

Fifty-fifth  
Legislative Assembly  
of North Dakota

ENGROSSED SENATE CONCURRENT  
RESOLUTION NO. 4038

Introduced by

Senators St. Aubyn, Solberg, Robinson

Representatives Delmore, Monson, Skarphol

1 A concurrent resolution directing the Legislative Council to study the effectiveness of and  
2 methods to improve advocacy programs administered by the Department of Human Services  
3 and the feasibility and desirability of merging those advocacy programs, including the  
4 vulnerable adult protective services program, into the protection and advocacy program.

5 **WHEREAS**, the Committee on Protection and Advocacy provides advocacy and  
6 protective services for persons with developmental disabilities and persons with mental  
7 illnesses; and

8 **WHEREAS**, the Committee on Protection and Advocacy must balance the rights of  
9 persons to privacy and to refuse services with the committee's duties to protect the human and  
10 legal rights of persons eligible for services and to monitor facilities for compliance with federal  
11 and state laws and rules; and

12 **WHEREAS**, the vulnerable adult protective services program provides remedial, social,  
13 legal, health, mental health, and referral services that are necessary and appropriate for the  
14 prevention, correction, or discontinuance of abuse or neglect of a vulnerable adult; and

15 **WHEREAS**, the Department of Human Services and county social service boards are  
16 not required to implement or enforce the vulnerable adult protective services program with  
17 respect to any region, area, or county of this state if the Legislative Assembly does not provide  
18 an appropriation to support the implementation and enforcement of the program within that  
19 region, area, or county; and

20 **WHEREAS**, a number of other advocacy programs administered by the Department of  
21 Human Services have purposes similar to those of the Committee on Protection and Advocacy  
22 and the vulnerable adult protective services program; and

23 **WHEREAS**, the merging of the various advocacy programs may be one method to  
24 improve the effectiveness and efficiency of the programs and may avoid a duplication in  
25 services; and

1           **WHEREAS**, shared resources may be a method to improve the effectiveness and the  
2 efficiency of the programs;

3           **NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA,**  
4 **THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:**

5           That the Legislative Council study the effectiveness of and methods to improve  
6 advocacy programs administered by the Department of Human Services and the feasibility and  
7 desirability of merging those advocacy programs, including the vulnerable adult protective  
8 services program, into the protection and advocacy program; and

9           **BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and  
10 recommendations, together with any legislation required to implement the recommendations, to  
11 the Fifty-sixth Legislative Assembly.