

Fifty-fifth  
Legislative Assembly  
of North Dakota

**SENATE CONCURRENT RESOLUTION NO. 4038**

Introduced by

Senators St. Aubyn, Solberg, Robinson

Representatives Delmore, Monson, Skarphol

1 A concurrent resolution directing the Legislative Council to study the feasibility and desirability  
2 of merging advocacy programs administered by the Department of Human Services, including  
3 the vulnerable adult protective services program, into the protection and advocacy program.

4 **WHEREAS**, the Committee on Protection and Advocacy provides advocacy and  
5 protective services for persons with developmental disabilities and persons with mental  
6 illnesses; and

7 **WHEREAS**, the Committee on Protection and Advocacy must balance the rights of  
8 persons to privacy and to refuse services with the committee's duties to protect the human and  
9 legal rights of persons eligible for services and to monitor facilities for compliance with federal  
10 and state laws and rules; and

11 **WHEREAS**, the vulnerable adult protective services program provides remedial, social,  
12 legal, health, mental health, and referral services that are necessary and appropriate for the  
13 prevention, correction, or discontinuance of abuse or neglect of a vulnerable adult; and

14 **WHEREAS**, the Department of Human Services and county social service boards are  
15 not required to implement or enforce the vulnerable adult protective services program with  
16 respect to any region, area, or county of this state if the Legislative Assembly does not provide  
17 an appropriation to support the implementation and enforcement of the program within that  
18 region, area, or county; and

19 **WHEREAS**, a number of other advocacy programs administered by the Department of  
20 Human Services have purposes similar to those of the Committee on Protection and Advocacy  
21 and the vulnerable adult protective services program; and

22 **WHEREAS**, the merging of the various advocacy programs may result in improved  
23 effectiveness and efficiency of the programs and may avoid a duplication in services;

24 **NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE**  
25 **HOUSE OF REPRESENTATIVES CONCURRING THEREIN:**

1           That the Legislative Council study the feasibility and desirability of merging advocacy  
2 programs administered by the Department of Human Services, including the vulnerable adult  
3 protective services program, into the protection and advocacy program; and

4           **BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and  
5 recommendations, together with any legislation required to implement the recommendations, to  
6 the Fifty-sixth Legislative Assembly.