

INTRODUCED BY SENIOR ASSEMBLY MEMBER RICHARDS

LEGISLATIVE COUNSEL'S DIGEST

AFP 6: FUND THE ELDER JUSTICE ACT.

UNDER EXISTING LAW, THE LEGISLATURE RECOGNIZES THAT ELDERS AND DEPENDENT ADULTS MAY BE SUBJECTED TO ABUSE, NEGLECT, OR ABANDONMENT AND THAT THIS STATE HAS A RESPONSIBILITY TO PROTECT THESE PERSONS.

THIS MEASURE WOULD MEMORIALIZE THE CONGRESS AND THE PRESIDENT TO ENACT LEGISLATION THAT WOULD FULLY FUND THE ELDER JUSTICE ACT AS QUICKLY AS POSSIBLE AND TO BEGIN THIS PROCESS BY APPROPRIATING THE \$25,000,000 REQUESTED IN THE PRESIDENT'S 2015-16 FISCAL YEAR BUDGET PROPOSAL.

VOTE: MAJORITY.

AFP 6: RELATING TO ELDER ABUSE

WHEREAS, THE UNITED STATES CONGRESS ADOPTED AND THE PRESIDENT OF THE UNITED STATES SIGNED THE PATIENT PROTECTION AND AFFORDABLE CARE ACT (ACA) IN 2010 AND THE ELDER JUSTICE ACT (EJA) WAS INCLUDED AS PART OF THE ACA; AND

WHEREAS, IN 2010 THE UNITED STATES CONGRESS AUTHORIZED THE EXPENDITURE OF \$757,000,000 TO FUND THE EJA; AND

WHEREAS, NO FUNDS HAVE EVER BEEN APPROPRIATED IN ANY AMOUNT TO FUND THE EJA; AND

WHEREAS, THE UNITED STATES CONGRESS FOUND THAT “THE PROPORTION OF THE UNITED STATES POPULATION AGE 60 YEARS OR OLDER WILL DRASTICALLY INCREASE IN THE NEXT 30 YEARS AS MORE THAN 76,000,000 BABY BOOMERS APPROACH RETIREMENT AND OLD AGE”; AND

WHEREAS, THE UNITED STATES CONGRESS FURTHER FOUND THAT “ELDER ABUSE, NEGLECT, AND EXPLOITATION HAVE NO BOUNDARIES, AND CROSS ALL RACIAL, SOCIAL CLASS, GENDER, AND GEOGRAPHIC LINES”; AND

WHEREAS, THE UNITED STATES CONGRESS FURTHER FOUND THAT “FOR OVER 20 YEARS, CONGRESS HAS BEEN PRESENTED WITH FACTS AND TESTIMONY CALLING FOR A COORDINATED FEDERAL EFFORT TO COMBAT ELDER ABUSE, NEGLECT, AND EXPLOITATION”; AND

WHEREAS, THE UNITED STATES CONGRESS FURTHER FOUND THAT “DIFFERENCES IN STATE LAWS AND PRACTICES IN THE AREAS OF ELDER ABUSE, NEGLECT, AND EXPLOITATION LEAD TO SIGNIFICANT DISPARITIES IN PREVENTION,

PROTECTIVE AND SOCIAL SERVICES, TREATMENT SYSTEMS, AND LAW ENFORCEMENT, AND LEAD TO OTHER INEQUITIES”; AND

WHEREAS, THE UNITED STATES CONGRESS FURTHER FOUND THAT “THE FEDERAL GOVERNMENT SHOULD PROVIDE LEADERSHIP AND ASSIST STATES AND COMMUNITIES IN THEIR EFFORTS TO PROTECT ELDERS IN THE UNITED STATES” IN VARIOUS WAYS; AND

WHEREAS, THE PRESIDENT OF THE UNITED STATES’ 2015-16 FISCAL YEAR BUDGET PROPOSAL RECOMMENDS A NOMINAL \$25,000,000 FOR THE EJA, BUT IF THE UNITED STATES CONGRESS DOES AS IT HAS DONE SINCE THE EJA WAS SIGNED INTO LAW, AND ELIMINATES THE FUNDING FOR THE EJA, THIS SERIOUS ATTEMPT BY THE FEDERAL GOVERNMENT “TO ENHANCE THE SOCIAL SECURITY OF THE NATION BY ENSURING ADEQUATE PUBLIC-PRIVATE INFRASTRUCTURE AND RESOLVING TO PREVENT, DETECT, TREAT, INTERVENE IN, AND PROSECUTE ELDER ABUSE, NEGLECT, AND EXPLOITATION” WILL FAIL AGAIN; NOW, THEREFORE, BE IT

RESOLVED, BY THE SENIOR ASSEMBLY AND THE SENIOR SENATE, JOINTLY, THAT THE SENIOR LEGISLATURE OF THE STATE OF CALIFORNIA AT ITS 2014 REGULAR SESSION, A MAJORITY OF THE MEMBERS VOTING THEREFOR, HEREBY PROPOSES THAT THE UNITED STATES CONGRESS AND THE PRESIDENT OF THE UNITED STATES FULLY FUND THE ELDER JUSTICE ACT AS QUICKLY AS POSSIBLE; AND BE IT FURTHER

RESOLVED, THAT THE UNITED STATES CONGRESS BEGIN THE PROCESS OF FULLY FUNDING THE ELDER JUSTICE ACT BY APPROPRIATING THE \$25,000,000 REQUESTED IN THE PRESIDENT'S 2015-16 FISCAL YEAR BUDGET PROPOSAL; AND BE IT FURTHER

RESOLVED, THAT THE SENIOR LEGISLATURE OF THE STATE OF CALIFORNIA RESPECTFULLY MEMORIALIZES THE CONGRESS AND THE PRESIDENT TO ENACT APPROPRIATE LEGISLATION THAT WOULD ADDRESS THE CONCERNS SET FORTH IN THIS MEASURE; AND BE IT FURTHER

RESOLVED, THAT A COPY OF THIS MEASURE BE TRANSMITTED TO THE PRESIDENT AND VICE PRESIDENT, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE CHAIRPERSONS OF THE HOUSE AND SENATE COMMITTEES ON AGING, AND TO EACH SENATOR AND REPRESENTATIVE FROM CALIFORNIA IN THE CONGRESS OF THE UNITED STATES.