

§3473. Authorizations**1. General.** The department shall act to:

A. Protect incapacitated and dependent adults from abuse, neglect and exploitation and protect incapacitated and dependent adults in circumstances that present a substantial risk of abuse, neglect or exploitation; [PL 2003, c. 653, §3 (AMD).]

B. Prevent abuse, neglect or exploitation of incapacitated and dependent adults; [PL 2003, c. 653, §3 (AMD).]

C. Enhance the welfare of these incapacitated and dependent adults; and [PL 1981, c. 527, §2 (NEW).]

D. Promote self-care wherever possible. [PL 1981, c. 527, §2 (NEW).]
[PL 2003, c. 653, §3 (AMD).]

2. Reports. The department shall:

A. Receive, promptly investigate and determine the validity of reports of alleged abuse, neglect or exploitation or the substantial risk of abuse, neglect or exploitation; [PL 1991, c. 711, §3 (AMD).]

B. Take appropriate action, including providing or arranging for the provision of appropriate services and making referrals to law enforcement; [PL 2019, c. 661, §1 (AMD).]

C. Petition for guardianship or a protective order under Title 18-C, Article 5, when all less restrictive alternatives have been tried and have failed to protect the incapacitated adult; and [PL 2019, c. 661, §2 (AMD).]

D. Establish and maintain an adult protective services registry of persons for whom there have been substantiated reports of abuse, neglect or exploitation of dependent adults or incapacitated adults. The department shall adopt routine technical rules to implement this paragraph pursuant to Title 5, chapter 375, subchapter 2-A. [PL 2019, c. 661, §3 (NEW).]
[PL 2019, c. 661, §§1-3 (AMD).]

3. Appearance of designated employees in Probate Court. The commissioner may designate employees of the department to represent the department in Probate Court in:

A. Matters relating to the performance of duties in uncontested guardianship or conservatorship or termination of guardianship or conservatorship proceedings; and [PL 2003, c. 653, §5 (AMD).]

B. Requests for emergency guardianships arising from the need for emergency medical treatment or placement in assisted living programs, residential care facilities or nursing facilities or for orders necessary to apply for or preserve an estate in emergency situations. [PL 2003, c. 653, §5 (AMD).]

[PL 2003, c. 653, §5 (AMD).]

SECTION HISTORY

PL 1981, c. 527, §2 (NEW). PL 1989, c. 858, §5 (AMD). PL 1991, c. 711, §§2-4 (AMD). PL 2003, c. 653, §§3-5 (AMD). PL 2017, c. 402, Pt. C, §54 (AMD). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF). PL 2019, c. 661, §§1-3 (AMD).

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