

**Fifty-fifth Legislative Assembly, State of North Dakota, begun in the Capitol in the City of Bismarck, on Monday, the sixth day of January, one thousand nine hundred and ninety-seven**

**SENATE CONCURRENT RESOLUTION NO. 4038  
(Senators St. Aubyn, Solberg, Robinson)  
(Representatives Delmore, Monson, Skarphol)**

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

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

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

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

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

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

**WHEREAS**, the merging of the various advocacy programs may be one method to improve the effectiveness and efficiency of the programs and may avoid a duplication in services; and

**WHEREAS**, shared resources may be a method to improve the effectiveness and the efficiency of the programs;

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

That the Legislative Council study the effectiveness of and methods to improve advocacy programs administered by the Department of Human Services and the feasibility and desirability of merging those advocacy programs, including the vulnerable adult protective services program, into the protection and advocacy program; and

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

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President of the Senate

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Speaker of the House

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Secretary of the Senate

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Chief Clerk of the House

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 1997,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

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Secretary of State