

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 HOUSE BILL 3317

By: Bashore

4
5
6 AS INTRODUCED

7 An Act relating to Alzheimer's disease; amending
8 Section 2, Chapter 123, O.S.L. 2022 (43A O.S. Supp
9 2023, Section 10-115), which relates to
10 multidisciplinary team for investigation and
prosecution of elder or vulnerable adult abuse;
adding a requirement for the multidisciplinary team;
and providing an effective date.

11
12
13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY Section 2, Chapter 123, O.S.L.
15 2022 (43A O.S. Supp 2023, Section 10-115), is amended to read as
16 follows:

17 Section 10-115. A. In coordination with the District Attorneys
18 Council, each district attorney may develop a multidisciplinary team
19 for the investigation and prosecution of crimes committed against
20 the elderly or vulnerable adults in each county of the district
21 attorney or in a contiguous group of counties. The lead agency for
22 the team shall be chosen by the members of the team. The team shall
23 intervene in reports involving sexual abuse, abuse, neglect, or
24
--

1 exploitation of an elderly person or vulnerable adult as defined in
2 Section 10-103 of ~~Title 43A of the Oklahoma Statutes~~ this title.

3 B. The multidisciplinary elderly and vulnerable adult abuse
4 team members shall include, but not be limited to:

5 1. Mental health professionals licensed pursuant to the laws of
6 this state or licensed professional counselors;

7 2. Police officers or other law enforcement agents whose duties
8 include, or who have experience or training in, elder and vulnerable
9 adult abuse and neglect investigation;

10 3. Medical personnel with experience in elder and vulnerable
11 adult abuse and neglect identification;

12 4. Adult Protective Services, Office of Client Advocacy, and
13 long-term care workers within the Department of Human Services;

14 5. Multidisciplinary elder and vulnerable adult abuse team
15 coordinators; and

16 6. The district attorney or assistant district attorney.

17 C. 1. Subject to the availability of funds and resources, the
18 functions of the team shall include, but not be limited to:

19 a. whenever feasible, joint investigations by law
20 enforcement and Adult Protective Services, Office of
21 Client Advocacy, or long-term care staff to
22 effectively respond to reports of abuse against
23 elderly or vulnerable adult victims,
24
--

- 1 b. the development of a written protocol for
2 investigation of sexual abuse, abuse, neglect, or
3 exploitation cases of elderly or vulnerable adults and
4 for the interview of victims to ensure coordination
5 and cooperation between all agencies involved. Such
6 protocol shall include confidentiality statements and
7 interagency agreements signed by member agencies that
8 specify the cooperative effort of the member agencies
9 to the team,
- 10 c. communication and collaboration among the
11 professionals responsible for the reporting,
12 investigation, prosecution, and treatment of elderly
13 and vulnerable adult abuse and neglect cases,
- 14 d. elimination of duplicative efforts in the
15 investigation and the prosecution of abuse and neglect
16 cases committed against elderly or vulnerable adult
17 victims,
- 18 e. identification of gaps in service or untapped
19 resources within the community to improve the delivery
20 of services to the victim and family,
- 21 f. development of expertise through training. Each team
22 member and those conducting investigations and
23 interviews of elder or vulnerable adult abuse victims
24 shall be trained in the multidisciplinary team
--

1 approach, conduction of legally sound developmentally
2 and age-appropriate interviews, effective
3 investigation techniques and joint investigations as
4 provided through the State Department of Health, the
5 District Attorneys Council, the Department of Human
6 Services, or other resources. At least one team
7 member or those conducting investigations and
8 interviews of elder or vulnerable adult abuse victims
9 shall complete dementia-specific training on
10 Alzheimer's disease and related dementia that includes
11 one or more of the following:

12 (1) communication skills,

13 (2) problem-solving with challenging behaviors, or

14 (3) explanation of Alzheimer's disease and other
15 dementia,

16 g. formalization of a case review process and provision
17 of data as requested, and

18 h. standardization of investigative procedures for the
19 handling of elderly and vulnerable adult abuse and
20 neglect cases.

21 2. Any investigation or interview related to sexual abuse,
22 abuse, or neglect of elderly or vulnerable adults shall be conducted
23 by appropriate personnel using the protocols and procedures
24 specified in this section.
--

1 3. If trained personnel are not available in a timely manner
2 and if a law enforcement officer or the Department of Human Services
3 determines that there is reasonable cause to believe a delay in
4 investigation or interview of a victim could place the victim's
5 health or welfare in danger of harm or threatened harm, the
6 investigation may proceed without full participation of all
7 personnel, but only for as long as the danger to the victim exists.
8 The Department of Human Services shall make a reasonable effort to
9 find and provide a trained investigator or interviewer.

10 D. A multidisciplinary elder or vulnerable adult abuse team
11 shall have full access to any service or treatment plan and any
12 personal data known to the Department of Human Services that is
13 directly related to the implementation of the requirements of this
14 section.

15 E. Each member of the team shall protect the confidentiality of
16 the elderly or vulnerable adult and any information made available
17 to the team member. The multidisciplinary team and any information
18 received by the team shall be exempt from the Oklahoma Open Meeting
19 Act and the Oklahoma Open Records Act.

20 SECTION 2. This act shall become effective November 1, 2024.

21
22 59-2-9090 TJ 12/11/23
23
24
--