

FIRST REGULAR SESSION

# SENATE BILL NO. 103

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WALLINGFORD.

Pre-filed December 1, 2016, and ordered printed.

ADRIANE D. CROUSE, Secretary.

0612S.01I

## AN ACT

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

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

Section A. Section 192.2425, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 192.2425, to read as follows:

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

2. **The department employee responding to or investigating a report of elder abuse or neglect shall, if the alleged perpetrator is present during an initial visit by the employee, provide the alleged perpetrator with a written description of the investigation process and the department's policies regarding such investigations. The alleged perpetrator shall be given a reasonable amount of time to read such written material or have such material read to him or her by the employee responding to or investigating the report before the visit commences; except that, such requirement to provide written material and reasonable time to read such material shall not apply in cases**

21 where the alleged victim of elder abuse or neglect faces an immediate  
22 threat or danger, or the employee responding to or investigating the  
23 report is or feels threatened or in danger of physical harm.

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

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