

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: Senators Angel L. Bolques, Jr., Marvin A. Blyden and Avery L. Lewis

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 older 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 regarding potential legal matters. The Department of Human Services 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 of Human Services 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 Older Adult Anti Abuse Multi-Disciplinary Team (MDT) to strengthen interagency coordination and improve prevention and response strategies related to older 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, older 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 Older Adult Abuse Registry listing individuals convicted under section 469, 470 and 470a 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 older adults. 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 Older Adult Abuse Registry. This support may include:

(1) Sharing case referrals or substantiated findings involving older 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.

SECTION 2. Title 34 Virgin Islands Code, chapter 15 is amended as follows:

(a) in section 451, strike “Elder” and insert “Older”;

(b) in section 452:

(1) in subsections (a) through (f), (h), (n) through (p), (r) through (u), and (y), strike all occurrences of “elder” and insert “older”;

(2) in subsections (e) and (q), strike all occurrences of “elderly” and insert “older”;

(3) in subsection (g), strike “as for elderly people, or the dependent adult” and insert “to an older or dependent adult”;

(4) in subsection (j), strike all the language after “18” and insert “and 59 years who resides in the Virgin Islands and has physical, mental, or emotional developmental disabilities that substantially impair the person’s ability to carry out normal activities and protect the person’s own rights and interests.”

(5) in subsection (k), strike “Elder” and insert “Older adult”;

(6) in subsection (v), strike “the Elderly” and insert “Older Adults”;

(7) in subsection (x), strike all occurrences of “elderly person” and insert “older”.

(c) in section 453, subsections (a) through (d) and (f), strike all occurrences of “elder” and insert “older”, and in subsection (b) paragraph (1), strike “elder’s” and insert “older”;

(d) in section 454, strike “elder” and insert “older”;

(e) in section 456, subsection (b), strike all occurrences of “elder” and insert “older”;

(f) in section 458, subsection (b), strike “elder” and insert “older”;

(g) in section 459, subsection (a), strike all occurrences of “elder” and insert “older”;

(h) in section 460, subsection (a), strike “elder” and insert “older”;

(i) in section 461, subsection (b), strike “elders” and insert “older” and strike “elder” and insert “older”;

(j) in section 462, subsections (a) and (b), strike “elders” and insert “older”;

(k) in section 463, strike all occurrences of “elder” and insert “older”;

(l) in section 464, subsections (a) and (b), strike “elder” and insert “older”;

(m) in section 467, subsection (e), strike “elders” and insert “older”;

(n) in section 468, subsections (a) and (d), strike all occurrences of “elders” and insert “older”, and in subsection (b), strike all occurrences of “elder” and insert “older”;

(o) in section 469, subsections (a) and (b), strike all occurrences of “elder” and insert “older”, and in subsection (b), strike “elderly person or a dependent adult” and insert “older or dependent adult” ;

(p) in section 470, subsections (a), (c) and (d), strike all occurrences of “elder” and insert “older”, subsection (a), strike “elderly person” and insert “older”, and subsection (c), strike the first occurrence of “elder” and insert “older” and strike “elder, dependent adult or to the elder's” and insert “older or dependent adult or to the older”;

(q) in section 470a, subsections (a) through (c), strike all occurrences of “elderly person” and insert “older”;

(r) in section 470b, subsections (a) through (d), strike all occurrences of “elderly person” and insert “older”;

(s) in section 470c, subsections (a) through (c), strike all occurrences of “elderly person” and insert “older”;

(t) in section 471, subsection (a), strike “elder” and insert “older”;

(u) in section 473, subsections (a) and (b), strike all occurrences of “elderly person” and insert “older”;

(v) in section 474, subsections (a) and (b), strike all occurrences of “elder” and insert “older”;

(w) in section 475, subsections (a) and (c), strike “elder” and insert “older”;

(x) in section 476, subsection (a), strike “elderly persons” and insert “older” and strike all occurrences of “elderly person” and insert “older”, and subsection (b), strike all occurrences of “elder” and insert “older”;

(y) in section 477, strike “Elder” and insert “Older”; and

(z) in section 478, strike “elderly person” and insert “older.”

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.

BR25-0040/February 14, 2025/AA/Revised/June 17, 2025/AA

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