

**Elder Abuse Task Force  
Collaborative Sub-Committee Meeting  
January 26, 2024**

**Meeting Notes and Resource List**

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**Link to the meeting recording:**

[Collaborative Subcommittee-20240126\\_150545-Meeting Recording.mp4](#)

***Minutes will be forwarded when received.***

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**Members**

**\*Task Force Chair**, Andrew Rabinowitz – Director, Senior Legal Services,  
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**\*Sub-Committee Co-Chair**, Jacke Schroeder – Director, Elder Abuse Awareness  
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\*Senator Shelly Hettleman - [shelly.hettleman@senate.state.md.us](mailto:shelly.hettleman@senate.state.md.us)

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\*Wendy Myers - Executive Director, Maryland Children’s Alliance,  
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\*Louise Lock - Assistant Attorney General, Office of the Attorney General,  
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\*Thomas Manion - Sheriff, [thomas.manion@montgomerycountymd.gov](mailto:thomas.manion@montgomerycountymd.gov)

\*Stephen Kensinger – Senior Vice President, Community Banking, Wesbanco,  
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\*Sarah Miicke – Deputy Director, Baltimore Jewish Council, [smiicke@baltjc.org](mailto:smiicke@baltjc.org)

\*Debra Holbrook - Director of Forensic Nursing, Mercy Medical Center,  
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\*Kelly Charles – Administrator of Adult Protective Services, Department of Human Services, [kelly.charles1@maryland.gov](mailto:kelly.charles1@maryland.gov)

\*Quinton Askew - President/CEO, 211 Maryland, [quinton@211md.org](mailto:quinton@211md.org)

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\*Greg Seseck - Director, Office of Adult Services, Social Services Administration,  
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## **DEADLINES:**

- Work Groups Submit Proposed Report to Co-Chairs by March 10, 2024.
- Your final Report is due to the Co-Chairs by April 10.
- Our Report to the Full Task Force is due April 15.

It is considered preliminary and can be an outline of what you have discovered and intend for a fuller investigation.

**Proposed Work Groups** – Please volunteer for your chosen Work Group(s). Please let everyone know which Work Group you're going to participate in if your name isn't already assigned or if you want to join an additional group. Work Groups are responsible for setting their meetings and performing their research. You may want to self-select as a coordinator for scheduling meetings for your Work Group.

**I. Statutory Review:**

- a. Review existing statutes governing elder abuse, including Banking
- b. Review existing types of statutory elder abuse in Maryland, e.g., physical, sexual, psychological, isolation, neglect, abandonment, exploitation.
- c. Identify gaps in statutory coverage, e.g., stalking, human trafficking, emotional abuse.
- d. Identify gaps in definitions, e.g., different statutory treatment of eligibility relating to AGE.
- e. Review recent statutes for application and gaps, such as 2023 HB 774 (Unlicensed ALFS).
- f. Review available procedural protections, e.g., Protective Orders

Workgroup members volunteered to date:

Sarah Miicke  
Greg SeseK  
Louise Lock  
Stephen Kensinger  
Stevanne Ellis

**II. Other State Plans:**

- a. Certain States (e.g., Georgia, California, Pennsylvania, and others?) have more unified structure/plans
- b. Shelter for Elder Abuse Victims?
- c. Data?

Workgroup members volunteered to date: (need more)

Cornelia Bright-Gordon  
Wendy Myers  
Jacke Schroeder

**III. Accommodations and Training**

- a. Barriers?
- b. Review available Training/Education opportunities and gaps, Police, Social Workers, Agencies (DSS, etc.)
- c. Banking
- d. Existing Resources

Workgroup members volunteered to date:

Stephen Kensinger

Stephanie Dean

Kelley Charles

Louise Lock

❖ Note – We will be collaborating with all other Task Force committees.

### EXISTING MARYLAND LAWS TARGETING ELDER ABUSE

Type of Action	Applicable Law
<p><b><u>Criminal Prosecution for Abuse or Neglect of “Vulnerable Adult”</u></b></p> <p><b>Vulnerable Adult is defined as an “adult who lacks the physical or mental capacity to provide for the adult’s daily needs.” Md. Code. Ann., Crim Law § 3-604(a)(10).</b></p>	<ul style="list-style-type: none"> <li>● Md. Code Ann., Crim. Law § 3-604(b)(1): Prohibits a caregiver, parent, or other person supervising a vulnerable adult from causing abuse or neglect that results in death, serious physical injury, or involves sexual abuse of the vulnerable adult.</li> <li>● Md. Code Ann., Crim. Law § 3-604(b)(2): Prohibits a household or family member from causing abuse or neglect that results in death, serious physical injury, or involves sexual abuse of the vulnerable adult.</li> <li>● Md. Code Ann., Crim. Law § 3-605(b): Prohibits the abuse or neglect of, or the intentional and malicious infliction of severe emotional distress on, a vulnerable adult by a caregiver, parent, household or family member, or other person with supervisory responsibility.</li> </ul>
<p><b><u>Criminal Prosecution for Financial Exploitation of “Vulnerable” or “Older Adult”</u></b></p> <p><b>Older Adult is defined as “an individual who is at least 68 years old.” Md. Code. Ann., Estates &amp; Trusts § 13-601(i).</b></p>	<ul style="list-style-type: none"> <li>● Md. Code Ann., Crim. Law § 8-801: Prohibits a person from knowingly and willfully obtaining by deception, intimidation, or undue influence the property of a vulnerable or older adult with intent to deprive the vulnerable adult of that property.</li> </ul>
<p><b><u>Disqualified Persons Under the Health Care Decisions Act</u></b></p>	<ul style="list-style-type: none"> <li>● Md. Code Ann., Health-Gen. § 5-602(b)(3)(ii)(1): Prohibits an individual from serving as a health care agent if he or she is the subject of an interim, temporary, or final protective order and the declarant is a person eligible for relief under the order.</li> </ul>

<p><b><u>Civil Cause of Action for Financial Exploitation of “Susceptible” or “Older Adult”</u></b></p> <p>Susceptible adult is defined as “an adult who is unable to perform, without prompting or assistance, one or more activities of daily living, is unable to protect the adult’s right, or has diminished executive functioning, due to: [advanced age; mental, emotional, sensory, or physical disability or disease; impaired mobility; habitual drunkenness; addiction to drugs; or hospitalization].” Md. Code. Ann., Estates &amp; Trusts § 13-601(k).</p>	<ul style="list-style-type: none"> <li>● Md. Code Ann., Estates &amp; Trusts § 13-604: Provides cause of action for damages and other appropriate relief to susceptible or older adult subjected to financial exploitation* in the State, or to a person acting on their behalf, against a person who has committed financial exploitation.</li> <li>● Md. Code Ann., Estates &amp; Trusts § 13-605: Provides that the following persons serving in representative capacities can bring an action on behalf of a susceptible or older adult subject to financial exploitation: an attorney in fact, guardian, trustee, fiduciary, or named successor; a health care agent or named successor; a spouse, parent, or decedent; a presumptive heir; a named beneficiary; a personal representative or special administrator of an estate; and, a government agency that otherwise has authority or jurisdiction, including the Division of Consumer Protection and the Securities Commissioner of the Division of Securities in the Office of the Attorney General.</li> </ul> <p>* Financial exploitation is defined in Md. Code. Ann., Estates &amp; Trust § 13-601(e).</p>
<p><b><u>Protective Order for Vulnerable Adults</u></b></p>	<ul style="list-style-type: none"> <li>● Md Code Ann, Family Law § 4-504: Provides for the issuance of a protective order to protect against abuse of a vulnerable adult.</li> </ul>

**Other Common Crimes Committed Against Older Adults**

- Murder and Attempted Murder: CR §2-201- CR §2-206 · Reckless Endangerment: CR §3-204
- Manslaughter: CR §2-207 · Rape & Attempted Rape: CR §3-303 & §3-304, CR §3-309 & §3-310
- Sexual Offenses & Attempted Sexual Offenses: CR §3-305 - CR §3- 312 · Theft: CR §7-104
- Bad Checks: CR §7-107 · Fraud in Procuring a Credit Card: CR §8-203 · Identity Fraud: CR §8-301
- Credit Card Theft: CR §8-20 · Assault in the first & second degree: CR §3-201-CR §3-203

**ADDITIONAL PROTECTIONS FOR ELDER ABUSE VICTIMS**

<b>Protections for the Victim*</b>	<b>Rehabilitation of Abuser</b>
<ul style="list-style-type: none"> <li>● Conditioned Release of Abuser</li> <li>● No Contact Order</li> <li>● Periodic Judicial Compliance Review/Status Hearings</li> <li>● Unannounced Wellness Checks</li> <li>● Protection (Protective) Order</li> <li>● Peace Order</li> <li>● Supervised Visitation</li> <li>● Restraining Order</li> <li>● Eviction or Ejection of Abuser</li> <li>● Guardianship</li> <li>● Power of Attorney: Creation or Revocation</li> <li>● Change of Housing/Securing Shelter</li> <li>● Tips to Avoid Scams</li> </ul>	<ul style="list-style-type: none"> <li>● Mandatory Substance Abuse or Mental Health Treatment</li> <li>● Literacy or Job Skills Program</li> <li>● Mandatory Counseling</li> <li>● Conditioned Release</li> <li>● Periodic Judicial Compliance Review/Status Hearings</li> </ul>

## GOVERNMENT AND COMMUNITY RESOURCES

Government Agencies	Community Organizations
<p>Maryland Department of Health,  <a href="https://health.maryland.gov">https://health.maryland.gov</a>                      Adult Protective Services,  <a href="https://dhs.maryland.gov/office-of-adult-services/adult-protective-services">https://dhs.maryland.gov/office-of-adult-services/adult-protective-services</a>                      Maryland Attorney General’s Office,  <a href="https://www.marylandattorneygeneral.gov">https://www.marylandattorneygeneral.gov</a>                      Long-Term Care Ombudsman Program,  <a href="https://aging.maryland.gov/Pages/state-long-term-care-ombudsman.aspx">https://aging.maryland.gov/Pages/state-long-term-care-ombudsman.aspx</a></p>	<p>CHANA’s Elder Abuse Program,  <a href="https://chanabaltimore.org/find-help/elder-abuse">https://chanabaltimore.org/find-help/elder-abuse</a>                      Disability Rights Maryland,  <a href="https://disabilityrightsmd.org/about">https://disabilityrightsmd.org/about</a>                      Maryland Consumer Rights Coalition,  <a href="http://www.marylandconsumers.org">www.marylandconsumers.org</a>                      Maryland Legal Aid, <a href="http://www.mdlab.org">www.mdlab.org</a>                      Baltimore Senior Legal Services,  <a href="http://www.baltimoreseniorlegalservices.org">www.baltimoreseniorlegalservices.org</a>                      Maryland Coalition Against Sexual Assault,  <a href="https://mcasa.org">https://mcasa.org</a>                      Elder Safe Center,  <a href="https://www.smithlifecommunities.org/care-services/eldersafe-care">https://www.smithlifecommunities.org/care-services/eldersafe-care</a>                      MVLS, Maryland Volunteer Lawyers Service,  <a href="https://mvlslaw.org">https://mvlslaw.org</a>                      Pro Bono Resource Center, <a href="https://probonomd.org">https://probonomd.org</a></p>

Note – we collaborating with the Fraud and all other committees