

Protect Michigan's Vulnerable Adults in Foster Care Against Abuse, Neglect, and Exploitation

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HB4841 modernizes adult foster care (AFC) protections to ...

1 Clarify what constitutes abuse.

2 Better safeguard Vulnerable Adults in AFC facilities.



Modernizes AFC protections to ...

3 | Hold wrongdoers accountable and deter would-be abusers.

4 | Protect whistleblowers who speak out.

5 | Provide best practices to protect AFC residents.



Closing Legal Gaps

Elder Abuse

Disability

Sexual Assault

Harassment

Neglect

Coercion

Exploitation



Vulnerable Adults in foster care facilities are already a legally “protected class”

- This legislation does not change the existing law’s definition.
- See MCL 750.145m (1994).

E

**In AFC
facility**

=

**Vulnerable
Adult**

MCL 750.145m

E

In AFC Facility

Challenges:

- Physical**
- Neurological**
- Emotional**

1.

Increased vulnerability for abuse, neglect, and exploitation

E

In AFC Facility

Challenges:

- Physical**
- Neurological**
- Emotional**

2.

Increased risk of being targeted for abuse (because of vulnerabilities).

E

In AFC Facility

Challenges:

- Physical**
- Neurological**
- Emotional**

3.

Increased
== likelihood that
abuses are
unreported.

E

In AFC Facility

Challenges:

- Physical**
- Neurological**
- Emotional**

4.

Increased risk
== that unchecked
abuses are
repeated.

E

Close the Gap in Michigan Law



**Adult
Foster
Home
Care**



**Nursing
Home
Care**



**Intellectual
function deficits**

+

**Cognitive
impairments**

+

**Physical
Impairments**

E

**Vulnerable
Adults with
disabilities** = *The highest risk for
experiencing
violence*

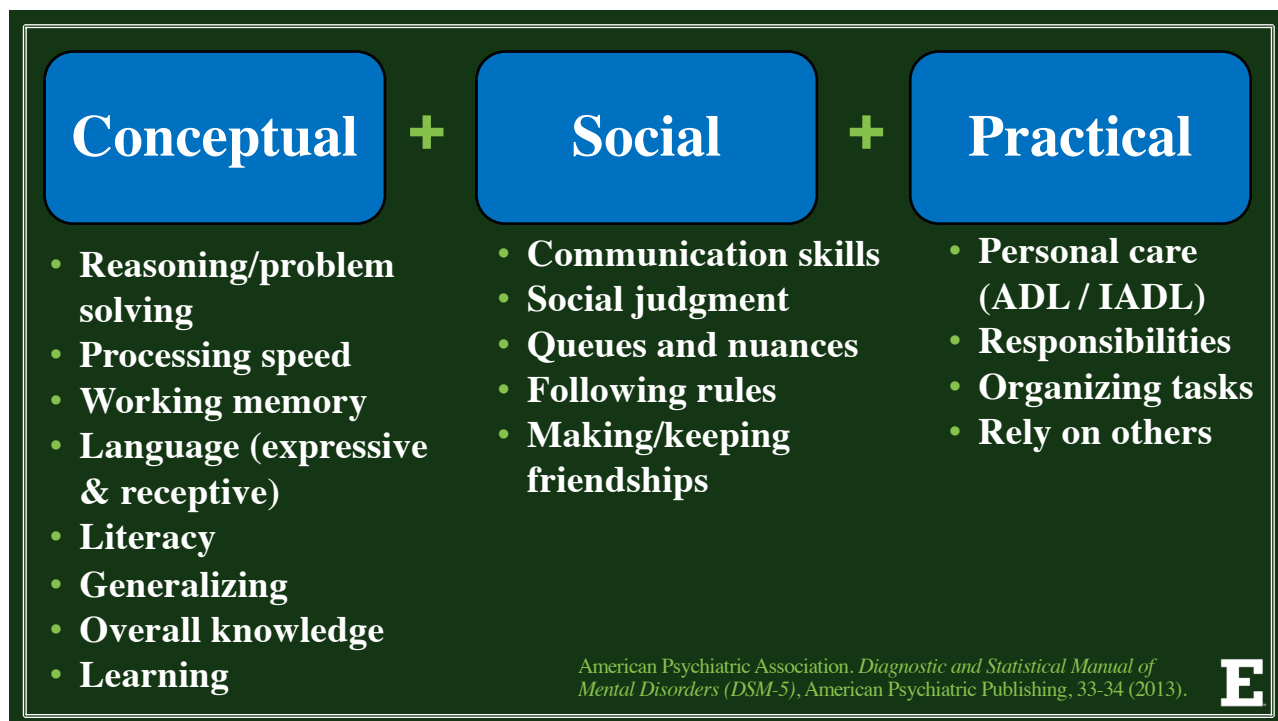
- ✓ **World Health Organization**
- ✓ **United Nations**
- ✓ **US Dept. of Health and Human Services**

E

Challenges with:

- Reasoning
- Problem solving
- Judgment
- Speaking up
about concerns
- Memory
- Mobility
- Eating
- Dressing
- Bathing
- Paying bills

E



Chronological age \neq cognitive / mental age



E

Increased likelihood of:

- Challenges with communication
- Manipulation
- Inability to recognize a dangerous situation



Increased likelihood of:

Personal vulnerability

Targeting by predators

Abuses unreported/repeated



E

Greatest vulnerability for:

Severe emotional distress

Irreversible damage to health and wellbeing

Loss of personal dignity and civil rights

 **HB 4841 reflects an** 
urgent need to:

1

Modernize our laws to specify emotional, mental, and sexual abuses.

2

Require stricter follow up and follow through in cases of abuse reporting.

E

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