

SENATE SUBSTITUTE
FOR
SENATE BILL NO. 619

AN ACT

To repeal section 192.2425 and 565.186, RSMo, and to enact in lieu thereof two new sections relating to investigations of elder abuse.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
AS FOLLOWS:

1 Section A. Section 192.2425 and 565.186, RSMo, are repealed
2 and two new sections enacted in lieu thereof, to be known as
3 sections 192.2425 and 565.186, to read as follows:

4 192.2425. 1. The department of health and senior services
5 shall investigate incidents and reports of elder abuse or neglect
6 using the procedures established in sections 192.2400 to 192.2470
7 and, upon substantiation of the report of elder abuse or neglect,
8 shall promptly report the incident to the appropriate law
9 enforcement agency and prosecutor and shall determine whether
10 protective services are required pursuant to sections 192.2400 to
11 192.2470. If the department is unable to substantiate whether
12 abuse or neglect occurred due to the failure of the operator or
13 any of the operator's agents or employees to cooperate with the
14 investigation, the incident shall be promptly reported to
15 appropriate law enforcement agencies.

16 2. The department employee responding to or investigating a
17 report of elder abuse or neglect shall, if the alleged
18 perpetrator is present during an initial visit by the employee,

1 provide the alleged perpetrator with a written description of the
2 investigation process and the department's policies regarding
3 such investigations. The alleged perpetrator shall be given a
4 reasonable amount of time to read such written material or have
5 such material read to him or her by the employee responding to or
6 investigating the report before the visit commences, but in no
7 event shall such time exceed five minutes; except that, such
8 requirement to provide written material and reasonable time to
9 read such material shall not apply in cases where the alleged
10 victim of elder abuse or neglect faces an immediate threat or
11 danger, or the employee responding to or investigating the report
12 is or feels threatened or in danger of physical harm.

13 3. The department shall make the written materials provided
14 under subsection 2 of this section available at all times to the
15 public on the department's website.

16 565.186. 1. The department of health and senior services
17 shall investigate incidents and reports of elder abuse using the
18 procedures established in sections 192.2400 to 192.2470 and, upon
19 substantiation of the report of elder abuse, shall promptly
20 report the incident to the appropriate law enforcement agency and
21 prosecutor and shall determine whether protective services are
22 required pursuant to sections 192.2400 to 192.2470. If the
23 department is unable to substantiate whether abuse occurred due
24 to the failure of the operator or any of the operator's agents or
25 employees to cooperate with the investigation, the incident shall
26 be promptly reported to appropriate law enforcement agencies.

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