



arry Hogan, Governor | Boyd K. Rutherford, Lt. Governor | Lourdes R. Padilla, Secretary

Date: February 15, 2022

Bill number: HB 589

Committee: Judiciary

Bill title: Adult Protective Services - Vulnerable Adults Registry - Investigations and Records of Abuse and Neglect and Workgroup Study

DHS Position: Support with Amendments

The Department of Human Services (the Department) respectfully offers this letter of support, with amendments, for House Bill 589 (HB 589). HB 589 directs the Department to create an Adult Protective Services (APS) registry that captures the outcome of abuse and neglect investigations for vulnerable adults. The bill also creates a workgroup to study how best to design and implement a Statewide registry.

There are currently 26 states with APS adult abuser registries. A report published in 2018 by the National Adult Protective Services Association (NAPSA) highlights the scope of registries, key organizational characteristics and processes, resources used to operate registries, access to and uses of registry information, and perspectives on lessons learned by states in operating registries.¹ Themes arising from the information collected in this study include but are not limited to:

- Reducing access of abusers to vulnerable adults and improving hiring practices of providers through the implementation of APS abuse registries;
- Significant diversity in operations and uses of APS abuse registries;
- Common components of APS abuse registries include perpetrator notification and the existence of due process provisions;
- Resources needed to operate APS abuse registries;
- Length of time and administrative considerations of due process and information systems;

In order to adequately address these questions, the Department recommends that the substantive portions of the bill that attempt to address due process concerns be struck, and left for the

¹ <http://www.napsa-now.org/wp-content/uploads/2018/05/APS-Abuse-Registry-Report.pdf>

workgroup to deliberate. Specifically, the Department recommends removing all language beginning on page 4, line 21, through page 14, line 6. Additionally, the Department supports an amendment offered by the House sponsor, which would extend the deadline for the workgroup's report to the Department of Legislative Services from December 1, 2022 to June 1st, 2023.

The Department appreciates the opportunity to support HB 589, with amendments, and requests a favorable report.