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AMENDED IN SENATE MARCH 25, 2009

**SENATE BILL**

**No. 110**

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**Introduced by Senator Liu**  
**(Coauthor: Senator Hollingsworth)**  
(Coauthor: Assembly Member Cook)

January 28, 2009

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An act to amend Sections 11163.6, 11174.5, 11174.7, 13515, 13823.16, 13836.1, and 14213 of, to amend the heading of Article 2.7 (commencing with Section 11174.4) of Chapter 2 of Title 1 of Part 4 of, to add ~~Sections 368.5 and 13836.3~~ *Section 368.5* to, and to add a heading as Chapter 13 (commencing with Section 368) to Title 9 of Part 1 of, the Penal Code, and to amend Sections 4427.5, 15650, 15654, and 15763 of the Welfare and Institutions Code, relating to people with disabilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 110, as amended, Liu. People with disabilities: victims of crime.

Existing law addresses aspects of the jurisdiction of state agencies and law enforcement in regard to long-term care facilities and elder and dependent adult abuse, as specified.

This bill would further specify the jurisdiction of various state agencies and of law enforcement in regard to investigating those facilities and that conduct.

Existing law regulates the investigation and prosecution of crimes against a dependent adult, which is defined to include a person who is between 18 and 64 years of age, inclusive, and who has a physical or mental limitation which restricts his or her ability, or substantially restricts his or her ability, to carry out normal activities or to protect his or her rights, including, but not limited to, a person who has a physical or developmental disability or whose physical or mental abilities have diminished, or significantly diminished, because of age. Under existing law, the term also includes any person between 18 and 64 years of age, inclusive, who is admitted as an inpatient to certain 24-hour health facilities.

Existing law authorizes any county to establish an interagency elder death review team to assist local agencies in identifying and reviewing suspicious elder deaths and facilitating communications among persons who perform autopsies and persons involved in the investigation or reporting of elder abuse or neglect. Existing law establishes procedures for the sharing or disclosure of information by elder death review teams.

This bill would rename these teams “elder and dependent adult death review teams” and would expand the authority of these teams to cover dependent adult death, abuse, and neglect, as specified.

Existing law provides for the training of peace officers.

This bill would require the Commission on Peace Officer Standards and Training and the Bureau of Medi-Cal Fraud and Elder Abuse to consult with each other and with other subject matter experts when producing new or updated training materials relating to elder and dependent adult abuse, as specified.

Existing law provides for the creation of an advisory committee responsible for developing a course of training for district attorneys in the investigation and prosecution of sexual assault cases, child sexual exploitation cases, and child sexual abuse cases. Existing law requires that the courses shall include training in the unique emotional trauma experienced by victims of these crimes. Existing law requires that the committee shall consist of 11 members of which 6 shall be public

members appointed by the Commission on the Status of Women, as specified.

~~This bill would additionally require the courses to include training in the special problems of investigating and prosecuting these crimes when committed against individuals with disabilities. The bill would require that one of the appointees of the Commission on the Status of Women be an expert on crimes against persons with disabilities or other representative of the disability community, appointed as specified.~~

Existing law provides that each county shall establish an emergency response adult protective services program that shall provide in-person response, 24 hours per day, 7 days per week, to reports of abuse of an elder or dependent adult, as specified.

This bill would make technical changes to those provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. This act shall be known and may be cited as the  
2 Crime Victims with Disabilities Act of 2010.

3 SEC. 2. The heading of Chapter 13 (commencing with Section  
4 368) is added to Title 9 of Part 1 of the Penal Code, immediately  
5 preceding Section 368, to read:

6  
7 CHAPTER 13. CRIMES AGAINST ELDERS, DEPENDENT ADULTS,  
8 AND PERSONS WITH DISABILITIES  
9

10 SEC. 3. Section 368.5 is added to the Penal Code, to read:

11 368.5. (a) Local law enforcement agencies and state law  
12 enforcement agencies with jurisdiction shall have concurrent  
13 jurisdiction to investigate elder and dependent adult abuse and all  
14 other crimes against elder victims and victims with disabilities.

15 (b) ~~Adult and child~~ protective services agencies and local  
16 long-term care ombudsman programs also have jurisdiction within  
17 their statutory authority to investigate elder and dependent adult  
18 abuse *and criminal neglect*, and may assist local law enforcement  
19 agencies in criminal investigations at the law enforcement agencies'  
20 request, provided, however, that law enforcement agencies shall  
21 retain exclusive responsibility for criminal investigations, any  
22 provision of law to the contrary notwithstanding.

1 SEC. 4. Section 11163.6 of the Penal Code is amended to read:

2 11163.6. In order to ensure consistent and uniform results, data  
3 may be collected and summarized by the domestic violence death  
4 review teams to show the statistical occurrence of domestic  
5 violence deaths in the team’s county that occur under the following  
6 circumstances:

7 (a) The deceased was a victim of a homicide committed by a  
8 current or former spouse, fiancé, or dating partner.

9 (b) The deceased was the victim of a suicide, was the current  
10 or former spouse, fiancé, or dating partner of the perpetrator and  
11 was also the victim of previous acts of domestic violence.

12 (c) The deceased was the perpetrator of the homicide of a former  
13 or current spouse, fiancé, or dating partner and the perpetrator was  
14 also the victim of a suicide.

15 (d) The deceased was the perpetrator of the homicide of a former  
16 or current spouse, fiancé, or dating partner and the perpetrator was  
17 also the victim of a homicide related to the domestic homicide  
18 incident.

19 (e) The deceased was a child of either the homicide victim or  
20 the perpetrator, or both.

21 (f) The deceased was a current or former spouse, fiancé, or  
22 dating partner of the current or former spouse, fiancé, or dating  
23 partner of the perpetrator.

24 (g) The deceased was a law enforcement officer, emergency  
25 medical personnel, or other agency responding to a domestic  
26 violence incident.

27 (h) The deceased was a family member, other than identified  
28 above, of the perpetrator.

29 (i) The deceased was the perpetrator of the homicide of a family  
30 member, other than identified above.

31 (j) The deceased had a disability and the homicide was related  
32 to domestic violence.

33 (k) The deceased was a person not included in the above  
34 categories and the homicide was related to domestic violence.

35 SEC. 5. The heading of Article 2.7 (commencing with Section  
36 11174.4) of Chapter 2 of Title 1 of Part 4 of the Penal Code is  
37 amended to read:

38  
39 Article 2.7. Elder and Dependent Adult Death Review Teams  
40

1 SEC. 6. Section 11174.5 of the Penal Code is amended to read:

2 11174.5. (a) Each county may establish an interagency elder  
3 and dependent adult death review team to assist local agencies in  
4 identifying and reviewing suspicious elder and dependent adult  
5 deaths and facilitating communication among persons who perform  
6 autopsies and the various persons and agencies involved in elder  
7 and dependent adult abuse or neglect cases.

8 (b) Each county may develop a protocol that may be used as a  
9 guideline by persons performing autopsies on elders and dependent  
10 adults to assist coroners and other persons who perform autopsies  
11 in the identification of elder and dependent adult abuse or neglect,  
12 in the determination of whether elder or dependent adult abuse or  
13 neglect contributed to death or whether elder or dependent adult  
14 abuse or neglect had occurred prior to, but was not the actual cause  
15 of, death, and in the proper written reporting procedures for elder  
16 and dependent adult abuse or neglect, including the designation  
17 of the cause and mode of death.

18 (c) As used in this section, the term “dependent adult” has the  
19 same meaning as in Section 368, and applies regardless of whether  
20 the person lived independently.

21 SEC. 7. Section 11174.7 of the Penal Code is amended to read:

22 11174.7. (a) An oral or written communication or a document  
23 shared within or produced by an elder and dependent adult death  
24 review team related to an elder or dependent adult death review  
25 is confidential and not subject to disclosure or discoverable by  
26 another third party.

27 (b) An oral or written communication or a document provided  
28 by a third party to an elder and dependent adult death review team,  
29 or between a third party and an elder and dependent adult death  
30 review team, is confidential and not subject to disclosure or  
31 discoverable by a third party.

32 (c) Notwithstanding subdivisions (a) and (b), recommendations  
33 of an elder and dependent adult death review team upon the  
34 completion of a review may be disclosed at the discretion of a  
35 majority of the members of the elder and dependent adult death  
36 review team.

37 SEC. 8. Section 13515 of the Penal Code is amended to read:

38 13515. (a) Every city police officer or deputy sheriff at a  
39 supervisory level and below who is assigned field or investigative  
40 duties shall complete an elder and dependent adult abuse training

1 course certified by the Commission on Peace Officer Standards  
2 and Training within 18 months of assignment to field duties.  
3 Completion of the course may be satisfied by telecourse, video  
4 training tape, or other instruction. The training shall, at a minimum,  
5 include all of the following subjects:

- 6 (1) Relevant laws.
- 7 (2) Recognition of elder and dependent adult abuse.
- 8 (3) Reporting requirements and procedures.
- 9 (4) Neglect of elders and dependent adults.
- 10 (5) Fraud of elders and dependent adults.
- 11 (6) Physical abuse of elders and dependent adults.
- 12 (7) Psychological abuse of elders and dependent adults.
- 13 (8) The role of the local adult protective services and public  
14 guardian offices.

15 (b) When producing new or updated training materials pursuant  
16 to this section, the commission shall consult with the Bureau of  
17 Medi-Cal Fraud and Elder Abuse and other subject matter experts.  
18 Any new or updated training materials shall address all of the  
19 following:

- 20 (1) The jurisdiction and responsibility of law enforcement  
21 agencies pursuant to Section 368.5.
- 22 (2) The fact that the protected classes of “dependent person” as  
23 defined in Section 288 and “dependent adult” as defined in Section  
24 368 include many persons with disabilities, regardless of the fact  
25 that most of those persons live independently.
- 26 (3) Other relevant information and laws.

27 ~~(e) When the commission offers or provides new or updated~~  
28 ~~training materials pursuant to this section, the commission also~~

29 (c) *The commission also* may inform the law enforcement  
30 agencies of other relevant training materials.

31 SEC. 9. Section 13823.16 of the Penal Code is amended to  
32 read:

33 13823.16. (a) The Comprehensive Statewide Domestic  
34 Violence Program established pursuant to Section 13823.15 shall  
35 be collaboratively administered by the California Emergency  
36 Management Agency (Cal EMA) and an advisory council. The  
37 membership of the (Cal EMA) Domestic Violence Advisory  
38 Council shall consist of experts in the provision of either direct or  
39 intervention services to victims of domestic violence and their

1 children, within the scope and intention of the Comprehensive  
2 Statewide Domestic Violence Assistance Program.

3 (b) The membership of the council shall consist of domestic  
4 violence victims' advocates, battered women service providers, at  
5 least one representative of service providers serving the lesbian,  
6 gay, bisexual, and transgender community in connection with  
7 domestic violence, and representatives of women's organizations,  
8 law enforcement, and other groups involved with domestic  
9 violence. At least one-half of the council membership shall consist  
10 of domestic violence victims' advocates or battered women service  
11 providers ~~from organizations such as the California Partnership to~~  
12 ~~End Domestic Violence~~. It is the intent of the Legislature that the  
13 council membership reflect the ethnic, racial, cultural, and  
14 geographic diversity of the state, including people with disabilities.  
15 The council shall be composed of no more than 13 voting members  
16 and two nonvoting ex officio members who shall be appointed, as  
17 follows:

18 (1) Seven voting members shall be appointed by the Governor,  
19 *including at least one person recommended by the federally*  
20 *recognized state domestic violence coalition.*

21 (2) Three voting members shall be appointed by the Speaker of  
22 the Assembly.

23 (3) Three voting members shall be appointed by the Senate  
24 Committee on Rules.

25 (4) Two nonvoting ex officio members shall be Members of the  
26 Legislature, one appointed by the Speaker of the Assembly and  
27 one appointed by the Senate Committee on Rules. Any Member  
28 of the Legislature appointed to the council shall meet with the  
29 council and participate in its activities to the extent that  
30 participation is not incompatible with his or her position as a  
31 Member of the Legislature.

32 (c) The Cal EMA shall collaborate closely with the council in  
33 developing funding priorities, framing the request for proposals,  
34 and soliciting proposals.

35 (d) This section shall remain in effect only until January 1, 2015,  
36 and as of that date is repealed, unless a later enacted statute, that  
37 is enacted before January 1, 2015, deletes or extends that date.

38 SEC. 10. Section 13836.1 of the Penal Code is amended to  
39 read:

1 13836.1. (a) The committee shall consist of 11 members. Five  
 2 shall be appointed by the executive director of the agency or  
 3 agencies designated by the Director of Finance pursuant to Section  
 4 13820, and shall include three district attorneys or assistant or  
 5 deputy district attorneys, one representative of a city police  
 6 department or a sheriff or a representative of a sheriff's department,  
 7 and one public defender or assistant or deputy public defender of  
 8 a county. Six shall be public members appointed by the  
 9 Commission on the Status of Women, and shall include one  
 10 representative of a rape crisis center, one expert on crimes against  
 11 persons with disabilities *or other representative of the disability*  
 12 *community*, and one medical professional experienced in dealing  
 13 with sexual assault trauma victims. The committee members shall  
 14 represent the points of view of diverse ethnic and language groups.

15 (b) (1) *The Commission on the Status of Women shall appoint*  
 16 *the expert on crimes against persons with disabilities or other*  
 17 *representative of the disability community after consulting the*  
 18 *state protection and advocacy agency, as defined in Section 4900*  
 19 *of the Welfare and Institutions Code.*

20 (2) The requirement that the Commission on the Status of  
 21 Women appoint an expert on crimes against victims with  
 22 disabilities *or other representative of the disability community*  
 23 shall take effect upon the occurrence of the first vacancy for a  
 24 member appointed by the commission, other than the member who  
 25 represents a rape crisis center or the member who is a medical  
 26 professional, on or after January 1, 2011.

27 (c) Members of the committee shall receive no compensation  
 28 for their services but shall be reimbursed for their expenses actually  
 29 and necessarily incurred by them in the performance of their duties.  
 30 Staff support for the committee shall be provided by the agency  
 31 or agencies designated by the Director of Finance pursuant to  
 32 Section 13820.

33 ~~SEC. 11. Section 13836.3 is added to the Penal Code, to read:~~  
 34 ~~13836.3. The course of training pursuant to Section 13836 shall~~  
 35 ~~include training on the special problems of investigating and~~  
 36 ~~prosecuting the crimes specified in that section when committed~~  
 37 ~~against individuals with disabilities.~~

38 ~~SEC. 12.~~

39 ~~SEC. 11.~~ Section 14213 of the Penal Code is amended to read:

1 14213. (a) As used in this title, “missing person” includes, but  
2 is not limited to, a child who has been taken, detained, concealed,  
3 enticed away, or retained by a parent in violation of Chapter 4  
4 (commencing with Section 277) of Title 9 of Part 1. It also includes  
5 any child who is missing voluntarily or involuntarily, or under  
6 circumstances not conforming to his or her ordinary habits or  
7 behavior and who may be in need of assistance.

8 (b) As used in this title, “evidence that the person is at risk”  
9 includes, but is not limited to, evidence or indications of any of  
10 the following:

- 11 (1) The person missing is the victim of a crime or foul play.
- 12 (2) The person missing is in need of medical attention.
- 13 (3) The person missing has no pattern of running away or  
14 disappearing.
- 15 (4) The person missing may be the victim of parental abduction.
- 16 (5) The person missing is mentally impaired.

17 (c) As used in this title, “child” is any person under the age of  
18 18.

19 (d) As used in this title, “center” means the Violent Crime  
20 Information Center.

21 (e) As used in this title, “dependent adult” is any person  
22 described in subdivision (h) of Section 368, regardless of whether  
23 the person lives independently.

24 (f) As used in this title, “dental or medical records or X-rays,”  
25 include all those records or X-rays which are in the possession of  
26 a dentist, physician and surgeon, or medical facility.

27 ~~SEC. 13.~~

28 *SEC. 12.* Section 4427.5 of the Welfare and Institutions Code  
29 is amended to read:

30 4427.5. (a) (1) A developmental center shall immediately  
31 report all resident deaths and serious injuries of unknown origin  
32 to the appropriate local law enforcement agency, which may, at  
33 its discretion, conduct an independent investigation.

34 (2) The reporting requirements of this subdivision are in addition  
35 to, and do not substitute for, the reporting requirements of  
36 mandated reporters.

37 (b) The department shall do both of the following:

38 (1) Annually provide written information to every developmental  
39 center employee regarding all of the following:

1 (A) The statutory and departmental requirements for mandatory  
2 reporting of suspected or known abuse.

3 (B) The rights and protections afforded to individuals’ reporting  
4 of suspected or known abuse.

5 (C) The penalties for failure to report suspected or known abuse.

6 (D) The telephone numbers for reporting suspected or known  
7 abuse or neglect to designated investigators of the department and  
8 to local law enforcement agencies.

9 (2) On or before August 1, 2001, in consultation with employee  
10 organizations, advocates, consumers, and family members, develop  
11 a poster that encourages staff, residents, and visitors to report  
12 suspected or known abuse and provides information on how to  
13 make these reports.

14 ~~SEC. 14.~~

15 *SEC. 13.* Section 15650 of the Welfare and Institutions Code  
16 is amended to read:

17 15650. (a) Investigation of reports of known or suspected  
18 instances of abuse in long-term care facilities shall be the  
19 responsibility of the *bureau*, ~~the~~ local law enforcement agency,  
20 and the long-term care ombudsman program; ~~for instances of~~  
21 ~~physical and financial abuse, the local law enforcement agency,~~  
22 ~~and for instances of potential criminal neglect in a long-term health~~  
23 ~~care facility, the local law enforcement agency, the long-term care~~  
24 ~~ombudsman program, and the bureau.~~

25 (b) Investigations of known or suspected instances of abuse  
26 outside of long-term care facilities shall be the responsibility of  
27 the county adult protective services agency, unless another public  
28 agency is given responsibility for investigation in that jurisdiction,  
29 and the local law enforcement agency.

30 (c) The investigative responsibilities set forth in this section are  
31 in addition to, and not in derogation of or substitution for, the  
32 investigative and regulatory responsibilities of licensing agencies,  
33 such as the State Department of Social Services Community Care  
34 Licensing Division and the State Department of Health Services  
35 Licensing and Certification Division and their authorized  
36 representatives.

37 (d) Other public agencies involved in the investigation of abuse  
38 or advocacy of respective client populations, or both, include, but  
39 shall not be limited to, the State Department of Mental Health and  
40 the State Department of Developmental Services. Other public

1 agencies shall conduct or assist in, or both, the investigation of  
2 reports of abuse of elder and dependent adults within their  
3 jurisdiction in conjunction with county adult protective services,  
4 local ombudsman programs and local law enforcement agencies.

5 (e) Each county adult protective services agency shall maintain  
6 an inventory of all public and private service agencies available  
7 to assist victims of abuse, as defined by Section 15610.07. This  
8 inventory shall be used to refer victims in the event that the county  
9 adult protective services agency cannot resolve the immediate  
10 needs of the victim, and to serve the victim on a long-term,  
11 followup basis. The intent of this section is to acknowledge that  
12 limited funds are available to resolve all suspected cases of abuse  
13 reported to a county adult protective services agency.

14 (f) Each local ombudsman program shall maintain an inventory  
15 of all public and private agencies available to assist long-term care  
16 residents who are victims of abuse, as defined by Section 15610.07.  
17 This inventory shall be used to refer cases of abuse in the event  
18 that another agency has jurisdiction over the resident, the abuse is  
19 verified and further investigation is needed by a law enforcement  
20 or licensing agency, or the program does not have sufficient  
21 resources to provide immediate assistance. The intent of this section  
22 is to acknowledge that ombudsman responsibility in abuse cases  
23 is to receive reports, determine the validity of reports, refer verified  
24 abuse cases to appropriate agencies for further action as necessary,  
25 and follow up to complete the required report information. Other  
26 ombudsman services shall be provided to the resident, as  
27 appropriate.

28 ~~SEC. 15.~~

29 *SEC. 14.* Section 15654 of the Welfare and Institutions Code  
30 is amended to read:

31 15654. (a) As described in subdivision (h) of Section 12528  
32 of the Government Code, the bureau shall offer training programs  
33 to local law enforcement and prosecutorial personnel in  
34 investigating and prosecuting crimes against elders and dependent  
35 adults, and to the State Department of Health Care Services, the  
36 State Department of Social Services, the county adult protective  
37 services agencies and to the long-term care ombudsman program  
38 in evaluating and documenting criminal abuse against elders and  
39 dependent adults.

1 (b) When producing new or updated training materials pursuant  
2 to this section, the bureau shall consult with the Commission on  
3 Peace Officer Standards and Training and other subject matter  
4 experts. Any new or updated training materials shall address all  
5 of the following:

6 (1) The jurisdiction and responsibility of law enforcement  
7 agencies pursuant to Section 368.5 of the Penal Code.

8 (2) The fact that the protected classes of “dependent person” as  
9 defined in Section 288 of the Penal Code and “dependent adult”  
10 as defined in Section 368 of the Penal Code include many persons  
11 with disabilities, regardless of the fact that most of those persons  
12 live independently.

13 (3) Other relevant information and laws.

14 (c) When the bureau offers or provides new or updated training  
15 materials pursuant to this section, the bureau also may inform the  
16 agencies of other relevant training materials.

17 ~~SEC. 16.~~

18 *SEC. 15.* Section 15763 of the Welfare and Institutions Code  
19 is amended to read:

20 15763. (a) Each county shall establish an emergency response  
21 adult protective services program that shall provide in-person  
22 response, 24 hours per day, seven days per week, to reports of  
23 abuse of an elder or a dependent adult, for the purpose of providing  
24 immediate intake or intervention, or both, to new reports involving  
25 immediate life threats and to crises in existing cases. The program  
26 shall include policies and procedures to accomplish all of the  
27 following:

28 (1) Provision of case management services that include  
29 investigation of the protection issues, assessment of the person’s  
30 concerns, needs, strengths, problems, and limitations, stabilization  
31 and linking with community services, and development of a service  
32 plan to alleviate identified problems utilizing counseling,  
33 monitoring, followup, and reassessment.

34 (2) Provisions for emergency shelter or in-home protection to  
35 guarantee a safe place for the elder or dependent adult to stay until  
36 the dangers at home can be resolved.

37 (3) Establishment of multidisciplinary teams to develop  
38 interagency treatment strategies, to ensure maximum coordination  
39 with existing community resources, to ensure maximum access

1 on behalf of elders and dependent adults, and to avoid duplication  
2 of efforts.

3 (b) (1) A county shall respond immediately to any report of  
4 imminent danger to an elder or dependent adult in other than a  
5 long-term care facility, as defined in Section 9701 of the Welfare  
6 and Institutions Code, or a residential facility, as defined in Section  
7 1502 of the Health and Safety Code. For reports involving persons  
8 in a long-term care facility or a residential care facility, the county  
9 shall report to the local long-term care ombudsman program. Adult  
10 protective services staff shall consult, coordinate, and support  
11 efforts of the ombudsman program to protect vulnerable residents.  
12 Except as specified in paragraph (2), the county shall respond to  
13 all other reports of danger to an elder or dependent adult in other  
14 than a long-term care facility or residential care facility within 10  
15 calendar days or as soon as practicably possible.

16 (2) An immediate or 10-day in-person response is not required  
17 when the county, based upon an evaluation of risk, determines and  
18 documents that the elder or dependent adult is not in imminent  
19 danger and that an immediate or 10-day in-person response is not  
20 necessary to protect the health or safety of the elder or dependent  
21 adult.

22 (3) The State Department of Social Services, in consultation  
23 with the County Welfare Directors Association, shall develop  
24 requirements for implementation of paragraph (2), including, but  
25 not limited to, guidelines for determining appropriate application  
26 of this section and any applicable documentation requirements.

27 (4) Notwithstanding Chapter 3.5 (commencing with Section  
28 11340) of Part 1 of Division 3 of Title 2 of the Government Code,  
29 the department shall implement the requirements developed  
30 pursuant to paragraph (3) by means of all-county letters or similar  
31 instructions prior to adopting regulations for that purpose.  
32 Thereafter, the department shall adopt regulations in accordance  
33 with the requirements of Chapter 3.5 (commencing with Section  
34 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

35 (c) A county shall not be required to report or respond to a report  
36 pursuant to subdivision (b) that involves danger to an elder or  
37 dependent adult residing in any facility for the incarceration of  
38 prisoners that is operated by or under contract to the Federal Bureau  
39 of Prisons, the Department of Corrections and Rehabilitation, a  
40 county sheriff's department, a county probation department, a city

1 police department, or any other law enforcement agency when the  
2 abuse reportedly has occurred in that facility.

3 (d) A county shall provide case management services to elders  
4 and dependent adults who are determined to be in need of adult  
5 protective services for the purpose of bringing about changes in  
6 the lives of victims and to provide a safety net to enable victims  
7 to protect themselves in the future. Case management services  
8 shall include the following, to the extent services are appropriate  
9 for the individual:

10 (1) Investigation of the protection issues, including, but not  
11 limited to, social, medical, environmental, physical, emotional,  
12 and developmental.

13 (2) Assessment of the person’s concerns and needs on whom  
14 the report has been made and the concerns and needs of other  
15 members of the family and household.

16 (3) Analysis of problems and strengths.

17 (4) Establishment of a service plan for each person on whom  
18 the report has been made to alleviate the identified problems.

19 (5) Client input and acceptance of proposed service plans.

20 (6) Counseling for clients and significant others to alleviate the  
21 identified problems and to implement the service plan.

22 (7) Stabilizing and linking with community services.

23 (8) Monitoring and followup.

24 (9) Reassessments, as appropriate.

25 (e) To the extent resources are available, each county shall  
26 provide emergency shelter in the form of a safe haven or in-home  
27 protection for victims. Shelter and care appropriate to the needs  
28 of the victim shall be provided for frail and disabled victims who  
29 are in need of assistance with activities of daily living.

30 (f) Each county shall designate an adult protective services  
31 agency to establish and maintain multidisciplinary teams including,  
32 but not limited to, adult protective services, law enforcement,  
33 probation departments, home health care agencies, hospitals, adult  
34 protective services staff, the public guardian, private community  
35 service agencies, public health agencies, and mental health agencies  
36 for the purpose of providing interagency treatment strategies.

37 (g) Each county shall provide tangible support services, to the  
38 extent resources are available, which may include, but not be  
39 limited to, emergency food, clothing, repair or replacement of  
40 essential appliances, plumbing and electrical repair, blankets,

- 1 linens, and other household goods, advocacy with utility
- 2 companies, and emergency response units.

O