

BILL NO. 36-0099

Thirty-Sixth Legislature of the Virgin Islands

June 24, 2025

An act amending title 34 Virgin Islands Code, chapter 15 expanding the Elder and Dependent Adult Abuse Prevention Act

PROPOSED BY: Senator Angel L. Bolques, Jr.

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Title 34 Virgin Islands Code, chapter 15 is amended as follows:

(1) In section 461 by inserting the following new subsections (d) and (e):

“(d) After conducting a substantiated investigation indicating that an elder or dependent adult is in imminent danger due to abuse, neglect, exploitation, or severe mental health concerns, the Department of Human Services shall immediately request assistance from the Department of Justice to petition the Superior Court of the Virgin Islands for a temporary or permanent protective order. The Department shall develop internal emergency response protocols that include:

(1) Standardized risk assessment tools to identify imminent threats to health or safety;

(2) Procedures for prioritizing and documenting cases requiring urgent legal intervention;

(3) Coordination mechanisms with local law enforcement and medical providers for emergency support;

(4) Defined timelines for protective order filings following confirmation of imminent danger. The Department may request the assistance of any law enforcement officer to enforce or carry out any such court order.

(e) The Department of Human Services shall establish an Elder Anti Abuse Multi-Disciplinary Team (MDT) to strengthen interagency coordination and improve prevention and response strategies related to elder and dependent adult abuse. The MDT must:

(1) Be composed of representatives from the Department of Human Services, the Department of Justice, law enforcement agencies, certified medical professionals, elder advocacy organizations; and Disability Rights Advocacy Organizations;

(2) Meet at least quarterly, or more frequently as determined necessary by the Department of Human Services, to review trends, evaluate high-risk cases, develop protocols, and improve service coordination;

(3) Designate a chairperson from within its membership and adopt internal procedures for convening, decision-making, and recordkeeping;

(4) Submit an annual public report to the Legislature no later than January 31 of each year, summarizing team activities, data on abuse reports, system gaps, and policy recommendations;

(5) Maintain confidentiality of sensitive case information and comply with all applicable federal and territorial privacy laws

(2) Section 468 is amended by inserting the following new subsections (e) and (f):

“(e) The Department of Justice shall establish, oversee, and manage an Elder Abuse Registry listing individuals convicted under section 469 of this chapter. The registry must be maintained with appropriate safeguards to ensure secure access to

sensitive information and shall be used exclusively for employment screening, law enforcement investigations, and public safety matters involving the elderly. The Department shall establish rules for registry access, appeals, and updates.

(f) The Department of Human Services shall provide interagency support to the Department of Justice in maintaining the Elder Abuse Registry. This support may include:

(1) Sharing case referrals or substantiated findings involving elder or dependent adult abuse;

(2) Providing non-confidential data for verification of convictions listed in the registry;

(3) Assisting with outreach and education to long-term care providers, employers, and advocacy organizations regarding the purpose and proper use of the registry. The Department of Human Services shall have no authority over the management, access protocols, or legal determinations associated with the Registry, except as otherwise provided by law.

BILL SUMMARY

The bill amends title 34 Virgin Islands Code, chapter 15 to enhance timely response for incidences involving the elderly and requires the Department of Human Services to develop an Elder Anti-Abuse Multidisciplinary Team to respond in a timely manner to elder abuse complaints. The bill also requires the Department of Human Services to request assistance from the Department of Justice to obtain protective orders from the Superior Court of the Virgin Islands.

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