

**STATE OF MONTANA
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER No. 12-2020**

**EXECUTIVE ORDER CONTINUING THE EASTERN MONTANA ELDER JUSTICE
COUNCIL**

WHEREAS, the State of Montana has a rapidly growing population of senior citizens, defined as “older persons” under the laws of the State of Montana, §§ 52-3-803 and 45-6-333, MCA;

WHEREAS, senior citizens play a key role in the vitality of our neighborhoods, family, and social networks, and as they age or become disabled, they become vulnerable to abuse, neglect, and exploitation;

WHEREAS, multidisciplinary agencies and organizations work in partnership to protect the wellbeing, safety, quality of life, and dignity of Montana’s senior citizens who require assistance and support in meeting their ongoing needs, including health and mental health care providers, financial advisors, law enforcement, the courts, and community groups;

WHEREAS, agencies that provide oversight and services to senior citizens have reported an increasing number of elder abuse, neglect, and exploitation cases being investigated and prosecuted in Montana;

WHEREAS, outreach and education efforts are critical to inform families, the public, and professionals of elder abuse signs and are effective ways to increase awareness, protect vulnerable senior citizens, and end abuse, neglect, and exploitation;

WHEREAS, interagency coordination is necessary in order to strengthen the effectiveness of educational, prevention, and intervention efforts implemented in Montana for the protection of Montana’s senior citizens; and

WHEREAS, centralized leadership is essential to ensure the oversight and interface of agencies’ efforts in Montana, which requires access to confidential criminal justice information from criminal justice agencies to evaluate and guide current processes to address and reduce the occurrence of elder abuse, neglect and exploitation.

NOW, THEREFORE, I, STEVE BULLOCK, Governor of the State of Montana, pursuant to the authority vested in me under the Constitution and the laws of the State of Montana, do hereby authorize the continuance of the Eastern Montana Elder Justice Council (Council) and pursuant to the Montana Criminal Justice Information Act of 1979 (Title 44, Chapter 5, MCA) do hereby designate the Council as a Criminal Justice Agency, as that term is used in Title 44, Chapter 5, MCA, as follows:

PURPOSE

1. The purpose of the Council is to provide coordination of agency and community efforts implemented in eastern Montana to address and reduce the abuse, neglect and exploitation of senior citizens and adults with disabilities within the region.
2. The Council's work shall serve as a regional pilot project to provide recommendations and a framework for the State of Montana to establish effective statewide oversight in the future.

DUTIES AND PROCESS

1. The Council shall evaluate elder abuse prevention and intervention efforts currently being implemented within the eastern Montana region.
2. The Council shall research strategies and best practices that aim to reduce the occurrence of elder abuse.
3. The Council shall identify and promote educational, outreach and prevention strategies to increase awareness of elder abuse and ensure the protection of elders' human rights.
4. The Council shall establish partnerships with governmental, private and nonprofit organizations and other stakeholders.
5. The Council shall ensure the appropriate dissemination and coordination of information between agencies, local governments, and the public.
6. The Council may review cases of abuse, neglect, and financial exploitation, or other crimes perpetrated against older persons, to aid in the investigation and prosecution of alleged bad actors.
7. The Council may handle and receive confidential information in the fulfillment of its duties, consistent with its designation under this executive order and all other applicable laws. The Council shall follow protocol for using confidential criminal justice information and may not use the information, records, or data for purposes other than those designated by this executive order.
8. The Council shall prepare and deliver a report on its activities to the Governor, the Attorney General, the Commissioner of Securities and Insurance, and the Legislature by December 31, 2022.

COMPOSITION AND ORGANIZATION

The Council will include at least 10 multidisciplinary experts to serve as advisors, including members from both the public and private sectors, that will offer expertise in a variety of areas, including criminal and civil law, investigation and enforcement, accounting, banking, fiduciary, guardianship, healthcare, insurance, and general senior and disability adult services.

1. The Council members shall be appointed by and serve at the pleasure of the Governor.
2. The Governor will designate one council member as chairperson.
3. The Council membership shall include at least four Ex-Officio members to support and inform the work of the Council, including the directors or their designees, from the following state agencies:

- a. Department of Administration
 - b. Department of Public Health and Human Services
 - c. Department of Justice
 - d. Commissioner of Securities and Insurance
 - e. Other agencies of state government, at the discretion of the Governor
4. The Council shall include state government program specialists dealing with senior and disabled adult abuse, exploitation, and neglect.
 5. In making appointments to the Council, the Governor will consider stakeholders from local or county governments, and/or private sector, serving the elder population in the eastern Montana region, as well as members of the public and stakeholders in the following disciplines:
 - a. Law enforcement/investigator
 - b. County attorney
 - c. Licensed private attorney
 - d. Medical/mental health care provider
 - e. Senior advocacy
 - f. Private financial institution
 - g. Licensed certified public accountant and/or licensed certified financial planner
 - h. Representative(s) of Montana Indian tribes
 - i. Community and faith leaders
 6. The Council may establish sub-committees to assist in the execution of its duties. The subcommittees shall be given specific deliverables within definite timetables.
 7. The Council is administratively attached to the Montana Department of Public Health and Human Services.

STATE AGENCY ROLES AND RESPONSIBILITIES

The Department of Administration, the Commissioner of Securities and Insurance, the Department of Justice, and the Department of Public Health and Human Services shall assist the Council in its formation and duties, making available staff who can support the Council with technical, policy, social, scientific, and legal matters.

COMPENSATION

Council members eligible for reimbursement shall be reimbursed pursuant to § 2-15-122(5), MCA.

DURATION

The Council shall expire on or before December 31, 2022, unless rescinded or renewed by subsequent executive order.

This Order is effective immediately.

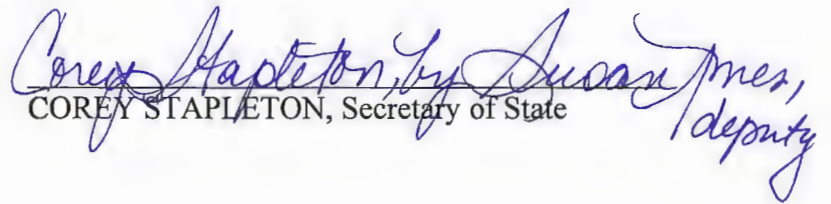


GIVEN under my hand and the GREAT SEAL of
the State of Montana this 16 day of
December, 2020.



STEVE BULLOCK, Governor

ATTEST:


COREY STAPLETON, Secretary of State
deputy