



February 8, 2023

Senator Julie VanOrden, Chairman  
Senate Health & Welfare Committee  
Statehouse  
Boise, ID 83720

Dear Madame Chair VanOrden and Members of the Committee:

The Council on Developmental Disabilities is authorized by federal and state law to monitor service systems and policies and to advocate for improved services that enable Idahoans with intellectual and developmental disabilities to live meaningful lives, included in their home communities. The Council is comprised of 23 volunteers appointed by the Governor, the majority of whom are adults with intellectual and developmental disabilities and family members.

The Council supports Senate Bill 1028.

The Council would like to acknowledge the importance of the Adult Abuse, Neglect and Exploitation Act. This statute serves to educate the public and individuals who live in home and community-based settings and facilities about an expectation of treatment and when mistreatment takes place how to report and the steps to follow once a report has been made. This system is essential in keeping vulnerable adults safe in home and community-based settings as well as facility-based settings. Also important is the foundation this statute provides to create much needed education for the disability community to be informed about behaviors that indicate abuse, neglect, and exploitation.

The Council appreciates the time the Commission on Aging took to meet with stakeholders and engage in discussions about concerns with a previous version. The Council's initial concerns were over lack of clear definitions. I would like to highlight several of these changes and the expanded definitions. The Council was pleased to see our proposed suggested changes included in the final statute.

39-5302 (j) (iii) The Council appreciates the expanded version of the definition of financial exploitation specifically the inclusion of “or using a vulnerable adult’s property, income, belongings, or resources.” It is often reported to and observed by the Council that it is often the belongings, i.e., food and household items, that are at issue for individuals with intellectual and developmental disabilities.

39-5302 (l) The Council is pleased that the Idaho Commission on Aging considered its comment to include a definition for Human Trafficking in this statute.

39-5302 (k)(n) The Council appreciates the delineation of caregiver definitions. Having a delineated set of caregiver definitions may assist the state in the future with the implementation of a caregiver misconduct registry to identify paid direct care workers versus informal support provided through a family caregiver. A caregiver misconduct registry was recommended by the Office of Performance Evaluation in its January 17, 2019, report on the Southwest Idaho Treatment Center.

39-5302 (y) The Council along with other stakeholders encouraged the inclusion of a definition of self-neglect. The Council is pleased to see the suggested definition included.

The Council has been working closely with people who have an intellectual or developmental disability (I/DD) on the topics of abuse, neglect, financial exploitation, and human trafficking. In 2020, in collaboration with Disability Rights Idaho, the Council hosted a series of focus groups. Through these focus groups and the Council’s specific work on these issues, people with I/DD have highlighted a specific need for clear information and training. With these specific, plain language definitions the Council is better able to work on informing adults with I/DD. Providing these clear definitions also gives service providers a tool to better assess risk for people with I/DD that they are responsible to support.

Sincerely,

A handwritten signature in black ink that reads "Richelle Tierney". The signature is written in a cursive, flowing style.

Richelle Tierney  
Policy Analyst  
Idaho Council on Developmental Disabilities