



MIKE DEWINE

★ OHIO ATTORNEY GENERAL ★

**OHIO ATTORNEY GENERAL'S ELDER ABUSE COMMISSION
FEBRUARY MEETING MINUTES
VERN RIFFE CENTER FOR GOVERNMENT AND THE ARTS
77 SOUTH HIGH STREET, 31ST FLOOR
WEST B & C CONFERENCE ROOM
MONDAY, FEBRUARY 25, 2013
9:30 AM – 12:30 PM**

MEMBERS PRESENT

NAME

David Barney
Marc Baumgarten
Olympia Boyce-Taylor
Shelly Boyd
Judith Brachman
Andrew Capehart
Oliver Corbin
Jodi Crowe
Debra Downing
Dustin Ellinger
Cindy Farson
Gene Fischer
Frank Fleischer
Christine Haenszel
Steve Hanson
Cindy Kuhr
Rhonda Major
Sylvia Pla Raith
Valorie Prulhiere
Thomas Swift
Adreana Tartt

REPRESENTING

Ohio Department of Insurance
Ohio Department of Mental Health
Ohio Department of Job and Family Services
Ohio Department of Job and Family Services
Interests of the Elderly
National Adult Protective Services Association
Ohio Department of Public Safety
Ohio Board of Nursing
County Commissioners Association of Ohio
Ohio Department of Health
Ohio Association of Area Agencies on Aging
Buckeye State Sheriffs' Association
Ohio Coalition for Adult Protective Services
Ohio Attorney General's Office – Healthcare Fraud
Supreme Court of Ohio
Ohio Victim Witness Association
Ohio Hospital Association
Ohio Coalition for Adult Protective Services
International Association of Forensic Nurses
Ohio Association of Probate Judges
Ohio Department of Alcohol and Drug Addiction Services

Ursel McElroy

Ohio Attorney General's Office – Commission Staff/Lead

WELCOME – Ursel McElroy

- Opened the meeting by welcoming members.
- Agenda and housekeeping items reviewed.

REVIEW MEETING MINUTES – Commission

- October 22, 2012 meeting minutes amended and approved.
- Meeting minutes will be issued one week before regularly scheduled Commission meetings.

ANNOUNCEMENTS – Commission

- The Ohio Domestic Violence Network (ODVN) is unable to send a representative to the Commission meetings for an indefinite period due to limited staff availability. ODVN will continue to support the Commission through public policy efforts, awareness, training, technical assistance or other means

Meeting minutes prepared by Ursel McElroy

that do not require regular attendance. Once additional resources become available, they would like to return as a fully participating member.

- D. Downing has assumed a new position within the Montgomery County Department of Job and Family Services and will no longer attend Commission meetings. D. Downing regularly attended in the absence of a Montgomery County Commissioner. U. McElroy to follow up with the County Commissioner's Association for a replacement.
- The Attorney General will host its 22nd annual Two Days in May Victim Assistance Conference in Columbus, Ohio on May 14 - 15, 2013. Commission members encouraged to attend.

CHAIR'S REPORT – Ursel McElroy

2012 Summary

- At the close of 2012, two priority topics were identified:
 - Examining ways to avoid financial exploitation in estate planning.
 - Lining up witnesses for proponent testimony on the Ohio Elder Justice Act.

Membership

- The Commission roster will be reviewed for accuracy. Each organization is expected to have one primary designee or alternate regularly present at meetings. U. McElroy will contact organizations as needed.

UNFINISHED BUSINESS - Commission

Legislative Update – Chris Ventura, Legislative Aide to Representative Mike Dovilla

- H.B. 49, the Ohio Elder Justice Act, has been assigned to the House Judiciary Committee, under Chairman Jim Butler [R – 41st District] and Ranking Minority Member Michael Stinziano [D – 18th District]. They are currently seeking a Senator(s) interested in introducing companion legislation. There is currently no funding attached to the bill, but suggestions are welcome.
- February 12th – Representatives Mike Dovilla [R – 7th District] and Wes Retherford [R – 51st District] introduced H.B. 49, the Ohio Elder Justice Act.
- February 20th – Sponsor testimony heard by the House Judiciary Committee. During sponsor testimony, some questions were posed by members of the committee. Written responses were provided the next day by C. Ventura.
 - Is the list of mandatory reporters too expansive? What is the penalty for failure to report? Will the mandatory requirements discourage reporting?
 - Has the bill been vetted by the Ohio Association of Probate Judges or the Ohio Judicial Conference? In particular, has Judge Thomas Swift been consulted?
 - Please provide an example of irreparable harm.
- February 21st – Press conference announcing the introduction of H.B. 49. Attorney General Mike DeWine and Representatives Dovilla and Retherford provided statements.
- U. McElroy to send regular updates on the bill status and examples of letters of support to Commission.
- A. Capehart to compile a list of states that have financial institutions as mandatory reporters and any supportive arguments to including them as mandatory reporters of elder abuse.

Subcommittee Updates

Awareness Subcommittee – K. Warren, Chair

- K. Warren, Subcommittee Chair reported on the campaign's progress.
- Members created vision and mission statements for the awareness campaign that build upon the Commission's guiding principles, along with a campaign slogan, "It's not okay..."
- The slogan can be followed by a variety of phrases, reflective of the different types of elder abuse.
- U. McElroy provided alternative campaign option developed by the U.S. Department of Justice, Office for Victims of Crime. Materials have been developed for easy adaptation by end users.

- Next step is to present both options to the Attorney General's Communications Staff for consideration.

Education Subcommittee – J. Simonsen, Chair

- J. Simonsen, has resigned as Chair of the Education Subcommittee.
- S. Pla-Raith has agreed to assume the role as Chair effective immediately.
- U. McElroy has secured staff support to format and catalogue the training information compiled.
- Next step is to finalize the centralized resource on elder abuse trainings available in Ohio and nationally.

Justice Subcommittee – V. Jenkins, Chair

- V. Jenkins, Subcommittee Chair absent. S. Hanson provided the update.
- The subcommittee continues to develop criteria for an expert witness pool on elder abuse investigations and prosecutions. Topics identified for expert testimony include: 1) forensic accounting 2) forensic wound identification 3) functional and mental capacity and 4) sexual assault forensic and medical examinations.
- Members consulted with experts, drafted and submitted criteria.
- Next step is to present the expert criteria to the appropriate professional organizations for consideration.

NEW BUSINESS - Commission

Elder Abuse Forensic Center

- U. McElroy scheduled to visit two elder abuse forensic centers based in California (Irvine, California and San Diego, California) the first week of April.
- U. McElroy met with Karen Days, President of The Center for Family Safety and Healing at Nationwide Children's Hospital to explore the parallels between elder abuse forensic centers and child advocacy centers.

Attorney General's Criminal Justice and Mental Illness Task Force

- The Attorney General's Task Force on Criminal Justice and Mental Illness (CJMI Task Force) evolved from the former Advisory Committee on Mental Illness and the Courts (ACMIC) originally founded in 2001. The committee developed solutions for the "revolving door issue of persons with mental illness trapped in the criminal justice system".
- Justice Evelyn Lundberg Stratton and Attorney General Mike DeWine co-chair the Task Force that is comprised of 10 subcommittees, including an Aging Subcommittee.
- The Aging Subcommittee identified issues that often intersect with the work of the Commission. In an effort to maximize efficiency, the Commission will expand its current role and also serve in the capacity of the Aging Subcommittee for the CJMI Task Force.
- T. Swift requested Justice Stratton present at the next meeting to provide more details.

Priorities for 2013

- There was consensus on the 2013 Commission priorities:
 - Passage of the Ohio Elder Justice Act.
 - Examine ways to avoid financial exploitation in estate planning.
 - Improve the public comment process.
 - Complete outstanding 2012 tasks.

ADJOURN