

Kansas Department of

Social and Rehabilitation Services

Gary Daniels, Acting Secretary

House Health and Human Services Committee

March 8, 2005

SB 115 - Investigation of Abuse, Neglect or Exploitation of Certain Persons

Office of the Secretary
Acting Secretary, Gary Daniels
785.296.3271

For additional information contact:
Public and Governmental Services Division
Kyle Kessler, Director of Legislative and Media Affairs

Docking State Office Building
915 SW Harrison, 6th Floor North
Topeka, Kansas 66612-1570
phone: 785.296.0141
fax: 785.296.4685
www.srskansas.org

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Mr. Chairman and members of the committee, my name is Gary Daniels, Acting Secretary of SRS. Thank you for the opportunity to testify regarding SB 115 which proposes to amend a specific section of the Adult Protective Services statute, K.S.A. 39-1433 (3), relating to the time frame for conducting and completing an investigation and evaluation.

This proposal extends the time frame from 30 to 90 working days for SRS Adult Protective Services investigations in which law enforcement is conducting an ongoing criminal investigation. Current statutes mandate that SRS conclude the investigation within 30 working days.

The proposal requires SRS to conclude its investigation at the end of 90 working days and make a finding. However, it also would allow SRS to reopen the case and submit a new finding based upon additional evidence provided as a result of the criminal investigation. The alleged perpetrator still would be notified, in writing, of the new finding and of the right to appeal. If the alleged perpetrator is licensed, registered or regulated by a state agency, that agency also will be notified of the change in finding.

Over 6,000 reports of abuse, neglect, exploitation and fiduciary abuse were investigated by SRS during FY 2004. Less than 10 percent of these investigations involved criminal investigations.

This proposal provides a more reasonable time frame for SRS to complete its investigation and ensures the SRS investigation does not interfere with a criminal investigation. It also provides the opportunity for increased collaboration between SRS and law enforcement and ensures at risk adults are protected during criminal investigations.

I will be glad to respond to questions.