

**Testimony**

**HB 2549**

**Before the**

**House Aging and Older Adults Committee**

**by**

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**AARP Pennsylvania**

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Thank you for the opportunity to appear before the House Aging and Older Adult Services Committee today to discuss AARP's perspective on House Bill 2549, legislation to update the Older Adult Protective Services Act. My name is Desiree Hung, and I am the Associate State Director for Advocacy at AARP Pennsylvania. AARP has 1.8 million members over the age of 50 in Pennsylvania, and the issue of ensuring that older Pennsylvanians are protected from all forms of abuse, whether it is physical, psychological, or financial, is of utmost importance to them.

AARP regards the updating of the Older Adult Protective Services Act as a critical and urgent need in Pennsylvania. AARP's Public Policy Book makes the following recommendations for state action on Adult Protective Services:

States should enact, implement, and fully fund Adult Protective Services laws that apply in the community and long-term care settings and provide for:

- prompt investigation;
- access to the alleged victim by agency personnel, law enforcement, and other relevant entities;
- intervention in emergency and nonemergency situations of abuse, neglect, or exploitation of vulnerable individuals;
- use of the least-restrictive protective action that meets the specific needs of the vulnerable individual;
- a balancing of the individual's autonomy and self-determination with the state's need to protect those people who cannot protect themselves; and
- programs for abusive family members and caregivers aimed at curbing future abuse.

States also should work to ensure that domestic violence and Adult Protective Services agencies are responsive to the particular needs of older abused spouses and partners.

While physical abuse of an older Pennsylvania is a horrid crime that draws attention and action when it is discovered, the most prevalent elder abuse is financial exploitation. AARP's Public Policy Book notes that growing numbers of older Americans, especially those with cognitive impairments, are at heightened risk for financial abuse. About 15 percent of Americans age 70 and older are living with dementia, and this figure is projected to rise rapidly. The prevalence of dementia is expected to double by 2050.

House Bill 2549 is an important step forward in meeting AARP principles for fighting elder abuse and recognizing the growing need to protect against financial exploitation. AARP knows that a great deal of work was put into crafting this legislation to ensure it meets the needs of the people it is designed to protect and can pass Constitutional muster in the Commonwealth. As the Committee begins to consider this legislation, AARP would like to make a number of comments about some of the details of the bill.

First, the General Assembly recently passed legislation that was signed into law regarding the neglect and or abuse of a care-dependent person that defined a caretaker and care-dependent person. That new law defines a caretaker and care-dependent person, but the language in House Bill 2549 defining these two categories is different. AARP believes it is important to have a standard definition.

AARP would also like to note concerns we have about some of the provisions which make it easier for workers to begin jobs before being fully cleared of previous criminal activity. AARP understands the balance we need to seek in order to fill the many positions that are needed to care for individuals who need assistance. But we also have a responsibility to ensure that those needing assistance are

protected. In general, we believe HB 2549 achieves a balance between these two goals, but there are two areas we would like to highlight:

- Our policy also does not agree with allowing someone who has already been working for over a year to self-attest they have not been convicted of a crime – we believe current employees should be required to have an initial background check
- We also disagree with a provisional employment period while background checks are being completed, which is against AARP Policy Book language.

Having pointed out these concerns, I would like to re-emphasize AARP's general support for this legislation. In light of the increased reports of financial exploitation against Older Americans and with the need to set firm rules for hiring in place so Older Pennsylvanians and their families can feel secure that they and their loved ones will be safely cared for, it is urgent the General Assembly move legislation to update the Older Adult Protective Service Act forward as soon as possible.

AARP urges the Committee to consider the testimony that is presented during these two days of hearings, make any necessary changes to strengthen the bill, and move it forward in the legislative process.

Thank you again for the opportunity to be here today and I'll be glad to address any questions you may have.