STATE OF CALIFORNIA—HEALTH AND WELFARE AGENCY

DEPARTMENT OF SOCIAL SERVICES
744 P Street, Sacramento, CA 95814

July 16, 1986

ALL-COUNTY INFORMATION NOTICE NO. I-64-86

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: PROVISIONS OF ASSEMBLY BILL 749, ADULT PROTECTIVE SERVICES

REFERENCE: ACL 85-125 and 86-35

The purpose of this letter is to inform you of the provisions of Assembly Bill (AB) 749 (Chapter 25, Statutes of 1986). AB 749 was signed into law by the Governor on March 21, 1986. It is a non-urgency measure and becomes effective January 1, 1987. A copy of the chaptered bill is attached for your information.

Provisions of the bill affecting counties are as follows:

1. Section 15750 requires that each county welfare department shall establish a county adult protective services system. Section 15752 identifies "Adult Protective Services" (APS) as well as the adults to be served, and Section 15753 addresses what APS services may include.

2. Section 9384 is amended to provide for monthly reporting of elder abuse. Section 15620 requires the counties or the designated contract agency to submit monthly reports to SDSS on dependent adult abuse. Counties should continue to use the current monthly reporting form SOC 340 (1/85), Report of Suspected Dependent Adult/Elder Abuse, until the revised form and instructions become available later this summer. Counties will be notified as soon as the revised form is finalized.

If you have any questions, please contact your Adult and Family Services Operations Consultant at (916) 445-0623.

LOREN D. SUTER
Deputy Director
Adult and Family Services

cc: CWDA

Attachment

Assembly Bill No. 749

CHAPTER 25

An act to amend Sections 9384 and 15620 of, to add Chapter 13 (commencing with Section 15750) to Part 3 of Division 9 of, the Welfare and Institutions Code, relating to dependent adult abuse.

[Approved by Governor March 21, 1986. Filed with Secretary of State March 21, 1986.]

LEGISLATIVE COUNSEL'S DIGEST

AB 749, Duffy. Dependent adult abuse reporting.

Existing law requires the State Department of Social Services to submit a report to the Legislature on elder and dependent adult abuse, utilizing data compiled from each county.

This bill would create a state-mandated local program by specifying that reports shall be submitted by each county monthly.

The bill would also require that county adult protective service agencies or designated contract agencies, the State Department of Developmental Services, and the Department of Justice shall be consulted in the formulation of reporting forms to be developed by the State Department of Social Services.

Under existing law, state and federal funds are appropriated to each county for various types of social services, including adult protective services.

This bill would create a state-mandated local program by requiring each county welfare department to establish a system for the provision of adult protective services, as defined.

The bill would specify various services which could be provided to adults as part of a county's adult protective services program.

This bill would create a state-mandated local program by providing for mandatory reporting requirements which would apply to local agencies.

The people of the State of California do enact as follows:

SECTION 1. Section 9384 of the Welfare and Institutions Code is amended to read:

9384. Each county shall report monthly to the State Department of Social Services on the number of reports of abuse received pursuant to this chapter.

SEC. 2. Section 15620 of the Welfare and Institutions Code is amended to read:

15620. The State Department of Social Services shall submit a report to the Legislature and Governor on the characteristics of abuse victims. The State Department of Social Services shall incorporate any and all comments or observations on abuse of the

elderly as defined in Section 9380. The State Department of Social Services, in consultation with the State Department of Developmental Services, the Department of Justice, county adult protective services agencies, and agencies designated by contract to receive reports of abuse pursuant to this chapter, shall design the report form for dependent adult abuse. The counties, or the designated contract agency shall submit reports to the department on dependent adult abuse monthly.

SEC. 3. Chapter 13 (commencing with Section 15750) is added to Part 3 of Division 9 of the Welfare and Institutions Code, to read:

CHAPTER 13. ADULT PROTECTIVE SERVICES

15750. Each county welfare department shall establish and support a system of protective services to elderly and dependent adults who may be subjected to neglect, abuse, or exploitation or who are unable to protect their own interest.

This system shall be known as the county adult protective services system.

15751. Each county shall establish and maintain a specialized entity within the county welfare department which shall have lead responsibility for the operation of the adult protective services program.

15752. "Adult protective services" means those preventive and remedial activities performed on behalf of dependent individuals 18 years or older who meet any of the following criteria:

(a) They are unable to protect their own interests.

(b) They are harmed or threatened with harm.

(c) They are caused physical or mental injury due to ignorance, illiteracy, incompetence, or poor health.

(d) They are lacking in adequate food, shelter, or clothing.

(e) They are exploited of their income and resources, or deprived of an entitlement due them.

15753. Adult protective services may include, but are not limited to, investigations, needs assessment, a system in which reporting of abuse can occur on a 24-hour basis, emergency shelter, and adult respite care.

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