

**CONFIDENTIAL**  
**LEGISLATIVE BILL REVIEW FORM: 2016**

**Bill Number:** H. 112 **Name of Bill:** An act relating to access to financial records in adult protective services investigations

**Agency/ Dept:** DFR **Author of Bill Review:** Emily Kisicki

**Date of Bill Review:** 4/26 **Related Bills and Key Players** DAIL

**Status of Bill: (check one):** ☐ Upon Introduction ☐ As passed by 1<sup>st</sup> body ☒ As passed by both

**Recommended Position:**

☐ Support ☐ Oppose ☒ Remain Neutral ☐ Support with modifications identified in #8 below

**Analysis of Bill**

1. **Summary of bill and issue it addresses.** *Describe what the bill is intended to accomplish and why.*  
This bill provides authority for financial institutions to release financial records of an account holder during an Adult Protective Services (APS) investigation.
2. **Is there a need for this bill?** *Please explain why or why not.*  
According to DAIL, yes, so that investigators have access to the financial records of vulnerable adults to determine whether exploitation has occurred.
3. **What are likely to be the fiscal and programmatic implications of this bill for this Department?**  
No major fiscal or programmatic implications for DFR, potential increase in referrals.
4. **What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?**  
Potential programmatic implications for DAIL, they are in support of it.
5. **What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it?** *(for example, public, municipalities, organizations, business, regulated entities, etc)*  
Implications for the financial institutions that must comply with the law and provide access to records. Stakeholders have participated in the drafting process.
6. **Other Stakeholders:**
  - 6.1 **Who else is likely to support the proposal and why?** DAIL and vulnerable adult advocates are likely to support it because it enhances access to records during an investigation. Financial institutions may welcome clarity regarding disclosure obligations.
  - 6.2 **Who else is likely to oppose the proposal and why?** None known.
7. **Rationale for recommendation:** *Justify recommendation stated above.*  
DFR is neutral because it is not a bill that primarily impacts our Department. DFR supports the language pertaining to report sharing when an investigation relates to financial exploitation.
8. **Specific modifications that would be needed to recommend support of this bill:** *Not meant to rewrite bill, but rather, an opportunity to identify simple modifications that would change recommended position.*  
N/A

9. Will this bill create a new board or commission AND/OR add or remove appointees to an existing one? If so, which one and how many? N/A

Secretary/Commissioner has reviewed this document:

Susan L. Duggan

Date:

4/26/16

Please return this bill review as a Microsoft Word document to [Jahala.Dudley@vermont.gov](mailto:Jahala.Dudley@vermont.gov) & [Jessica.Mishaan@vermont.gov](mailto:Jessica.Mishaan@vermont.gov)