



State Representative Rick Carfagna

Sponsor Testimony – House Bill 700

June 20, 2018

Chairman Ginter, Vice Chair LaTourette, Ranking Member Boyd, and members of the House Community and Family Advancement Committee. Thank you for affording me the opportunity to provide sponsor testimony on House Bill 700. This legislation allows mandated reporters – those who are required under law to report the abuse, neglect, or exploitation of an adult age 60 or older - to request from the county department of job and family services certain information regarding the investigation of the report.

I introduced HB 700 following a series of discussions with both the Director of Delaware County's Job and Family Services agency, and the Executive Director of SourcePoint, Delaware County's senior-services agency. SourcePoint had been pushing Delaware County's JFS to communicate better on Adult Protective Services (APS) referrals, but JFS was reluctant to do so because of confidentiality concerns. The frustration stemmed from the perception that a lack of feedback could equate to a lack of action on the referrals.

The matter was discussed with our Delaware County Prosecutor's office, which issued an opinion that because JFS is a creature of statute and because the statute is silent in this regard, such communication is forbidden. The opinion further noted that the legislature has allowed disclosure of certain information to mandated reporters of child abuse, neglect, and dependency. (O.R.C. §2151.421(L)(1)). However, no similar provision exists regarding APS. This bill attempts to apply to APS some of the same verbiage that allows for the sharing of children's services information with mandated reporters.

Accordingly, under the bill a mandated reporter may request the following information:

- Whether the county department has initiated an investigation of the report.
- Whether the county department is continuing to investigate the report.
- Whether the county department is otherwise involved with the adult who is the subject of the report.
- The general status of the health and safety of the adult who is the subject of the report.
- Whether the report has resulted in the filing of a civil complaint or criminal charges.

When a county department receives a report from a mandatory reporter, the bill requires the county department to inform the person of the right to request the information described above. The recipient of the report must indicate in the initial report that the reporter was informed, and, if the reporter provides a name, address, and telephone number, that information must be included in the report. For a mandatory reporter to request the information described above, the person must have provided the person's name, address, and telephone number when making the report.

Once a request for any of this information is made, the identity of the person making the request must first be verified. If verified, the county department is required to provide the requested information a reasonable number of times. The bill prohibits the county department from disclosing any confidential information regarding the adult who is the subject of the report, other than the information listed above.

Chairman Ginter and members of this committee, mandated reporters in Ohio carry the enormous responsibility of reporting suspected cases of neglect and abuse for both our children and our most vulnerable adults. When it comes to confirming that both action has been taken and that the mandated reporter has demonstrated compliance, I struggle to understand why communication can be shared for one population but not the other. HB 700 recognizes this disparity and allows for greater sharing of basic information in APS circumstances.

Thank you again for allowing me to provide testimony and at this time, I would be happy to answer any questions.