

9/24/2008

# THE ELDER JUSTICE COALITION

THE ELDER  
JUSTICE  
COALITION:  
A  
NATIONAL  
ADVOCACY  
VOICE FOR  
ELDER  
JUSTICE IN  
AMERICA

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Elder Justice Act Update:

## ELDER ABUSE VICTIMS ACT PASSES HOUSE

Last night by a vote of 387-28, the House passed H.R. 5352, The Elder Abuse Victims Act, introduced by Rep. Sestak (D-PA). This represents the first House passage of legislation dedicated solely to elder abuse prevention. We view this as one positive development, but remain hopeful that the full Elder Justice bill H.R.1783 and S.1070 can still pass Congress. S.1070 is eligible to be considered in the Senate by unanimous consent at any time this week. Meantime S.1577, the Patient Safety and Abuse Prevention Act of 2007, authored by Senator Kohl, has also been hot lined in the Senate, making it eligible for full Senate consideration by unanimous consent at any time.

Coalition members are asked to contact their Senators to request their support for the immediate passage of S. 1070 the Elder Justice Act and S. 1577, the Patient Safety and Abuse Prevention Act of 2007.

The Coalition will provide more updates as they become available.

### PRESS RELEASES:

Both Rep. Emmanuel and Rep. Sestak's office released Press Releases praising the passage of H.R. 5352, which are listed below.

#### Rep. Emmanuel's Office:

*FOR IMMEDIATE RELEASE*  
*Tuesday, September 23, 2008*

*Emanuel, King Hail Passage of Elder Abuse Victims Act  
Continue Fight to Protect Elderly from Abuse, Exploitation*

*WASHINGTON, D.C. – Today, U.S. Representatives Rahm Emanuel (D-IL) and Peter T. King (R-NY) issued the following statements hailing the passage of the Elder Abuse Victims Act (HR 5352). This legislation is based on Title II, the law enforcement provisions of Emanuel and King's Elder Justice Act (HR 1783). The Elder Justice Act is the first comprehensive federal effort to address and prevent elder abuse, neglect and exploitation.*

*"Every year, millions of American seniors are victims of unreported abuse and neglect. This legislation, would, for the first time, provide much needed support to state and local prosecutors and law enforcement," said Emanuel. "Today's vote will get us one step closer to getting those on the front lines the help they need to provide elderly Americans the kind of protection they deserve."*

*"Unspeakable acts of physical abuse and neglect have led to the deaths of too many of our senior citizens. I am pleased The House of Representatives has passed The Elder Abuse Victims Act (H.R. 5352) which will provide law enforcement with the tools they need to help combat elder abuse" said King.*

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## Rep. Sestak's Office:

### *Historic Legislation to Protect Seniors Receives House Approval*

*Congressman Sestak's Elder Abuse Act is first bill to address issue in 17 years*

Washington, DC – The Elder Abuse Victims Act (HR 5352), introduced by Congressman Joe Sestak (PA-07), passed by a vote of 387-28, marking the first time legislation on elder abuse has made it through the House of Representatives in 17 years. By focusing funding on more effective law enforcement and prosecution of elder abuse, the bill aims to reduce the increasing rate of physical, emotional and financial harm, neglect and exploitation of the elderly, and ensures that perpetrators are properly punished. The National Research Council panel appointed to review the risk and prevalence of elder abuse estimates that between one and two million Americans age 65 or older have been victims of elder abuse; however this statistic is uncertain because definitions of elder abuse vary widely from state-to-state, and there are many imperfections in our national effort to adequately prevent, prosecute, and rehabilitate victims of this type of abuse. This bill identifies and addresses those imperfections.

"We have a moral responsibility to address this alarming situation," said Congressman Sestak. "I have been struck by the horror stories I have heard while traveling in my District, including one case of a man with Alzheimer's who was beaten with a belt buckle. The more than \$30 million authorized in this bill will be critical to identifying the extent of this problem and ensuring the necessary programs are created and supported to combat it."

"The importance of this bill relates to its emphasis on enhancing the capacities to prosecute cases of elder abuse which needs to be recognized for what it is—a crime against the person and the property of an elderly person," said Bob Blancato, National Coordinator of the non-partisan 564-member Elder Justice Coalition. Mr. Blancato hailed today's proceedings as "the most significant vote specifically on elder justice ever taken in the House."

One key provision of the legislation funds a comprehensive report to be completed during the next two years, which will include: a study of the laws and practices relating to elder abuse, neglect, and exploitation; a proposed plan that explains objectives, priorities, policies and long-term plans for elder justice programs; and activities relating to prevention, detection, intervention, treatment, training, evaluation, and improvement of the elder justice system in the United States.

In addition, the bill institutes Victims Advocacy Grants to establish pilot programs on elder abuse for health care providers, employees of social and protective services, law enforcement personnel, fiduciaries, judges, court staff, and victim advocates. Other grants will be disbursed to local and state prosecutors and courts, as well as law enforcement personnel for training, technical assistance, policy development and multidisciplinary coordination. Finally, this legislation creates Emergency Crisis Response Teams to offer victims immediate, short-term emergency services, including, but not limited to shelter, food, clothing, transportation, mental health screenings, legal services and job placement assistance.

"I appreciate the concern for this subject demonstrated by my colleagues in the House and look forward to the Act's successful passage into law," said Congressman Sestak. "However,

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*our work does not end there. I will closely watch the implementation of this Act and await the findings of the comprehensive report.”*

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