplinary Team in each judicial circuit; to provide
4 for an exception; to establish the Adult Abuse, Neglect, and Exploitation Multidisciplinary
5 Coordinator Program within the Prosecuting Attorneys' Council of the State of Georgia; to
6 provide for a definition; to provide for duties and responsibilities of regional coordinators of
7 the program; to create an elder justice coalition for the State of Georgia for the purpose of
8 preventing disabled adult and elder person abuse, neglect, and exploitation; to provide for
9 membership composition; to provide for duties and responsibilities; to provide for
10 dissemination of information created by the coalition to the Georgia Peace Officer Standards
11 and Training Council; to provide for related matters; to repeal conflicting laws; and for other
12 purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

14 **SECTION 1.**

15 Chapter 5 of Title 30 of the Official Code of Georgia Annotated, relating to protection of
16 disabled adults and elder persons, is amended in Code Section 30-5-11, relating to

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17 establishment of Adult Abuse, Neglect, and Exploitation Multidisciplinary Team,
18 membership, duties, creation of memorandum of understanding, confidentiality and
19 limitations on disclosures, and reporting and reviews, by revising subsection (a) and by
20 adding a new subsection to read as follows:

21 "(a) The district attorney of each judicial circuit ~~may~~ shall establish, or cause to be
22 established, an Adult Abuse, Neglect, and Exploitation Multidisciplinary Team for the
23 purposes of:"

24 "(g) Notwithstanding subsection (a) of this Code section, no judicial circuit shall be
25 required to establish an Adult Abuse, Neglect, and Exploitation Multidisciplinary Team
26 unless and until the Adult Abuse, Neglect, and Exploitation Multidisciplinary Coordinator
27 Program, as created in Code Section 30-5-12, is funded within the Prosecuting Attorneys'
28 Council of the State of Georgia to oversee and manage such team."

29 **SECTION 2.**

30 Said chapter is further amended by adding new Code sections to read as follows:

31 "30-5-12.

32 (a) For purposes of this Code section, the term 'regional coordinator' means an employee
33 or contractor of the Prosecuting Attorneys' Council of the State of Georgia who is assigned
34 to one or more judicial circuits, acts as agent and designee of such circuit or circuits, and
35 oversees and manages the circuit's or circuits' Adult Abuse, Neglect, and Exploitation
36 Multidisciplinary Team meetings.

37 (b) There is established within the Prosecuting Attorneys' Council of the State of Georgia
38 the Adult Abuse, Neglect, and Exploitation Multidisciplinary Coordinator Program for the
39 purpose of establishing a network of regional coordinators.

40 (c) Regional coordinators as defined in subsection (a) of this Code section shall have the
41 following duties and responsibilities:

42 (1) To schedule, coordinate, and follow up on all Adult Abuse, Neglect, and Exploitation
43 Multidisciplinary Team meetings and activity within their circuit; and

44 (2) To prepare and submit the report required by paragraph (1) of subsection (f) of Code
45 Section 30-5-11.

46 30-5-13.

47 (a) There shall be created an elder justice coalition for the State of Georgia.

48 (b) The elder justice coalition may conduct meetings at such places and at such times as
49 it may deem necessary or convenient to enable it to exercise fully and effectively its
50 powers, perform its duties, and accomplish the objectives and purposes of this Code
51 section. The elder justice coalition shall meet not less than twice each year.

52 (c) The leadership of the elder justice coalition shall be composed of a state-wide
53 coordinator, to be hired and housed at the Prosecuting Attorneys' Council of the State of
54 Georgia, and a chairperson to be elected by the membership of such coalition to serve one
55 calendar year. The state-wide coordinator, in consultation with the chairperson, shall have
56 the authority and responsibility to call regular and special meetings of such coalition and
57 shall set agendas for such meetings.

58 (d) The elder justice coalition shall be composed of the following members:

59 (1) A representative of the Division of Aging Services of the Department of Human
60 Services;

61 (2) A representative of the Georgia Bureau of Investigation's Crimes Against Disabled
62 Adults and Elderly (CADE) Task Force or a representative from the Georgia Bureau of
63 Investigation with experience in crimes against vulnerable adults;

64 (3) A representative from the Prosecuting Attorneys' Council of the State of Georgia;

65 (4) A representative from the Criminal Justice Coordinating Council;

66 (5) A representative from the Georgia Bankers Association;

67 (6) A representative from the Alzheimer's Association, Georgia chapter;

- 68 (7) A representative from the Office of the State Long-Term Care Ombudsman;
69 (8) A representative from the Healthcare Facility Regulation Division of the Department
70 of Community Health;
71 (9) A representative from the Department of Behavioral Health and Developmental
72 Disabilities;
73 (10) A representative from the Georgia Council on Aging;
74 (11) A medical professional with an active practice specializing in geriatrics;
75 (12) A coroner or medical examiner;
76 (13) A professional with expertise in Alzheimer's disease, dementia, or other
77 degenerative brain disorder or cognitive impairment;
78 (14) Georgia Secretary of State;
79 (15) Georgia Senior Living Association;
80 (16) Georgia Memory Net;
81 (17) A dementia specialist from Emory;
82 (18) Georgia Credit Union Association;
83 (19) Community Bankers Association;
84 (20) Georgia Health care Association; and
85 (21) Other such representatives as needed within the discretion of the coalition.
86 (d) The coalition shall appoint two law enforcement officers, as defined in Code Section
87 35-1-7, and two attorneys with prosecutorial experience in crimes against disabled adults
88 or elder persons pursuant to Article 8 of Chapter 5 of Title 16 or Code Sections 30-5-5,
89 31-7-12.1, or 31-8-83.
90 (e) The coalition shall be tasked with the duties to:
91 (1) Create a law enforcement protocol and guide and subsequent training for law
92 enforcement officers when responding to instances of abuse of disabled adults or elder
93 persons;

- 94 (2) Conduct training related to disability, Alzheimer's disease, dementia, and other
95 degenerative brain disorders or cognitive impairments, in conjunction with partner
96 organizations such as the Alzheimer's Association, Georgia Advocacy Office, Georgia
97 Council on Developmental Disabilities, Georgia Gerontology Society, and other similar
98 agencies and organizations, and training related to the appropriate response to victims
99 living with such impairments;
- 100 (3) Partner with state agencies and state and local organizations to promote awareness,
101 outreach, and support for a holistic care perspective, to include, but not be limited to,
102 access to resources, facility staffing, and prevention of disabled adult and elder person
103 abuse, neglect, and exploitation;
- 104 (4) Provide case analysis and assistance, including, but not limited to, advising localities
105 on investigating and prosecuting cases and safeguarding disabled adults or elder persons
106 who are victims of abuse, neglect, and exploitation;
- 107 (5) Provide support and assistance to local Adult Abuse, Neglect, and Exploitation
108 Multidisciplinary Teams;
- 109 (6) Develop strategies for providing holistic care and wraparound services for disabled
110 adults and elder persons who are victims of adult abuse, neglect, and exploitation in the
111 State of Georgia; and
- 112 (7) Provide a biannual report to the Governor and the General Assembly outlining areas
113 of opportunity, success, and recommendations for preventing and responding to disabled
114 adult and elder person abuse, neglect, and exploitation in this state.
- 115 (f) The guidelines and procedures listed in paragraphs (1) and (2) of subsection (e) of this
116 Code section shall be provided for use by law enforcement training centers monitored by
117 the Georgia Peace Officer Standards and Training Council."

118 **SECTION 3.**

119 All laws and parts of laws in conflict with this Act are repealed.