

**ASSEMBLY BILL**

**No. 2302**

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**Introduced by Assembly Member Arambula**

February 14, 2020

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An act to amend Sections 15610.10, 15610.23, 15610.27, 15610.55, 15610.57, 15701.05, 15753, 15763, and 15771 of, and to add Sections 15651, 15767, and 15768 to, the Welfare and Institutions Code, relating to elder and dependent adults.

LEGISLATIVE COUNSEL'S DIGEST

AB 2302, as introduced, Arambula. Elder and dependent adults.

(1) Existing law, the Elder Abuse and Dependent Adult Civil Protection Act, establishes various procedures for the reporting, investigation, and prosecution of elder and dependent adult abuse. Existing law makes it a crime for a mandated reporter to fail to make a report under the act.

Existing law requires each county welfare department to establish and support a system of protective services for elderly and dependent adults who may be subjected to neglect, abuse, or exploitation or who are unable to protect their own interests.

Existing law authorizes, in certain circumstances, an elder or dependent adult to be taken into temporary emergency protective custody.

For the purposes of the above-described provisions, existing law defines an elder as a person who is 65 years of age or older and a dependent adult as an adult between 18 and 64 years of age who has specific limitations.

This bill would instead define an elder as a person who is 60 years of age or older and a dependent adult as a person who is between 18

and 59 years of age and has those specific limitations. The bill would also specifically identify that a person in that age range with traumatic brain injuries or cognitive impairments is a dependent adult. By requiring counties to provide services under the above described provisions for additional individuals, and by expanding the scope of a crime under the Elder Abuse and Dependent Adult Civil Protection Act, this bill would impose a state-mandated local program.

(2) Existing law establishes the Home Safe Program, which requires the State Department of Social Services to award grants to counties, tribes, or groups of counties or tribes, that provide services to elder and dependent adults who experience abuse, neglect, and exploitation and otherwise meet the eligibility criteria for adult protective services, for the purpose of providing prescribed housing-related supports to eligible individuals.

This bill would include in the list of housing-related supports services to support housing transitions.

Existing law requires counties that receive grants under the Home Safe Program to provide matching funds.

This bill would provide that, on and after the effective date of the bill, grantees are not required to match any funding provided that is above the base level of funding provided in the Budget Act of 2019.

(3) The Elder Abuse and Dependent Adult Civil Protection Act requires, as part of the procedures described in paragraph (1), each county to establish an adult protective services program that includes specific policies and procedures, including provisions for emergency shelter or in-home protection.

This bill would also require the policies and procedures to include provisions for homeless prevention and longer term housing assistance and support through the Home Safe Program. The bill would authorize a county that receives grant funds under the Home Safe Program to, as part of providing case management services to elder or dependent adults who require adult protective services, provide housing assistance to those who are homeless or at risk of becoming homeless. The bill would require, if an elder or dependent adult comes to the attention of adult protective services because they are homeless, and an investigation indicates that they are homeless because they have a serious mental illness or substance use disorder, the county to refer the adult to the appropriate state or local agency to receive services and supports. By imposing additional duties on counties in the administration of their

adult protective services programs, this bill would impose a state-mandated local program.

The bill would require the department to convene a workgroup to develop recommendations to create or establish a statewide adult protective services case management or data warehouse system. The bill would require the department to submit the recommendations to the Legislature by November 1, 2021.

The bill would establish the Adult Protective Services FAST/Forensic Center Grant Program, to be administered by the department, for the purpose of awarding grants to counties to create, enhance, and maintain a FAST or forensic center. The bill would define, for these purposes, a FAST as a team that handles cases involving financial abuse and a forensic center as a cross-disciplinary group of professionals who collectively review, make recommendations, and provide assistance on the most complex cases of elder and dependent adult abuse and neglect.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for specified reasons.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. (a) The Legislature finds and declares all of the  
2 following:

3 (1) The Adult Protective Services Program (APS), established  
4 by the Legislature as a statewide program in 1998, is a critical  
5 component of the state's safety net for vulnerable adults.

6 (2) The population served by the county-run, state-overseen  
7 APS program has grown and changed significantly since the  
8 program's inception and will continue to do so at a rapid pace,  
9 given the increasing number of older adults in California.  
10 California's over-65 population is expected to be 87 percent higher  
11 in 2030 than in 2012, an increase of more than four million people.  
12 The population over 85 years of age will increase at an even faster  
13 rate, with 489 percent growth between 2010 and 2060.

14 (3) The increasing population of older adults often has more  
15 complex needs, including persons with cognitive impairments and

1 a growing number of those experiencing homelessness. Research  
2 indicates that approximately 50 percent of homeless individuals  
3 are over 50 years of age, and one-half of those individuals became  
4 homeless after 50 years of age.

5 (b) It is, therefore, the intent of the Legislature, in order to  
6 address the safety and well-being of the growing number of diverse  
7 older adults who will need adult protective services, to enhance  
8 the program in a number of ways, including enabling the program  
9 to provide longer-term case management for those with more  
10 complex cases, expanding and making more flexible the Home  
11 Safe Program to aid clients facing homelessness, and encouraging  
12 the use of collaborative, multidisciplinary best practices across the  
13 state, including financial abuse specialist teams and forensic  
14 centers. It is further the intent of the Legislature to expand the age  
15 of clients served under the program in order to intervene earlier  
16 with aging adults before their situations reach a crisis point.

17 SEC. 2. Section 15610.10 of the Welfare and Institutions Code  
18 is amended to read:

19 15610.10. “Adult protective services” means those ~~preventive~~  
20 ~~and remedial~~ activities performed on behalf of elders and dependent  
21 adults who ~~are unable to protect their own interests, harmed or~~  
22 ~~threatened with harm, caused physical or mental injury due to the~~  
23 ~~action or inaction of another person or their own action as a result~~  
24 ~~of ignorance, illiteracy, incompetence, mental limitation, substance~~  
25 ~~abuse, or poor health, lacking in adequate food, shelter, or clothing,~~  
26 ~~exploited of their income and resources, or deprived of entitlement~~  
27 ~~due them. have come to the attention of the adult protective services~~  
28 ~~agency due to potential abuse or neglect.~~

29 SEC. 3. Section 15610.23 of the Welfare and Institutions Code  
30 is amended to read:

31 15610.23. (a) “Dependent adult” means a person, regardless  
32 of whether the person lives independently, ~~between the ages of 18~~  
33 ~~and 64 years~~ *18 and 59 years of age, inclusive*, who resides in this  
34 state and who has physical or mental limitations that restrict ~~his~~  
35 ~~or her~~ *their* ability to carry out normal activities or to protect ~~his~~  
36 ~~or her~~ *their* rights, including, but not limited to, persons who have  
37 physical or developmental disabilities, *who have traumatic brain*  
38 *injuries or cognitive impairments*, or whose physical or mental  
39 abilities have diminished because of age.

1 (b) “Dependent adult” includes any person between ~~the ages of~~  
2 ~~18 and 64 years~~ *18 and 59 years of age, inclusive*, who is admitted  
3 as an inpatient to a 24-hour health facility, as defined in Sections  
4 1250, 1250.2, and 1250.3 of the Health and Safety Code.

5 SEC. 4. Section 15610.27 of the Welfare and Institutions Code  
6 is amended to read:

7 15610.27. “Elder” means any person residing in this state, ~~65~~  
8 *60* years of age or older.

9 SEC. 5. Section 15610.55 of the Welfare and Institutions Code  
10 is amended to read:

11 15610.55. (a) “Multidisciplinary personnel team” means any  
12 team of two or more persons who are trained in the prevention,  
13 identification, management, or treatment of abuse of elderly or  
14 dependent adults and who are qualified to provide a broad range  
15 of services related to abuse of elderly or dependent adults.

16 (b) A multidisciplinary personnel team may include, but need  
17 not be limited to, any of the following:

18 (1) Psychiatrists, psychologists, or other trained counseling  
19 personnel.

20 (2) Police officers or other law enforcement ~~agents~~; *agents,*  
21 *including district attorneys.*

22 ~~(3) Medical personnel with sufficient training to provide health~~  
23 ~~services.~~

24 *(3) Health practitioners, as defined in Section 15610.37.*

25 (4) Social workers with experience or training in prevention of  
26 abuse of elderly or dependent adults.

27 ~~(5) Public guardians~~; *guardians, public conservators, or public*  
28 *administrators.*

29 (6) The local long-term care ombudsman.

30 (7) Child welfare services personnel.

31 *(8) Representatives of a health plan.*

32 *(9) Housing representatives.*

33 *(10) County counsel.*

34 *(11) A person with expertise in finance or accounting.*

35 SEC. 6. Section 15610.57 of the Welfare and Institutions Code  
36 is amended to read:

37 15610.57. (a) “Neglect” means either of the following:

38 (1) The negligent failure of any person having the care or  
39 custody of an elder or a dependent adult to exercise that degree of  
40 care that a reasonable person in a like position would exercise.

1 (2) The negligent failure of an elder or dependent adult to  
 2 exercise that degree of self care that a reasonable person in a like  
 3 position would exercise.

4 (b) Neglect includes, but is not limited to, all of the following:

5 (1) Failure to assist in personal hygiene, or in the provision of  
 6 food, clothing, or shelter.

7 (2) Failure to provide medical care for physical and mental  
 8 health needs. No person shall be deemed neglected or abused for  
 9 the sole reason that ~~he or she~~ *the person* voluntarily relies on  
 10 treatment by spiritual means through prayer alone in lieu of medical  
 11 treatment.

12 (3) Failure to protect from health and safety hazards.

13 (4) Failure to prevent malnutrition or dehydration.

14 (5) *Substantial inability or failure of an elder or dependent*  
 15 *adult to manage their own finances.*

16 ~~(5)~~

17 (6) Failure of an elder or dependent adult to satisfy *any of the*  
 18 *needs specified in paragraphs (1) to ~~(4)~~, (5), inclusive, for himself*  
 19 *or herself themselves* as a result of poor cognitive functioning,  
 20 mental limitation, substance abuse, or chronic poor health.

21 (c) *Neglect includes being homeless if the elder or dependent*  
 22 *adult is also unable to meet any of the needs specified in*  
 23 *paragraphs (1) to (4), inclusive, of subdivision (b), but not if the*  
 24 *individual is unable to meet those needs due to serious mental*  
 25 *illness or substance use disorder.*

26 SEC. 7. Section 15651 is added to the Welfare and Institutions  
 27 Code, to read:

28 15651. If an elder or dependent adult is suspected or alleged  
 29 to be a victim of neglect because the elder or dependent adult is  
 30 homeless and an investigation indicates that the elder or dependent  
 31 adult is unsheltered or lacks permanent housing because they have  
 32 a serious mental illness or substance use disorder, the elder or  
 33 dependent adult shall be referred to the appropriate state or local  
 34 agency to receive services and supports.

35 SEC. 8. Section 15701.05 of the Welfare and Institutions Code  
 36 is amended to read:

37 15701.05. "Appropriate temporary residence" means any of  
 38 the following:

1 (a) A home or dwelling belonging to a member of the  
2 endangered adult’s family or next of kin, if it would not constitute  
3 a risk to the endangered or dependent adult.

4 (b) An adult residential care facility or residential care facility  
5 for the elderly designated by the county as an emergency shelter  
6 and that is licensed by the State of California to deal with the needs  
7 of elder or dependent adults.

8 (c) A 24-hour health facility, as designated by Sections 1250,  
9 1250.2, and 1250.3 of the Health and Safety Code.

10 (d) *Any other home, dwelling, or congregate care unit that meets*  
11 *the needs of the adult.*

12 ~~(d)~~

13 (e) This chapter shall not be used to circumvent or supplant the  
14 involuntary detention and evaluation process provided for pursuant  
15 to Chapter 2 (commencing with Section 5150) of Part 1 of Division  
16 5. A person shall not be deemed an “endangered adult” for the sole  
17 reason that ~~he or she~~ *the person* voluntarily relies on treatment by  
18 spiritual means through prayer alone, in lieu of medical treatment.

19 ~~(e)~~

20 (f) This chapter shall not be used to effectuate placement in jails  
21 or correctional treatment centers, as defined in paragraph (1) of  
22 subdivision (j) of Section 1250 of the Health and Safety Code.

23 SEC. 9. Section 15753 of the Welfare and Institutions Code is  
24 amended to read:

25 15753. The department shall, to the extent funding for this  
26 purpose remains with the department, establish one full-time  
27 position that reports to the director to assist counties with the  
28 following functions in their operation of the adult protective  
29 services system:

30 (a) Facilitating the review and update of state policies and  
31 procedures to promote best casework practices throughout the  
32 state, and providing technical assistance to local programs to  
33 promote consistent statewide adherence to these policies.

34 (b) Developing recommended program goals, performance  
35 measures, and outcomes for the adult protective services system,  
36 and a strategic plan to accomplish these recommended goals,  
37 performance measures, and outcomes.

38 (c) Collaborating with other state departments and local  
39 communities that provide or oversee elder justice services to

1 address the needs of elders and adults with disabilities and improve  
2 coordination and effectiveness of adult protective services.

3 (d) Exploring the development of a state data collection system  
4 that builds on existing statewide data and additionally tracks  
5 outcomes that will align with national data collection efforts.

6 (e) Participating in national, statewide, and regional discussions  
7 on adult protective services and elder justice issues and providing  
8 information on California’s adult protective services programs.

9 (f) Participating in the development of federal and state policy  
10 that responds to new and emergent needs and develops suggested  
11 quality assurance measures to be implemented at the local level.

12 (g) Facilitating the development of a regionally based, ongoing,  
13 comprehensive and consistent statewide adult protective services  
14 training program that responds to new and emerging trends.

15 (h) In collaboration with experts in the field, developing  
16 guidelines for local adult protective services programs that will  
17 make recommendations for local practice in following areas:

- 18 (1) Caseload levels for adult protective services workers.
- 19 (2) Availability of tangible services for local programs.
- 20 (3) Educational and professional development of adult protective  
21 services workers.

22 (4) Structure for 24 hour adult protective services response.

23 (i) *Addressing the needs of elder and dependent adults who*  
24 *have traumatic brain injuries or cognitive impairments and those*  
25 *who are homeless.*

26 SEC. 10. Section 15763 of the Welfare and Institutions Code  
27 is amended to read:

28 15763. (a) Each county shall establish an emergency response  
29 adult protective services program that shall provide in-person  
30 response, 24 hours per day, seven days per week, to reports of  
31 abuse of an elder or a dependent adult, for the purpose of providing  
32 immediate intake or intervention, or both, to new reports involving  
33 immediate life threats and to crises in existing cases. The program  
34 shall include policies and procedures to accomplish all of the  
35 following:

- 36 (1) Provision of case management services that include  
37 investigation of the protection issues, assessment of the person’s  
38 concerns, needs, strengths, problems, and limitations, stabilization  
39 and linking with community services, and development of a service



1 plan to alleviate identified problems utilizing counseling,  
2 monitoring, followup, and reassessment.

3 (2) Provisions for emergency shelter or in-home protection to  
4 guarantee a safe place for the elder or dependent adult to stay until  
5 the dangers at home can be resolved.

6 (3) Establishment of multidisciplinary teams to develop  
7 interagency treatment strategies, to ensure maximum coordination  
8 with existing community resources, to ensure maximum access  
9 on behalf of elders and dependent adults, and to avoid duplication  
10 of efforts. *The multidisciplinary team may include*  
11 *community-based agencies, health plans, and other state- and*  
12 *county-based service providers.*

13 (4) *Provisions for homeless prevention and longer term housing*  
14 *assistance and support through the Home Safe Program established*  
15 *in Chapter 14 (commencing with Section 15770), to the extent that*  
16 *funding is provided for this purpose in the annual budget act and*  
17 *the county receives those funds.*

18 (b) (1) A county shall respond immediately to any report of  
19 imminent danger to an elder or dependent adult in other than a  
20 long-term care facility, as defined in Section 9701 of the Welfare  
21 and Institutions Code, or a residential facility, as defined in Section  
22 1502 of the Health and Safety Code. For reports involving persons  
23 in a long-term care facility or a residential care facility, the county  
24 shall report to the local long-term care ombudsman program. Adult  
25 protective services staff shall consult, coordinate, and support  
26 efforts of the ombudsman program to protect vulnerable residents.  
27 Except as specified in paragraph (2), the county shall respond to  
28 all other reports of danger to an elder or dependent adult in other  
29 than a long-term care facility or residential care facility within 10  
30 calendar days or as soon as practicably possible.

31 (2) An immediate or 10-day in-person response is not required  
32 ~~when~~ *in either of the following circumstances:*

33 (A) *When the county, based upon an evaluation of risk,*  
34 *determines and documents that the elder or dependent adult is not*  
35 *in imminent danger and that an immediate or 10-day in-person*  
36 *response is not necessary to protect the health or safety of the elder*  
37 *or dependent adult.*

38 (B) *When the county receives a report regarding an elder or*  
39 *dependent adult who is homeless and has a serious mental illness*  
40 *or substance use disorder, in which case the adult shall be referred*

1 *to the appropriate state or local agency to receive services and*  
2 *supports.*

3 (3) The State Department of Social Services, in consultation  
4 with the County Welfare Directors Association, shall develop  
5 requirements for implementation of paragraph (2), including, but  
6 not limited to, guidelines for determining appropriate application  
7 of this section and any applicable documentation requirements.

8 (4) Notwithstanding Chapter 3.5 (commencing with Section  
9 11340) of Part 1 of Division 3 of Title 2 of the Government Code,  
10 the department shall implement the requirements developed  
11 pursuant to paragraph (3) by means of all-county letters or similar  
12 instructions prior to adopting regulations for that purpose.  
13 Thereafter, the department shall adopt regulations in accordance  
14 with the requirements of Chapter 3.5 (commencing with Section  
15 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

16 (c) A county shall not be required to report or respond to a report  
17 pursuant to subdivision (b) that involves danger to an elder or  
18 dependent adult residing in any facility for the incarceration of  
19 prisoners that is operated by or under contract to the Federal Bureau  
20 of Prisons, the Department of Corrections and Rehabilitation, a  
21 county sheriff’s department, a county probation department, a city  
22 police department, or any other law enforcement agency when the  
23 abuse reportedly has occurred in that facility.

24 (d) A county shall provide case management services to elders  
25 and dependent adults who are determined to be in need of adult  
26 protective services for the purpose of bringing about changes in  
27 the lives of victims and to provide a safety net to enable victims  
28 to protect themselves in the future. Case management services  
29 shall include the following, to the extent services are appropriate  
30 for the individual:

31 (1) Investigation of the protection issues, including, but not  
32 limited to, social, medical, environmental, physical, emotional,  
33 and developmental.

34 (2) Assessment of the person’s concerns and needs on whom  
35 the report has been made and the concerns and needs of other  
36 members of the family and household.

37 (3) Analysis of problems and strengths.

38 (4) Establishment of a service plan for each person on whom  
39 the report has been made to alleviate the identified problems.

40 (5) Client input and acceptance of proposed service plans.

1 (6) Counseling for clients and significant others to alleviate the  
2 identified problems and to implement the service plan.

3 (7) Stabilizing and linking with community ~~services~~ *services,*  
4 *including, but not limited to, those provided by health plans, other*  
5 *county-based service providers, and community agencies.*

6 (8) Monitoring and followup.

7 (9) Reassessments, as appropriate.

8 (e) (1) To the extent resources are available, each county shall  
9 provide emergency shelter in the form of a safe haven or in-home  
10 protection for victims. Shelter and care appropriate to the needs  
11 of the victim shall be provided for frail and disabled victims who  
12 are in need of assistance with activities of daily living.

13 (2) *To the extent a county receives grant funds under the Home*  
14 *Safe Program (Chapter 14 (Commencing with Section 15770)),*  
15 *counties may provide housing assistance and support to elders*  
16 *and dependent adults who are homeless or at risk of becoming*  
17 *homeless.*

18 (f) Each county shall designate an adult protective services  
19 agency to establish and maintain multidisciplinary teams including,  
20 but not limited to, adult protective services, law enforcement,  
21 probation departments, home health care agencies, hospitals, adult  
22 protective services staff, the public guardian, private community  
23 service agencies, public health agencies, and mental health agencies  
24 for the purpose of providing interagency treatment strategies.

25 (g) Each county shall provide tangible support services, to the  
26 extent resources are available, which may include, but not be  
27 limited to, emergency food, clothing, repair or replacement of  
28 essential appliances, plumbing and electrical repair, blankets,  
29 linens, and other household goods, advocacy with utility  
30 companies, and emergency response units.

31 SEC. 11. Section 15767 is added to the Welfare and Institutions  
32 Code, to read:

33 15767. (a) The department shall, in consultation with  
34 representatives from the County Welfare Directors Association,  
35 the California Elder Justice Coalition, and other relevant  
36 stakeholders, convene a workgroup to develop recommendations  
37 to create or establish a statewide adult protective services case  
38 management or data warehouse system. The recommendations  
39 shall include identification of potential outcome measures and

1 other data elements that can be tracked and made publicly available  
2 for purposes of program planning.

3 (b) (1) The department shall submit recommendations  
4 developed pursuant to subdivision (a) to the Legislature by  
5 November 1, 2021.

6 (2) A report to be submitted pursuant to paragraph (1) shall be  
7 submitted in compliance with Section 9795 of the Government  
8 Code.

9 SEC. 12. Section 15768 is added to the Welfare and Institutions  
10 Code, to read:

11 15768. (a) The Legislature finds and declares that in order to  
12 address the growing complexity of older and dependent adults  
13 receiving services in the Adult Protective Services (APS) Program  
14 for incidents of financial abuse and self-neglect, and to improve  
15 the quality and coordination of California’s elder abuse and neglect  
16 services, it is necessary for counties to bring together professionals  
17 from health, social services, justice systems, and other areas of  
18 expertise, to develop and utilize cross-disciplinary approaches for  
19 the purpose of early identification, intervention, case management,  
20 protection from, and prosecution of, perpetrators, service planning,  
21 and provision of services.

22 (b) For the purposes of this section, the following terms have  
23 the following meanings:

24 (1) “Financial Abuse Specialist Team” or “FAST” means a team  
25 composed of representatives from the county adult protective  
26 services agency, and at least three other agencies and entities  
27 responsible for investigating and preventing financial abuse of  
28 elder and dependent adults, that handles cases involving financial  
29 abuse.

30 (2) “Forensic center” means a cross-disciplinary group of  
31 professionals who share their expertise in partnership with county  
32 adult protective service programs to collectively review cases,  
33 make recommendations, and provide assistance to adult protective  
34 service staff on the most complex cases of elder and dependent  
35 adult abuse and neglect.

36 (c) (1) There is hereby established the Adult Protective Services  
37 FAST/Forensic Center Grant Program. This program shall be  
38 administered by the State Department of Social Services.

39 (2) (A) Subject to an appropriation of funds for this purpose in  
40 the annual Budget Act, the department shall award grants to county

1 adult protective services programs for the purpose of creating,  
2 enhancing, and maintaining a FAST or forensic center to serve  
3 elder and dependent adults who receive services from adult  
4 protective services programs.

5 (B) The department shall provide grants to counties or counties  
6 acting jointly according to criteria and procedures developed by  
7 the department, in consultation with the County Welfare Directors  
8 Association of California. Criteria shall include, but are not limited  
9 to, all of the following:

10 (i) Minimum and recommended components for county plans  
11 and memorandums of understanding or agreements for county  
12 agencies and other participating entities that are required to be  
13 submitted pursuant to subdivision (e).

14 (ii) Technical assistance to support counties in submitting data  
15 required pursuant to subdivision (f).

16 (iii) Strategies for establishing or expanding a FAST or forensic  
17 center, based on available research and best practices in other  
18 jurisdictions.

19 (3) Grant funds awarded pursuant to this section may be used  
20 for any of the following:

21 (A) Hiring county staff, including, but not limited to, a project  
22 director or a project coordinator, and staff to provide case  
23 management to support interagency and cross-departmental  
24 response.

25 (B) Infrastructure and administrative activities related to creating  
26 and maintaining a cross-disciplinary approach, including, but not  
27 limited to, both of the following:

28 (i) Securing and maintaining a site for a designated meeting  
29 space or telecommunication technology to enable remote meetings  
30 for participants.

31 (ii) Data collection and information sharing across agencies,  
32 including client-based data and outcome measures.

33 (C) Developing memorandums of understanding or agreements  
34 that describe processes for information sharing, team meetings,  
35 case assessment, decisionmaking, service provision, and other  
36 activities to be undertaken by the members of the FAST or forensic  
37 center.

38 (D) Providing training to county adult protective services  
39 workers to identify and refer adults who are victims of more

1 complex cases, including those that involve financial abuse and  
2 self-neglect, to the county’s FAST or forensic center.

3 (E) Support to adult protective services in training and outreach  
4 to community and county-based entities and mandated reporters  
5 to identify abuse and neglect.

6 (F) Retaining expertise and participation from other county or  
7 community-based agencies as members of the FAST or forensic  
8 center, intermittent consultation, or both.

9 (4) Participating members of the FAST or forensic center may  
10 include members of the county multidisciplinary team, as defined  
11 in Section 15610.55, or other professionals identified in the county  
12 plan submitted pursuant to subdivision (e). The composition of  
13 the FAST or forensic center may include, but is not limited to,  
14 individuals with expertise in the following professions or from the  
15 following agencies:

- 16 (A) Adult protective services.
- 17 (B) Law enforcement agencies.
- 18 (C) Prosecutorial agencies.
- 19 (D) Public guardians, public conservators, or public  
20 administrators.
- 21 (E) Long-Term Care Ombudsman.
- 22 (F) Legal aid organizations.
- 23 (G) Victim advocates.
- 24 (H) Community mental health services.
- 25 (I) Developmental disability services.
- 26 (J) Coroner’s offices.
- 27 (K) Community care licensing.
- 28 (L) Geriatrician or health care providers.
- 29 (M) Geropsychologists or neuropsychologists.
- 30 (N) Financial and accounting services.

31 (5) Members of the FAST or forensic center shall provide input  
32 regarding services and supports needed for elder and dependent  
33 adults who are served by adult protect services, and may assist in  
34 linking elder and dependent adults to services that are consistent  
35 with the memorandum of agreement or understanding developed  
36 pursuant to subdivision (e).

37 (d) (1) Funds allocated for Adult Protective Services  
38 FAST/Forensic Center Grant Program shall not supplant funds for  
39 existing programs.

1 (2) Funds shall be allocated on an annual basis, subject to  
2 funding provided in the annual Budget Act.

3 (3) The department, upon consultation with the County Welfare  
4 Directors Association of California, may set aside a portion of  
5 funding for use by counties, upon county request, to procure direct  
6 services to support a financial abuse investigation or for forensic  
7 investigative purposes.

8 (e) A county or group of counties applying for grant funding  
9 from the Adult Protective Services FAST/Forensic Center Program  
10 shall submit a plan to the department describing how the county  
11 or group of counties intends to utilize the funds. The plans shall  
12 include all of the following:

13 (1) The purpose and composition of the cross-disciplinary team  
14 to serve as either a FAST or forensic center.

15 (2) A copy of the memorandum of understanding or agreement,  
16 if one exists, or a process to develop a memorandum of  
17 understanding or agreement to formalize collaborative partnerships  
18 across participating agencies and members. A county that is  
19 updating or creating a new memorandum of understanding or  
20 agreement shall submit a plan update upon completion.

21 (3) A description of how data and information will be shared  
22 between participating agencies and professionals.

23 (f) Counties or groups of counties to receive grant funding under  
24 this section shall submit annual reports to the department beginning  
25 September 30, 2021, and by September 30 of each calendar year  
26 thereafter. The reports shall include all of the following:

27 (1) Status of local memorandums of understanding or agreement,  
28 including any updates made in the course of the prior year.

29 (2) Demographics of clients served, including, but not limited  
30 to, the number of individuals served, the types of abuse or neglect  
31 suffered by those individuals, and outcomes of the cases.

32 (3) In cases of financial abuse, the estimated amount of assets  
33 preserved and recovered.

34 (4) The types of services provided and by which agencies or  
35 entities those services were provided.

36 (5) Innovative strategies relating to collaboration with other  
37 agencies and professions involved in the multidisciplinary team.

38 (6) The identification of further barriers and challenges to  
39 preventing elder and dependent adult abuse and serving elder and  
40 dependent adults at risk of abuse and neglect.

1 (g) The department shall award grants under this section no  
 2 later than March 1, 2021.

3 (h) Subject to the availability of funding for these purposes, a  
 4 county or group of counties that does not initially receive grant  
 5 funding under this section may subsequently apply for grants funds.  
 6 The department shall consult with the County Welfare Directors  
 7 Association of California in implementing this subdivision.

8 SEC. 13. Section 15771 of the Welfare and Institutions Code  
 9 is amended to read:

10 15771. (a) Subject to an appropriation of funds for this purpose  
 11 in the annual Budget Act, the department shall award grants to  
 12 counties, tribes, or groups of counties or tribes, that provide  
 13 services to elder and dependent adults who experience abuse,  
 14 neglect, and exploitation and otherwise meet the eligibility criteria  
 15 for adult protective services, for the purpose of providing  
 16 housing-related supports to eligible individuals.

17 (b) Notwithstanding subdivision (a), this section does not create  
 18 an entitlement to housing-related assistance, which is to be  
 19 provided at the discretion of the grantee as a service to eligible  
 20 individuals.

21 (c) (1) It is the intent of the Legislature that housing-related  
 22 assistance provided pursuant to this chapter utilize evidence-based  
 23 practices in homeless assistance and prevention, including housing  
 24 risk screening and assessments, housing first, rapid rehousing, and  
 25 supportive housing. *It is further the intent of the Legislature to*  
 26 *allow housing-related assistance to be provided to elders and*  
 27 *dependent adults served by county adult protective services*  
 28 *programs who are homeless or at risk of homelessness as a bridge*  
 29 *to more permanent housing.*

30 (2) Housing-related supports and services available to  
 31 participating individuals may include, but not be limited to, all of  
 32 the following:

33 (A) An assessment of each individual’s housing needs, including  
 34 a plan to assist the individual in meeting those needs, consistent  
 35 with the case plan, as developed by the adult protective services  
 36 agency. To the extent feasible, the plan shall be developed in  
 37 coordination with a multidisciplinary team that may include  
 38 housing program providers, mental health providers, local law  
 39 enforcement, legal assistance providers, and others as deemed  
 40 relevant by the adult protective services agency.



1 (B) Navigation or search assistance to recruit landlords and  
2 assist individuals in locating affordable or subsidized housing.

3 (C) Enhanced case management, including motivational  
4 interviewing and trauma-informed care, to help the individual  
5 recover from elder abuse, neglect, or financial exploitation.

6 (D) Housing-related financial assistance, including *for* rental  
7 assistance, *including, but not limited to, long-term rental subsidies,*  
8 *emergency housing, and access to board and care homes,* security  
9 deposit assistance, utility payments, moving cost assistance, and  
10 interim housing assistance while housing navigators are actively  
11 seeking permanent housing options for the individual.

12 (E) Housing stabilization services, including ongoing landlord  
13 engagement, case management, public systems assistance, legal  
14 services, tenant education, eviction protection, credit repair  
15 assistance, life skills training, heavy cleaning, and conflict  
16 mediation with landlords, neighbors, and families.

17 (F) *Services to support housing transitions, including, but not*  
18 *limited to, transportation assistance, assistance securing personal*  
19 *care attendants, and linking service recipients to other services*  
20 *and supports.*

21 ~~(F)~~

22 (G) If the individual requires supportive housing, referral to the  
23 local homeless continuum of care for long-term services promoting  
24 housing stability.

25 ~~(G)~~

26 (H) Mental health assistance, as necessary or appropriate.

27 (d) The department shall provide grants to counties and tribes  
28 according to criteria and procedures developed by the department,  
29 in consultation with the County Welfare Directors Association of  
30 California, tribes, the California Elder Justice Coalition, and the  
31 California Commission on Aging. These criteria shall include, but  
32 are not limited to, all of the following:

33 (1) Eligible sources of funds and in-kind contributions to match  
34 the grant, as described in paragraph (1) of subdivision (e).

35 (2) The proportion of funding to be expended on reasonable  
36 and appropriate administrative activities, in order to minimize  
37 overhead and maximize services.

38 (3) Tracking and reporting procedures for the program, which  
39 shall be conducted as a condition of receiving funds, including,

- 1 but not limited to, collecting disaggregated data on all of the  
 2 following:
- 3 (A) The number of people determined eligible for the program.
  - 4 (B) The number of people receiving assistance from the program  
 5 and the duration of that assistance.
  - 6 (C) The types of housing assistance received by recipients.
  - 7 (D) The housing status six months and one year after receiving  
 8 assistance from the program.
  - 9 (E) The number of substantiated adult protective services reports  
 10 six months and one year after receiving assistance from the  
 11 program.
- 12 (e) Grants shall be subject to all of the following requirements:
- 13 (1) (A) Grantees shall match the funding on a dollar-for-dollar  
 14 basis, which may be met by cash or in-kind contributions.
  - 15 (B) *On and after the effective date of the act that added this*  
 16 *subparagraph, grantees shall not be required to match any funding*  
 17 *provided that is above the base level of funding provided in the*  
 18 *Budget Act of 2019.*
  - 19 (2) Grantees shall demonstrate the extent to which they will  
 20 attempt to leverage county mental health services funds for  
 21 participating individuals, and any barriers to leveraging these funds.
  - 22 (3) Grantees shall agree to actively cooperate with tracking,  
 23 reporting, and evaluation efforts.
  - 24 (4) Grantees shall coordinate with the local homeless continuum  
 25 of care network.
- 26 (f) Funding pursuant to this section shall supplement, and not  
 27 supplant, the level of county or tribal funding spent on these  
 28 purposes in the 2017–18 fiscal year.
- 29 (g) *Grantees applying for additional grant money shall only be*  
 30 *required to provide a description of how the additional funding*  
 31 *will be utilized, as required by the department.*
- 32 (h) *Subject to availability of funding for these purposes, a county*  
 33 *that did not initially receive grant funding under this section may*  
 34 *apply for grant funds. The department shall consult with the County*  
 35 *Welfare Directors Association of California in implementing this*  
 36 *subdivision.*
- 37 ~~(g)~~
- 38 (i) Utilizing the funds appropriated for purposes of this chapter,  
 39 the department shall, in consultation with the County Welfare  
 40 Directors Association of California, tribes, the California Elder

1 Justice Coalition, and the California Commission on Aging, enter  
2 into a contract with an independent evaluation and research agency  
3 to evaluate the impacts of the program, which may include, but  
4 are not limited to, the following:

5 (1) The likelihood of future homelessness and housing instability  
6 among recipients.

7 (2) The likelihood of future instances of abuse and neglect  
8 among recipients.

9 (3) Program costs and benefits.

10 ~~(h)~~

11 (j) Notwithstanding the rulemaking provisions of the  
12 Administrative Procedure Act (Chapter 3.5 (commencing with  
13 Section 11340) of Part 1 of Division 3 of Title 2 of the Government  
14 Code), the department may implement, interpret, or make specific  
15 this chapter through all-county letters without taking regulatory  
16 action.

17 SEC. 14. To the extent that this act has an overall effect of  
18 increasing the costs already borne by a local agency for programs  
19 or levels of service mandated by the 2011 Realignment Legislation  
20 within the meaning of Section 36 of Article XIII of the California  
21 Constitution, it shall apply to local agencies only to the extent that  
22 the state provides annual funding for the cost increase. Any new  
23 program or higher level of service provided by a local agency  
24 pursuant to this act above the level for which funding has been  
25 provided shall not require a subvention of funds by the state or  
26 otherwise be subject to Section 6 of Article XIII B of the California  
27 Constitution.

28 With regard to certain other costs that may be incurred by a local  
29 agency or school district, no reimbursement is required by this act  
30 pursuant to Section 6 of Article XIII B of the California  
31 Constitution because, in that regard, this act creates a new crime  
32 or infraction, eliminates a crime or infraction, or changes the  
33 penalty for a crime or infraction, within the meaning of Section  
34 17556 of the Government Code, or changes the definition of a  
35 crime within the meaning of Section 6 of Article XIII B of the  
36 California Constitution.

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