

# House Amendment 1300

PAG LIN

1 1 Amend Senate File 416, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. By striking everything after the enacting  
1 4 clause and inserting the following:  
1 5 <Section 1. NEW SECTION. 231.56A ELDER ABUSE  
1 6 EMERGENCY SHELTER AND SUPPORT SERVICES PROJECTS.  
1 7 1. Through the state's service contract process  
1 8 adopted pursuant to section 8.47, the department shall  
1 9 identify area agencies on aging that have demonstrated  
1 10 the ability to provide a collaborative response to the  
1 11 immediate needs of elders in the area agency on aging  
1 12 service area for the purpose of implementing elder  
1 13 abuse emergency shelter and support services projects.  
1 14 The projects shall be implemented only in the counties  
1 15 within an area agency on aging service area that have  
1 16 a multidisciplinary team established pursuant to  
1 17 section 235B.1.  
1 18 2. The target population of the projects shall be  
1 19 any elder residing in the service area of an area  
1 20 agency on aging who meets both of the following  
1 21 conditions:  
1 22 a. Is the subject of a report of suspected  
1 23 dependent adult abuse pursuant to chapter 235B.  
1 24 b. Is not receiving assistance under a county  
1 25 management plan approved pursuant to section 331.439.  
1 26 3. The area agencies on aging implementing the  
1 27 projects shall identify allowable emergency shelter  
1 28 and support services, state funding, outcomes,  
1 29 reporting requirements, and approved community  
1 30 resources from which services may be obtained under  
1 31 the projects. The area agency on aging shall identify  
1 32 at least one provider of case management services for  
1 33 the project area.  
1 34 4. The area agencies on aging shall implement the  
1 35 projects and shall coordinate the provider network  
1 36 through the use of referrals or other engagement of  
1 37 community resources to provide services to elders.  
1 38 5. The department shall award funds to the area  
1 39 agencies on aging in accordance with the state's  
1 40 service contract process. Receipt and expenditures of  
1 41 moneys under the projects are subject to examination,  
1 42 including audit, by the department.  
1 43 6. This section shall not be construed and is not  
1 44 intended as, and shall not imply, a grant of  
1 45 entitlement for services to individuals who are not  
1 46 otherwise eligible for the services or for utilization  
1 47 of services that do not currently exist or are not  
1 48 otherwise available.  
1 49 Sec. 2. Section 235B.3, subsection 5, Code 2003,  
1 50 is amended to read as follows:  
2 1 5. Following the reporting of suspected dependent  
2 2 adult abuse, the department of human services or an  
2 3 agency approved by the department shall complete an  
2 4 assessment of necessary services and shall make  
2 5 appropriate referrals for receipt of these services.  
2 6 The assessment shall include interviews with the  
2 7 dependent adult, and, if appropriate, with the alleged  
2 8 perpetrator of the dependent adult abuse and with any  
2 9 person believed to have knowledge of the circumstances  
2 10 of the case. The department may provide necessary  
2 11 protective services and may establish a sliding fee  
2 12 schedule for those persons able to pay a portion of  
2 13 the protective services.  
2 14 Sec. 3. Section 235B.6, subsection 2, paragraph c,  
2 15 Code 2003, is amended by adding the following new  
2 16 subparagraph:  
2 17 NEW SUBPARAGRAPH. (8) An employee of an agency  
2 18 requested by the department to provide case management  
2 19 or other services to the dependent adult.  
2 20 Sec. 4. Section 235B.6, subsection 2, paragraph e,  
2 21 Code 2003, is amended by adding the following new

2 22 subparagraph:  
2 23 NEW SUBPARAGRAPH. (10) The long-term care  
2 24 resident's advocate if the victim resides in a long=  
2 25 term care facility or the alleged perpetrator is an  
2 26 employee of a long-term care facility.  
2 27 Sec. 5. Section 235B.6, subsection 3, Code 2003,  
2 28 is amended to read as follows:  
2 29 3. Access to unfounded dependent adult abuse  
2 30 information is authorized only to those persons  
2 31 identified in subsection 2, paragraph "a", paragraph  
2 32 "b", subparagraphs (2), (5), and (6), and paragraph  
2 33 "e", ~~subparagraph subparagraphs (2) and (10).~~  
2 34 Sec. 6. Section 235B.9, subsections 1, 2, and 3,  
2 35 Code 2003, are amended to read as follows:  
2 36 1. ~~Dependent adult abuse information relating to a~~  
~~2 37 particular case of suspected dependent adult abuse~~  
~~2 38 which is determined by a preponderance of the evidence~~  
~~2 39 to be founded,~~ shall be sealed ten years after the  
2 40 receipt of the initial report of such abuse by the  
2 41 registry unless good cause is shown why the  
2 42 information should remain open to authorized access.  
2 43 If a subsequent report of ~~a suspected case of founded~~  
2 44 dependent adult abuse involving the adult named in the  
2 45 initial report as the victim of abuse or a person  
2 46 named in such report as having abused an adult is  
2 47 received by the registry within the ten-year period,  
2 48 the information shall be sealed ten years after  
2 49 receipt of the subsequent report unless good cause is  
2 50 shown why the information should remain open to  
3 1 authorized access.  
3 2 2. Dependent adult abuse information which ~~cannot~~  
~~3 3 be determined by a preponderance of the evidence to be~~  
~~3 4 founded or unfounded shall be expunged one year after~~  
~~3 5 the receipt of the initial report of abuse and~~  
~~3 6 dependent adult abuse information which is determined~~  
3 7 by a preponderance of the evidence to be unfounded  
3 8 shall be expunged ~~immediately when one year from the~~  
~~3 9 date~~ it is determined to be unfounded.  
3 10 3. However, if a correction of dependent adult  
3 11 abuse information is requested under section 235B.10  
3 12 and the issue is not resolved at the end of one year  
3 13 the information shall be retained until the issue is  
3 14 resolved and if the dependent adult abuse information  
3 15 is not determined to be founded, the information shall  
3 16 be expunged ~~immediately when one year from the date it~~  
3 17 is determined to be unfounded.>  
3 18 #2. Title page, line 1, by striking the words <to  
3 19 an> and inserting the following: <to dependent adult  
3 20 abuse including elder abuse>.  
3 21 #3. Title page, by striking line 2 and inserting  
3 22 the following: <projects>.  
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3 25  
3 26 COMMITTEE ON HUMAN RESOURCES  
3 27 BODDICKER of Cedar, CHAIRPERSON  
3 28 SF 416.202 80  
3 29 pf/sh