



## 10 ELDER ABUSE BILLS SIGNED INTO LAW

It took one year.

On June 19, just one day before Older Michigianians Day, Governor Rick Snyder signed ten elder abuse bills into law, ramping up state efforts to prevent abuse and financial exploitation, and obtain justice for victims when abuse occurs. On hand at the signing ceremony were Area Agencies on Aging Association President Judy Sivak of Kalamazoo, as well as Mary Ablan, AAAAM Executive Director, along with other aging network leaders. See the chart on the next page for details on the ten bills that are now laws.

The 10 bills are part of an 18-bill package initiated in the Senate on last years' Older Michigianians Day. Senator Tonya Schuitmaker (R-Lawton) led the bipartisan effort in the Senate. Eight bills are still pending in the House of Representatives. Four are in the Families, Children & Seniors Committee, chaired by Representative Ken Kurtz (R-Coldwater). They are

- ❖ Senate Bill 463 – requires financial institutions to train employees to recognize and report to the state suspected financial exploitation of a vulnerable adult. Provides immunity to bank employees who report suspicions. Sponsored by Sen. Coleman Young (D-Detroit).
- ❖ Senate Bill 467 – increases consumer protections on the sale of annuities. Changes include requiring sales agents to meet certain requirements in assessing the suitability of an annuity for each customer. (Annuities lasting 10 years have been sold to customers in their 90s.) Also requires agents to complete a training course. Sponsored by Sen. Rick Jones (R-Grand Ledge).
- ❖ Senate Bill 706 – forbids the use of senior-specific certifications and designations that imply special training or expertise in selling insurance or annuities to seniors. Sponsored by Sen. Vincent Gregory (D-Southfield).
- ❖ Senate Bill 777 – increases consumer protections on the sale of replacement life insurance policies and annuities. (Customers with existing policies and annuities have been sold replacement products with higher costs and/or lower benefits.) Sponsored by Sen. Rebekah Warren (D-Ann Arbor).

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Four bills also sit in the Banking and Financial Services Committee, chaired by Rep. Marty Knollenburg (R-Troy). They are Senate Bills 456, 460, 604 and 605. The first three were introduced by Sen. Coleman Young and the last one by Sen. Steve Bieda. All of the bills are designed to prevent family members and friends from taking advantage when seniors/vulnerable adults place them on a joint bank account. The bills require banks, credit unions and other financial institutions to notify vulnerable adults in writing about the powers entrusted to joint account holders, including the ability to withdraw all of the money and close the account. Some vulnerable adults have added family & friends to their accounts in the mistaken belief that their

powers are limited and they cannot withdraw money without the principal account holders' permission. The bills state that the information can be added to existing paperwork already required. While the bills have been in the committee since last November, no hearings have been held to date.

<i>BILL # &amp; SPONSOR</i>	<i>DESCRIPTION OF NEW LAW</i>	<i>PUBLIC ACT #</i>
Senate Bill 454 Sen. Mike Nofs (R-Battle Creek)	Allows videotaped testimony to be used in legal proceedings involving vulnerable adults, similar to what is allowed to protect children. (Vulnerable adults are often afraid or reluctant to testify against their abusers.)	PA 170 of 2012
Senate Bill 455 Sen. Tory Rocca (R-Sterling Heights)	Increases criminal penalties for the financial exploitation of vulnerable adults	PA 169 of 2012
Senate Bill 457 Sen. Patrick Colbeck (R-Canton)	Allows local governments to create elder death review teams and provides legal protections for team members	PA 171 of 2012
Senate Bill 459 Sen. Judy Emmons (R-Sheridan)	Increases criminal penalties for the financial exploitation of vulnerable adults & clarifies the penalties for the crime of fraudulently obtaining a signature to cheat and defraud	PA 172 of 2012
Senate Bill 461 Sen. Tonya Schuitmaker (R-Lawton)	Prevents a convicted abuser from inheriting from their victim & requires bonding for conservators	PA 173 of 2012
Senate Bill 462 Sen. Steve Bieda (D-Warren)	Requires nursing home employees to report abuse directly to the state, not only to their supervisor. Protects employees who report abuse to the state.	PA 174 of 2012
Senate Bill 464 Sen. Tonya Schuitmaker	Requires the state to develop a model protocol for abuse investigations by law enforcement	PA 175 of 2012
Senate Bill 465 Sen. Dave Hildenbrand (R-Lowell)	Increases penalties for the financial exploitation of vulnerable adults	PA 168 of 2012
Senate Bill 466 Sen. Tonya Schuitmaker	Creates the Mozelle Senior Alert, similar to the Amber Alert for lost children. Requires law enforcement to begin investigating immediately and notify the press	PA 176 of 2012
Senate Bill 468 Sen. Goeff Hansen (R-Hart)	Allows 3 <sup>rd</sup> parties to file complaints alleging the abuse or financial exploitation of vulnerable adults	PA 177 of 2012

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