



HOUSE COMMITTEE ON JUDICIARY
Rep. Gilbert S.C. Keith-Agaran, Chair

Conference Room 325
February 14, 2012 at 2:05 p.m.

Supporting HB 2098 HD 1: Relating to Elder Abuse

The Healthcare Association of Hawaii advocates for its member organizations that span the entire spectrum of health care, including all acute care hospitals, as well as long term care facilities, home care agencies, and hospices. In addition to providing quality care to all of Hawaii's residents, our members contribute significantly to Hawaii's economy by employing over 40,000 people. Thank you for this opportunity to testify in support of HB 2098 HD 1, which authorizes a private cause of action for financial exploitation of a vulnerable adult.

This bill is one of many that are designed to reduce elder abuse or to strengthen the infrastructure that cares for the elderly.

As elders become more physically frail, they are less able to stand up to bullying and/or to fight back if attacked. They may not see or hear as well or think as clearly as they used to, leaving openings for unscrupulous people to take advantage of them.

Elder abuse can take the form of physical abuse, emotional abuse, sexual abuse, neglect, abandonment, and financial exploitation. When abuse occurs, the State's Adult Protective Services program, as well as other relevant agencies, investigate reports of abuse and take corrective action.

An infrastructure has been created to prevent elder abuse and to address it when it happens. Some of its components include the following: (1) Respite care to provide relief for caregivers; (2) Public awareness campaigns; (3) Chore services to support the frail elderly; (4) Special provisions to encourage the reporting of abuse by certain professionals and institutions, including banks; (5) Ensuring sufficient funding for Adult Protective Services; and (6) Making fiduciaries, persons with power of attorney, and guardians more accountable for their actions. This infrastructure should be strengthened.

The Healthcare Association of Hawaii supports a broad range of legislative measures designed to prevent elder abuse and to address it when it occurs.

For the foregoing reasons, the Healthcare Association of Hawaii supports HB 2098 HD 1.

Testimony to the House Committee on Judiciary

Representative Keith-Agaran, Chair, Representative Rhoads, Vice Chair, and
Committee members

Hearing scheduled: February 14, 2012 at 2:05 p.m.

HB2098 – RELATING TO ELDER ABUSE

Aloha, Representative Keith-Agaran, Representative Rhoads , and committee members. My name is Lauren Chou and I am a graduate student at the University of Hawaii’s School of Social Work. My focus is on gerontology and I have had the opportunity to work with older adults in a variety of settings including Child and Family Services REACH program which serves clients that are at high risk for abuse. Unfortunately, financial abuse was one of the abuses I saw way too often during my internship there. It is not just family members or caregivers that exploit our vulnerable kupuna.

I am testifying in **strong support of HB2098** which seeks to authorize any vulnerable adult that has been exploited to sue in family court or any court of competent jurisdiction for damages sustained by the vulnerable adults. Seniors on limited incomes that are being financially exploited are not able to meet their basic needs and the perpetrators of this abuse should be held accountable for damages.

Thank you for the opportunity to comment on this bill.

Lauren Chou