

ASSEMBLY AGING AND SENIOR SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4620

STATE OF NEW JERSEY

DATED: MARCH 8, 2021

The Assembly Aging and Senior Services Committee reports favorably Assembly Bill No. 4620.

This bill revises the “Adult Protective Services Act,” P.L.1993, c.249 (C.52:27D-406 et seq.), to expand the mandatory reporting requirement; establish penalties for failure to make a mandatory report, for interfering with an evaluation of a report, and for interfering with the provision of protective services; and establish a public registry of substantiated acts of abuse, neglect, and exploitation of vulnerable adults.

Current law requires health care professionals, law enforcement officers, firefighters, paramedics, and emergency medical technicians who have reasonable cause to believe that a vulnerable adult is the subject of abuse, neglect, or exploitation to report the information to the county adult protective services provider. For all other people, reporting is permissive.

The bill revises these requirements to make reporting abuse, neglect, or exploitation of a vulnerable adult mandatory for every person in the State. A person who has reasonable cause to believe a vulnerable adult is being abused, neglected, or exploited who fails to make a report will be guilty of a crime of the fourth degree, which is punishable by imprisonment for up to 18 months, a fine of up to \$10,000, or both. The person will additionally be liable to a civil penalty of up to \$500.

Current law establishes requirements for county adult protective services providers to evaluate reports of abuse, neglect, or exploitation of a vulnerable adult, which include the ability to obtain a court order to compel compliance with an evaluation. The bill provides that anyone who willfully interferes with or prevents an evaluation from being conducted after a court has issued an order to conduct the evaluation will be guilty of a crime of the fourth degree, which is punishable by imprisonment for up to 18 months, a fine of up to \$10,000, or both.

Current law provides that, if a county adult protective services provider determines that a vulnerable adult is in need of protective services, and the vulnerable adult or the vulnerable adult’s guardian consents, the provider is to provide, arrange for the provision of, or make formal referrals for, appropriate protective services. The bill

provides that any person who willfully interferes with the provision of those services is guilty of a crime of the fourth degree.

The Department of Human Services currently maintains a central registry of all reports of suspected abuse, neglect, and exploitation of vulnerable adults, which includes demographic data on vulnerable adults, Statewide statistics related to abuse, neglect, and exploitation, and other information submitted by county adult protective services providers. The bill requires the department to make available on its Internet website a publicly-available registry of substantiated acts of abuse, neglect, and exploitation of vulnerable adults, which will include, at a minimum, the name of each individual found to have abused, neglected, or exploited a vulnerable adult, along with a description of the nature of the offense and whether the individual has committed other substantiated acts of abuse, neglect, or exploitation of a vulnerable adult. The publicly-available registry will not include any personal or identifying information concerning the vulnerable adult.