

SENATE JOINT RESOLUTION 582

By Burks

A RESOLUTION to create a special joint committee to study the delivery and funding of protective services to adults.

WHEREAS, the Tennessee department of human services received approximately 9,648 referrals in 2008 alleging the abuse, neglect or financial exploitation of elderly or disabled adults who could not protect themselves due to age, physical or mental dysfunction or a combination of those circumstances; and

WHEREAS, the effective and timely delivery of protective services to such persons is critical in ensuring that the state's vulnerable adult population can receive services necessary to prevent or alleviate the effects of abuse by caretakers, self-neglect, and the financial exploitation of such persons by others; and

WHEREAS, the manner in which a society treats those who are unable to help themselves is a measure of that society's compassion and caring; and

WHEREAS, services for the protection of Tennessee's abused, neglected and financially exploited vulnerable adults are of importance due to the increasing numbers of elderly and disabled adults in Tennessee; and

WHEREAS, the resources of the department of human services and other agencies whose mission is to protect vulnerable adults have increased little, if any, over time, and their resources are extended to the maximum extent in the department's efforts to serve those vulnerable adults in need of services to protect them from harm; and

WHEREAS, the laws governing the provision of adult protective services may limit or prevent the effective delivery of those services and should be reviewed to ensure that there is

adequate legal authority and that there are effective procedures to allow protective services to be delivered to those in need; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED SIXTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that there is hereby created a special joint committee to study the delivery and funding of protective services to vulnerable adults and the adequacy of resources devoted to that purpose.

BE IT FURTHER RESOLVED, that the membership of the committee shall consist of:

1) Two (2) members of the Senate appointed by the Speaker of the Senate, one of whom shall be a member of the General Welfare, Health and Human Resources Committee;

2) Two (2) members of the House of Representatives appointed by the Speaker of the House, one (1) of whom shall be a member of the Health and Human Resources Committee;

3) Two (2) representatives of the adult protective services division of the Tennessee department of human services;

4) Two (2) representatives of the Tennessee commission on aging and disability;

5) One (1) representative of the American Association of Retired Persons;

6) One (1) representative of the Tennessee Disability Coalition;

7) One (1) representative of the Disability Law and Advocacy Center of Tennessee;

8) One (1) medical professional and one (1) mental health professional engaged in geriatric practice;

9) One (1) medical professional and one (1) mental retardation professional engaged in care for disabled adults;

10) One (1) representative of the Tennessee department of health;

11) One (1) representative of the TennCare bureau;

12) One (1) representative of a legal service organization that represents indigent persons;

13) One (1) representative of the Tennessee Vulnerable Adult Coalition (TVAC), not otherwise represented in the groups named above;

14) One (1) judge with experience in deciding adult protective services cases;

15) One (1) law enforcement officer with experience in investigating cases of alleged abuse, neglect or financial exploitation of vulnerable adults;

16) One (1) representative of the division of mental retardation services of the Tennessee department of finance and administration; and

17) One (1) representative of the Tennessee department of mental health and developmental disabilities.

BE IT FURTHER RESOLVED, that all appropriate state agencies shall provide assistance to the special joint committee upon request of the chair.

BE IT FURTHER RESOLVED, that all legislative members of the special joint committee who are duly elected members of the General Assembly shall remain members of such committee until the committee reports its findings and recommendations to the General Assembly.

BE IT FURTHER RESOLVED, that the special joint committee shall be convened by the member appointed from the Senate General Welfare, Health and Human Resources Committee, and at its first meeting, the committee shall elect a chair, vice-chair, and such other officers the committee deems necessary.

BE IT FURTHER RESOLVED, that the special joint committee shall timely report its findings and recommendations, including any proposed legislation and funding needs for the provision of adult protective services, to the One Hundred Sixth General Assembly no later than February 1, 2010, at which time the committee shall cease to exist.