

FIRST REGULAR SESSION

SENATE BILL NO. 675

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR GOODMAN.

Read 1st time March 1, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

2462S.02I

AN ACT

To repeal section 198.097, RSMo, and to enact in lieu thereof one new section relating to financial exploitation of the elderly, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 198.097, RSMo, is repealed and one new section enacted
2 in lieu thereof, to be known as section 198.097, to read as follows:

198.097. 1. Any person who assumes the responsibility of managing the
2 financial affairs of an elderly person who is a resident of a nursing home shall be
3 guilty of a class D felony if such person misappropriates the funds and fails to pay
4 for the nursing home care of the elderly person.

5 **2. It shall be evidence of misappropriating funds and failing to**
6 **pay for the nursing home care of an elderly person if:**

7 **(1) The nursing home sends by certified mail, with confirmation**
8 **receipt requested, notification of failure to pay nursing home expenses**
9 **incurred by an elderly resident to the person who has legally assumed**
10 **responsibility of managing the financial affairs of the elderly person**
11 **and such person has the financial resources to pay for the nursing**
12 **home expenses;**

13 **(2) The nursing home does not receive payment within thirty**
14 **days of receipt of first notification and the nursing home sends by**
15 **certified mail, with confirmation receipt requested, a second**
16 **notification of failure to pay nursing home expenses;**

17 **(3) The nursing home does not receive payment within thirty**
18 **days of receipt of second notification and the nursing home sends by**
19 **certified mail, with confirmation receipt requested, a third and final**
20 **notification of failure to pay nursing home expenses; and**

21 **(4) The nursing home does not receive payment within thirty**
22 **days of receipt of third and final notification.**

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