H. B. No. 485

AN ACT TO CREATE THE ELDERLY AND VULNERABLE ADULT SERVICES TASK FORCE; TO CHARGE THE TASK FORCE WITH THE DUTY TO MAKE A COMPREHENSIVE STUDY OF EXISTING SERVICES FOR ELDERLY AND VULNERABLE ADULTS AND TO SUBMIT RECOMMENDATIONS FOR ACTION BY THE LEGISLATURE AND EXECUTIVE BRANCH AGENCIES TO MAKE SERVICES MORE AVAILABLE FOR THOSE ADULTS; TO PROVIDE FOR THE COMPOSITION OF THE TASK FORCE; TO PROVIDE THAT THE TASK FORCE SHALL MAKE A REPORT OF ITS WORK TO THE LEGISLATURE AND THE GOVERNOR BEFORE DECEMBER 1, 2003; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. (1) The Legislature finds that:

(a) Services to the elderly population of our state and to vulnerable adults are inadequate in the state;

(b) The structure of the service delivery system is not effective for adequate implementation of needed services;

(c) No specific guardianship program for elderly and vulnerable adults exists in the state;

(d) Coordination of various available services is necessary for the adequate delivery of services to the elderly and vulnerable adults in the state;

(e) There has been insufficient funding of the requirements and programs described in the Mississippi Vulnerable Adults Act which was originally enacted in 1986 and is found in Chapter 47, Title 43, Mississippi Code of 1972; and

(f) There are few services to aid families and care-givers with the care of vulnerable adults and the elderly family members, which could prevent the abuse and neglect of that group.

(2) There is created the Elderly and Vulnerable Adult Services Task Force, the duties of which shall be to study the
existing vulnerable adult and elderly services in the state, and specifically to:

(a) Make a comprehensive study of existing services for elderly and vulnerable adults;

(b) Determine the barriers, gaps and duplications in services to vulnerable adults and the elderly in the state;

(c) Examine the structure of the current service delivery systems for effectiveness and efficiency;

(d) Determine needed services and structural changes in the service delivery system;

(e) Examine current prevention of abuse and neglect programs and services, such as adult foster care, respite care, adult day care, volunteer services and care-giver support groups;

(f) Review existing programs, services and service delivery systems in other states;

(g) Review funding needs for implementation of the Vulnerable Adults Act and the creation of needed services;

(h) Examine the need for a state public guardianship program specifically designed for elderly and vulnerable adults; and

(i) Make recommendations for actions by the Legislature and executive branch agencies to make services for elderly and vulnerable adults more available for residents of Mississippi.

(3) The task force shall be composed of twenty-five (25) members as follows:

(a) Two (2) members of the Senate appointed by the Lieutenant Governor;

(b) Two (2) members of the House of Representatives appointed by the Speaker of the House;

(c) The Director of the Medicaid waiver program, to be appointed by the Executive Director of the Division of Medicaid;

(d) The Director of the Division of Family and Children's Services of the Department of Human Services;
(e) The Director of the Division of Aging and Adult Services of the Department of Human Services;

(f) One (1) person who is a physician licensed in Mississippi, to be appointed by the Governor; and

(g) Sixteen (16) other persons appointed by the Governor. In making appointments to the task force, the Governor shall:

(i) Endeavor to achieve a diverse representation of the citizens of our state, with all socioeconomic and cultural populations and geographical areas of the state being represented;

(ii) Appoint representatives of the following professions, distinct communities or special interest groups: chancery court judges and clerks, advocates for mentally ill and retarded citizens, retired persons, advocates for citizens suffering from Alzheimer's disease, military veterans, social workers, administrators of nursing homes and hospitals, religious leaders, attorneys providing rural legal services, and individuals who are care-givers to elderly or vulnerable adults; and

(iii) Endeavor to ensure that at least one-third (1/3) of his appointments consist of individuals who work directly with the elderly in some capacity.

(4) At its first meeting, the task force shall elect a chairman and vice chairman from its membership, and shall adopt rules for transacting its business and keeping records. Members of the task force shall receive a per diem in the amount provided in Section 25-3-69 for each day engaged in the business of the task force. Members of the task force other than the legislative members shall receive reimbursement for travel expenses incurred while engaged in official business of the task force in accordance with Section 25-3-41, and the legislative members of the task force shall receive the expense allowance provided for in Section 5-1-47.
(5) Before December 1, 2003, the task force shall make a report of its work and recommendations for action, and it shall submit a copy of the report to the Legislature and the Governor.

(6) The task force shall be assigned to the Governor's Office for administrative purposes only, and the Governor's Office shall designate staff to assist the task force. The task force may solicit grants, donations and other funds, and may accept and expend any funds that are made available to the task force to carry out its purpose.

(7) All agencies, departments, offices and institutions of the state, including the state universities and the community and junior colleges, shall cooperate with the task force with such assistance as requested by the task force.

SECTION 2. This act shall take effect and be in force from and after July 1, 2003.