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La Costa Rickford  
Operator's Signature

10/6/03  
Date

2003 HOUSE HUMAN SERVICES  
HCR 3062

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Almeta Richardson  
Operator's Signature

10/16/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3062

House Human Services Committee

☐ Conference Committee

Hearing Date February 26, 2003

| Tape Number                                    | Side A | Side B | Meter #     |
|--|--------|--------|-------------|
| 2  |        | X      | 25.5 - 29.5 |
|  |        |        |             |
|  |        |        |             |
| Committee Clerk Signature <i>Sharon Lejawa</i> |        |        |             |

Minutes:

Rep. Sandvig appeared as prime sponsor stating that one of the first things I discovered while working in the hospital was that the social workers that Minnesota had much better adult abuse reporting laws and that they were seeing cases of people had been left in their homes or people that their family hadn't sought out the necessary for them because they are were trying to protect their assets for their farms or businesses and felt a study resolution would be good.

Rep. Wieland: What kind of people are you looking at, could you define.

Answer: The people that are required to report child abuse like hospitals, nursing homes, senior centers, social workers and neighborhoods. Anyone that would have knowledge of what was going on.

Bruce Murry, ND Protection and Advocacy Project appeared in support with written testimony.

No Opposition

Page 2  
House Human Services Committee  
Bill/Resolution Number HCR 3062  
Hearing Date February 26, 2003

Rep. Porter: Asked Rep. Sandvig, on lines 20, 21 & 22 (justice resolution) the whole meat of the study is whether or not the Legislature should require someone to report an already reportable crime. How would we go about making it that someone would report abuse or suspected abuse of a vulnerable person more so than it already is by law?

Answer: They are not nearly as strict as they are in MN and I wanted to make it more like the recording for child abuse and neglect.

Rep. Porter: Your saying right now that there are abuse situations going on now that medical professionals in the hospitals are not reporting.

Answer: I'm not sure if they are all obliged to report or not, most facilities do it because they feel the need to but they are not enforceable then.

Rep. Wieland: Is it primarily that people are not reporting because people aren't educated to know what they are seeing. I can't imagine, seeing somebody if a child, adult or elderly or whatever as seeing somebody being abused that somebody around that person is not going to interfere in someway or at the very least report it. They can report it anonymously.

Answer: Sometimes it is the family members that are doing the abuse. So if the person is in their home and they are almost keeping the person at home and in seclusion and they are not getting out so other people would see them and report what is going on. A lot of incidents where it could happen. Hopefully a doctor or someone would see it and report it.

Rep. Weisz motioned for a DO PASS and placed on the Consent Calendar motion, second by Rep. Amerman.

13 - 0 - 0

Rep. Sandvig will carry the bill.

Richard Costa  
Operator's Signature

10/16/03  
Date

FR

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☐ Check here for Conference Committee

Action Taken DP on Consent

[illegible]

Absent 0

**If the vote is on an amendment, briefly indicate intent:**

**REPORT OF STANDING COMMITTEE (410)**  
February 27, 2003 9:04 a.m.

Module No: HR-35-3550  
Carrier: Sandvig  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**  
**HCR 3062: Human Services Committee (Rep. Price, Chairman) recommends DO PASS**  
**(13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3062 was placed on the**  
**Tenth order on the calendar.**

(2) DESK, (3) COMM

Page No. 1

HR-35-3550

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*La Costa Rickford*  
Operator's Signature

*10/16/03*  
Date

2003 SENATE HUMAN SERVICES

HCR 3062

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La Costa Rickford  
Operator's Signature

10/16/03  
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3062

Senate Human Services Committee

☐ Conference Committee

Hearing Date March 19, 2003

| Tape Number                                      | Side A | Side B | Meter #  |
|--|--------|--------|----------|
| 1  |        | X      | 630-1075 |
|  |        |        |          |
|  |        |        |          |
| Committee Clerk Signature <i>Mary Kay Walker</i> |        |        |          |

Minutes:

Senator J. Lee (mtr #630) - Opened hearing on HCR3062. All committee members are present.

This resolution directs the Legislative Council to study vulnerable adult abuse and neglect with an emphasis on whether certain individuals should be required to report suspected incidents of vulnerable adult abuse and neglect.

Representative Sally Sandvig (mtr #679) - Introduced the bill and explained its intent. This issue came to my attention when working at a health care facility. Minnesota has much stricter requirements for reported suspected adult abuse than ND does. Also provided written testimony from Kari Thrift regarding an adult abuse case. Testimony attached.

Senator Fischer (mtr #779) - Would this fit in with Guardianship Association of ND (GAND)?

Representative Sandvig (mtr #803) - Have not discussed with GAND at this time.

Bruce Murray, employee of the ND Protection and Advocacy Project (mtr #879) - Testified in support of HCR3062. Summarized his written testimony. Written testimony is attached.



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Senate Human Services Committee

Bill/Resolution Number HCR3062

Hearing Date March 19, 2003

Senator J. Lee (mtr #1000) - Given no further testimony or questions, closed the hearing on

HCR3062.

Senator Fischer moves a Do Pass. Second by Senator Fairfield.

Roll call vote 6 yea, 0 nay, 0 absent. Carrier is Senator Fischer.

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Richard Costa  
Operator's Signature

10/16/03  
Date

Date: 03-19-03  
Roll Call Vote # 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HCR 3062

Senate Human Services Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken Do Pass

Motion Made By Sen. Fischer Seconded By Sen. Fairfield

| Senators                          | Yes | No | Senators | Yes | No |
|-----------------------------------|-----|----|----------|-----|----|
| Senator Judy Lee - Chairman       | ✓   |    |          |     |    |
| Senator Richard Brown - V. Chair. | ✓   |    |          |     |    |
| Senator Robert S. Erbele          | ✓   |    |          |     |    |
| Senator Tom Fischer               | ✓   |    |          |     |    |
| Senator April Fairfield           | ✓   |    |          |     |    |
| Senator Michael Polovitz          | ✓   |    |          |     |    |
|                                   |     |    |          |     |    |
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|                                   |     |    |          |     |    |
|                                   |     |    |          |     |    |

Total (Yes) 6 No 0

Absent

Floor Assignment Sen. Fischer

If the vote is on an amendment, briefly indicate intent:

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Operator's Signature To Costa Richard

Date 10/6/03

**REPORT OF STANDING COMMITTEE (410)**  
March 20, 2003 9:41 a.m.

**Module No: SR-50-5290**  
**Carrier: Fischer**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**  
**HCR 3062: Human Services Committee (Sen. J. Lee, Chm.) recommends DO PASS**  
**(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3062 was placed on the**  
**Fourteenth order on the calendar.**

(2) DESK, (3) COMM

Page No. 1

SR-50-5290

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*For Costa Rickford*  
Operator's Signature

*10/6/03*  
Date

2003 TESTIMONY

HCR 3062

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Salvatore Rickford  
Operator's Signature

10/6/03  
Date

TESTIMONY  
NORTH DAKOTA PROTECTION AND ADVOCACY PROJECT  
HOUSE CONCURRENT RESOLUTION 3062  
FEBRUARY 26, 2003  
HOUSE HUMAN SERVICES  
HONORABLE CLARA SUE PRICE, CHAIRMAN

Chairman Price and members of the House Human Services Committee, my name is Bruce Murry and I am an employee of the North Dakota Protection and Advocacy Project (P&A). P&A supports HCR 3062.

In its work across the state, P&A encounters vulnerable adults who have been abused, neglected, and exploited. County Social Services has primary protective responsibility for adults who do not have developmental disabilities or mental illnesses. Sometimes the abuse, neglect, and exploitation are not reported to County Social Services or P&A for some time. Mandatory reporting would appear to be a logical step to increase reporting of abuse, neglect, and exploitation.

P&A also wishes to call the Committee's attention to people with traumatic brain injury who may not easily fit existing disability categories. People with chemical dependency or dual diagnoses, and young adults may also fall on the fringes of different agencies' authority. All of these vulnerable adults could benefit from earlier reporting. P&A will cooperate with other agencies in reporting and protective services.

Thank you for this opportunity and I am available for any questions.

*La Costa Rickford*  
Operator's Signature

*10/16/03*  
Date



"Thrift"  
<thrift@buffalocity.net>  
>

To: <ssandvig@state.nd.us>  
cc:  
Subject: House Concurrent Resolution No. 3062

03/03/2003 12:14 PM  
Please respond to  
"Thrift"

I am writing to thank you for introducing a resolution directing the Legislative Council to study vulnerable adult abuse and neglect. I have a personal interest in this area. My uncle who had down syndrome suffered from neglective while living in a group home. Those actions contributed to his death but did not cause it. I started writing letters in 1998 about this problem and have written them off and on since. Protection and Advocacy investigated my uncle's case and verified the neglect. They made recommendations to the agency that ran the group home. What we were told by Protection and Advocacy is that they could make recommendations but had no power to enforce the recommendations. I have asked over and over again, who does have this power. I have not been able to find this out. So I urge you while this area is being looked into, please look into what happens after the abuse and/or neglect is reported and verified. Thank you once again. If I can be of any help, I can be located at 252-4230, [thrift@buffalocity.net](mailto:thrift@buffalocity.net) or by writing me at 710 5th Ave SE, Jamestown, ND 58401.

Sincerely,  
Karl Thrift

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*La Costa Rickford*  
Operator's Signature

*10/16/03*  
Date

TESTIMONY  
NORTH DAKOTA PROTECTION AND ADVOCACY PROJECT  
HOUSE CONCURRENT RESOLUTION 3062  
MARCH 19, 2003  
SENATE HUMAN SERVICES  
HONORABLE JUDY LEE, CHAIRMAN

Chairman Lee and members of the Senate Human Services Committee, my name is Bruce Murry and I am an employee of the North Dakota Protection and Advocacy Project (P&A). P&A supports HCR 3062.

In its work across the state, P&A encounters vulnerable adults who have been abused, neglected, and exploited. County Social Services has primary protective responsibility for adults who do not have developmental disabilities or mental illnesses. Sometimes the abuse, neglect, and exploitation are not reported to Vulnerable Adult Services or P&A for some time. Mandatory reporting would appear to be a logical step to increase reporting of abuse, neglect, and exploitation.

P&A also wishes to call the Committee's attention to people with traumatic brain injury who may not easily fit existing disability categories. People with chemical dependency or dual diagnoses, and young adults may also fall on the fringes of different agencies' authority. It is my understanding that most money used in the Vulnerable Adult programs is from the Older Americans Act, and does not focus on young and middle aged adults. All of these vulnerable adults could benefit from earlier reporting. P&A will cooperate with other agencies in reporting and protective services.

Thank you for this opportunity and I am available for any questions.

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Bruce Murry  
Operator's Signature

10/6/03  
Date