

SENATE BILL REPORT

SB 5115

As of January 20, 2023

Title: An act relating to clarifying what constitutes mental abuse of vulnerable adults.

Brief Description: Clarifying what constitutes mental abuse of vulnerable adults.

Sponsors: Senators Hunt and Wilson, C..

Brief History:

Committee Activity: Law & Justice: 1/24/23.

Brief Summary of Bill

- Modifies the definition of "mental abuse" to include an action by an agent under power of attorney to unreasonably confine a vulnerable adult to a care facility.

SENATE COMMITTEE ON LAW & JUSTICE

Staff: Tim Ford (786-7423)

Background: The Department of Social and Health Services (DSHS) investigates the abandonment, abuse, financial exploitation, neglect, or self-neglect of vulnerable adults. Statutes require DSHS to maintain a vulnerable adult registry containing persons subject to substantiated findings of abandonment, abuse, exploitation, or neglect of a vulnerable adult, and prohibit the hiring of persons who appear in the registry or are subject to other similar reports.

A vulnerable adult includes a person:

- 60 years of age or older and has the functional, mental, or physical inability to care for themselves;
- subject to a guardianship or conservatorship;
- with a developmental disability;

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- admitted to any facility;
- receiving services from a home health, hospice, or home care agency;
- receiving services from an individual provider; or
- self-directing their own care and receiving services from a personal aide.

"Mental abuse" means an intentional, willful, or reckless verbal or nonverbal action that threatens, humiliates, harasses, coerces, intimidates, isolates, unreasonably confines, or punishes a vulnerable adult. Mental abuse may include ridiculing, yelling, or swearing.

Summary of Bill: The definition of "mental abuse" is modified to include an action by an agent under power of attorney to unreasonably confine a vulnerable adult to a care facility.

Appropriation: None.

Fiscal Note: Requested on January 20, 2023.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.