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AS AMENDED

BILL NO. 3328

and

Pugh of the Senate

An Act relating to the elderly and vulnerable adults; creating the Commission on the Prevention of Abuse of Elderly and Vulnerable Adults; providing termination date; providing for membership; setting deadline for appointments; providing for filling of vacancies; establishing deadline for organizational meeting; **designating Attorney General to chair Commission**; directing election of a vice-chair; authorizing meetings; stating duties of Commission; requiring Commission to report findings and recommendations to the Governor and Legislature by a specified date; prohibiting compensation **and travel reimbursement** of Commission members; requiring Commission to comply with specified acts; providing for staff assistance; and providing for noncodification.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law not to be
codified in the Oklahoma Statutes reads as follows:

A. There is hereby created to continue until December 31, 2019, the "Commission on the Prevention of Abuse of Elderly and Vulnerable Adults".

1 B. The Commission shall consist of **fourteen (14)** members as
2 follows:

3 **1. The Attorney General of Oklahoma or designee;**

4 **2. The Director of the Oklahoma Department of Human Services or**
5 **designee;**

6 **3. The Administrative Director of the Courts or designee;**

7 **4. The Executive Coordinator of the District Attorneys Council**
8 **or designee;**

9 **5. The Commissioner of the Department of Mental Health and**
10 **Substance Abuse Services or designee;**

11 **6. An attorney in private practice with experience in**
12 **guardianship casework, appointed by the Governor;**

13 **7. A guardian of a family member with diminished capacity,**
14 **appointed by the Governor;**

15 **8. A health care provider or employee of a health care**
16 **provider, appointed by the Governor;**

17 **9. A member of the House of Representatives, appointed by the**
18 **Speaker of the House of Representatives;**

19 **10. A member of a statewide organization that advocates on**
20 **behalf of the elderly and family caregivers, appointed by the**
21 **Speaker of the House of Representatives;**

22 **11. A member of a local or statewide organization that**
23 **advocates on behalf of adults with intellectual and physical**
24

1 disabilities, appointed by the Speaker of the House of
2 Representatives;

3 **12.** A member of the Senate, appointed by the President Pro
4 Tempore of the Senate;

5 **13.** A member of the Oklahoma Bar Association, appointed by the
6 President Pro Tempore of the Senate; and

7 **14.** A member of a local area agency on aging, appointed by the
8 President Pro Tempore of the Senate.

9 C. Appointments to the Commission shall be made by October 1,
10 2018. Members of the Commission shall serve at the pleasure of the
11 appointing authority. A vacancy on the Commission shall be filled
12 by the appointing authority.

13 D. The Commission shall convene no later than December 1, 2018,
14 to conduct an organizational meeting. **The Attorney General shall**
15 **chair the Commission.** The Commission shall elect a vice-chair at
16 the organizational meeting. A majority of the members present at a
17 meeting shall constitute a quorum to conduct business. The
18 Commission shall be authorized to meet at such times as may be
19 required in order to fulfill the duties imposed upon the Commission
20 in subsection E of this section.

21 E. The Commission shall study, evaluate and make
22 recommendations for any changes to state policy, rules or statutes
23 to better provide adequate protections and services for individuals
24

1 who may be at risk for abuse, neglect or exploitation under existing
2 adult guardianship laws by reviewing the following:

3 1. Existing guardianship statutes to determine if changes could
4 improve protections for elderly and disabled adults;

5 2. The guardianship services available to individuals through
6 the Oklahoma Department of Human Services;

7 3. Efforts at the local level to provide guardianship services;
8 and

9 4. Funding needs and availability for guardianship services,
10 including an examination of existing and potential funding sources.

11 F. The Commission shall prepare a report of its findings and
12 recommendations for the Governor, President Pro Tempore of the
13 Senate and the Speaker of the House of Representatives by December
14 1, 2019.

15 G. Members of the Commission shall receive no compensation for
16 serving on the Commission **and no reimbursement for travel.**

17 H. The Commission shall be subject to the Oklahoma Open Meeting
18 Act and the Oklahoma Open Records Act.

19 I. Staff assistance for the Commission shall be provided by the
20 Oklahoma State Senate and the Oklahoma House of Representatives.

21 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
22 April 11, 2018 - DO PASS AS AMENDED
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