

Committee: _____

RESOLUTION

Prevention and report of Abuse to Elder Texans

A RESOLUTION TO: Insure and protect the mental and physical health of aging Texans.

WHEREAS, Knowing that the abuse of elders accounts for up to 14% of all trauma admissions in the United States, the Legislature is urged to enhance existing legislation regarding the mental and physical health of aging Texans by encouraging citizens and requiring health officials to report to the proper authorities any indication of elder physical or mental abuse, self-neglect, unsafe living conditions, injuries, or any other condition appearing to indicate the need for additional care, examination, or investigation; and

WHEREAS There needs to be written acknowledgment by every resident of a retirement or nursing home or his legal representative that a summary of the rights of nursing or retirement home patients has been received and included in the resident's medical file; and

WHEREAS, there is needed an easy way for citizens and/or healthcare professionals to alert appropriate authorities and to request an investigation into the care of aged Texans who have chronic, progressive, or disabling illnesses that impair function and create care needs of a special nature, such as those who:

- Appear to have progressive impairments and who are without support from family or neighbors, or whose caregivers show signs of burnout.
- Have a personal history of substance abuse or violent behavior or who are cared for by a family member with a similar history or who live with a family in which there is a history of child or spousal abuse.
- Live with family members who are financially dependent on them, or whose caregivers are under sudden increased stress due, for example, to loss of job, health, or spouse,
- Are exposed to hazards in the home, are confined to one part of the home, and whether assistive devices, if needed, are available.
- Appear fearful of a family member or caregiver, or whose caregiver "hovers" around the patient and refuses to give the provider and patient privacy, or the patient sounds like he or she is reciting a "script" explaining their injuries; now, therefore be it

RESOLVED, That the Texas Silver-Haired Legislature urges the Texas Legislature to require all licensed nursing and EMS services to have written protocols in place that address the rights of nursing or retirement home patients regarding assessment, treatment, and the reporting of elder abuse and neglect, and that such protocols be developed collaboratively with law enforcement, local/state departments of aging, the state attorney general's office, and members of the physician community, and, a signed acknowledgment of the receipt of such rights be filed with the patient's medical records,

FURTHER, THAT Elder abuse awareness programs be incorporated into the continuing education programs and training of geriatric professionals and others who are licensed to provide health care and that certificates of completion of such training be awarded those who successfully complete such training.

By:

No: T065

Committee: _____

RESOLUTION

A Resolution to:

WHEREAS:

WHEREAS:

WHEREAS:

now, therefore, be it

RESOLVED That, the 10th Texas Silver-Haired Legislature encourage and strongly recommend that the 79th Texas Legislature

PASSED AND APPROVED this____day of September, 2004, by

the _____Committee,

Chair

PASSED AND APPROVED this____day of September, 2004, by

by the Texas Silver-Haired Legislature.

Chris Kyker, Speaker

ATTEST:

Al Campbell, Secretary