
Judiciary Committee

SSB 6403

Title: An act relating to removing financial barriers to persons seeking vulnerable adult protection orders.

Brief Description: Removing financial barriers to persons seeking vulnerable adult protection orders.

Sponsors: Senate Committee on Health & Long-Term Care (originally sponsored by Senator Regala).

<p style="text-align: center;">Brief Summary of Substitute Bill</p> <ul style="list-style-type: none">• Prohibits public agencies from charging a fee for filing or service of vulnerable adult protection orders, and requires provision of certified copies to the petitioner at no cost.
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Hearing Date: 2/16/12

Staff: Omeara Harrington (786-7136).

Background:

A vulnerable adult may seek a civil protection order for relief from another person's abandonment, abuse, financial exploitation, neglect, or the threat thereof. Under statute, a person qualifies as a vulnerable adult if the person:

- is 60 years of age or older and has the functional, mental, or physical inability to care for himself or herself;
- is found to be incapacitated under the guardianship statutes (meaning the individual is at a significant risk of personal harm based upon a demonstrated inability to adequately provide for nutrition, health, housing, or physical safety);
- has a developmental disability;

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- is admitted to a boarding home, nursing home, adult family home, soldiers' home, residential habilitation center, or any other facility licensed by the department of social and health services (DSHS);
- is receiving services from home health, hospice, home care agency, or an individual provider; or
- self-directs his or her own care but receives services from a DSHS-contracted personal aide.

Petitions must be filed in the superior court of the county in which the vulnerable adult resides, and may be brought by the vulnerable adult, an interested person on behalf of the vulnerable adult, or DSHS. Petitions must be accompanied by an affidavit made under oath, or a declaration signed under penalty of perjury, stating specific facts and circumstances which demonstrate the need for the relief sought. Upon a hearing, the court may enter a protection order, which will last for a fixed period of time, not to exceed five years.

No bond or filing fee may be charged to the petitioner for proceedings under this section. Standard forms and written instructions must be provided free of charge.

Summary of Bill:

Public agencies may not charge a filing fee or a fee for service of process to petitioners seeking relief through a vulnerable adult protection order. Petitioners must additionally be provided the necessary number of certified copies at no cost.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.