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**COMMITTEE ON HUMAN SERVICES
OPPOSED TO RAISED BILL No. 896
AN ACT CONCERNING PROTECTIVE SERVICES
FOR SUSPECTED ELDERLY ABUSE VICTIMS
FEBRUARY 19, 2015**

My name is Kevin Brophy. I am the Director of Elder Law for Connecticut Legal Services, a non-profit legal aid agency. My testimony is submitted on behalf of CT's low income elderly clients who reside in the community.

Obviously, we want better protections for elders who are being abused, neglected, or exploited. So, this bill may be a good first start by adding more detailed definitions.

CT Legal Services, however, has several concerns about this bill. Before any state agency takes an action that may impinge on someone's civil rights, no matter how well intentioned, there should be basic protections in place to prevent overreaching. For instance, under Section 2 (d), Protective Services may disclose records without the permission of the elderly person or their representative. That decision, in my opinion, needs to be made by the Superior Court, not Protective Services. Also, the evidentiary standard should be higher. The "best interest" standard applies to children, not adults.

CT Legal Services also has concerns about Section 9 of Raised Bill 896. Before granting access to a senior's home, we believe the Superior Court, not the Probate Court, should make that determination. There should be clear and convincing evidence that an elderly person may be at risk before allowing Protective Services to enter their home without their permission.

Thank you.

