

**EMERGENCY OR INVOLUNTARY SERVICES TO VICTIMS:
COMPARISON CHART OF PROVISIONS IN ADULT PROTECTIVE SERVICES LAWS WITH CITATIONS, BY STATE**

(Laws current as of 12/31/06)

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Research conducted on Westlaw compliments of West Group

CAUTION: Read the explanation of this chart before relying upon the chart. You can find the explanation online at
<http://www.abanet.org/aging/about/elderabuse.shtml>.

STATE	EMERGENCY – CITATION(S)	INVOLUNTARY – CITATION(S)
Alabama	Ala. Code § 38-9-5	Ala. Code § 38-9-4(a)
Alaska	Alaska Stat. § 47.24.017(b)	Alaska Stat. § 47.24.019(a)
Arizona	There is no statutory provision.	There is no statutory provision.
Arkansas (#1) Ark. Code Ann. §§ 12-12-1701 – 12-12-1721 <i>(relating to reporting & investigation)</i>	Ark. Code. Ann. § 12-12-1714(e)	There is no statutory provision.
Arkansas (#2) Ark. Code Ann. §§ 9-20-101 – 9-20-121 <i>(authorizing APS to take victims into protective custody)</i>	Ark. Code. Ann. § 9-20-113 Ark. Code. Ann. § 9-20-114 Ark. Code. Ann. § 9-20-115 Ark. Code. Ann. § 9-20-116	Ark. Code. Ann. § 9-20-117
California	Cal. Welf. & Inst. Code § 15701.4 Cal. Welf. & Inst. Code § 15703 – 15705.40 Cal. Welf. & Inst. Code § 15763	Cal. Welf. & Inst. Code § 15636(b)
Colorado	There is no statutory provision.	Colo. Rev. Stat. Ann. § 26-3.1-104(2)
Connecticut	There is no statutory provision.	Conn. Gen. Stat. Ann. § 17b-455
Delaware	Del. Code Ann. tit. 31, § 3906 (3) & (5) Del. Code Ann. tit. 31, § 3907 Del. Code Ann. tit. 31, § 3908 Del. Code Ann. tit. 31, § 3909	Del. Code Ann. tit. 31, § 3906 (1), (2), & (4)
District of Columbia	D.C. Code Ann. § 7-1907	There is no statutory provision.
Florida	Fla. Stat. Ann. § 415.1051(2) & (3)	Fla. Stat. Ann. § 415.1051(1) & (3)
Georgia	Ga. Code Ann. § 30-5-5(h)	Ga. Code Ann. § 30-5-5(e)
Guam	There is no statutory provision.	10 Guam Code Ann. § 2957(b)
Hawaii	Haw. Rev. Stat. § 346-231 Haw. Rev. Stat. § 346-232 Haw. Rev. Stat. § 346-233	There is no statutory provision.

STATE	EMERGENCY – CITATION(S)	INVOLUNTARY – CITATION(S)
	Haw. Rev. Stat. § 346-234 Haw. Rev. Stat. § 346-235	
Idaho	There is no statutory provision.	Idaho Code § 39-5306(4)
Illinois	320 Ill. Comp. Stat. §§ 20/9(b) & (c)	320 Ill. Comp. Stat. §§ 20/9(d) & (e)
Indiana	Ind. Code Ann. § 12-10-3-28	Ind. Code Ann. § 12-10-3-21 Ind. Code Ann. § 12-10-3-21.5 Ind. Code Ann. § 12-10-3-22 Ind. Code Ann. § 12-10-3-23
Iowa	Iowa Code Ann. § 235B.19	Iowa Code Ann. § 235B.18
Kansas	There is no statutory provision.	Kan. Stat. Ann. § 39-1437(a)
Kentucky	Ky. Rev. Stat. Ann. § 209.100 Ky. Rev. Stat. Ann. § 209.110 Ky. Rev. Stat. Ann. § 209.120 Ky. Rev. Stat. Ann. § 209.130	There is no statutory provision.
Louisiana	La. Rev. Stat. Ann. § 403.2(E)(7) La. Rev. Stat. Ann. § 403.2(N)	La. Rev. Stat. Ann. § 403.2(E)(7) La. Rev. Stat. Ann. § 403.2(F)(1)(e)
Maine	Me. Rev. Stat. Ann. tit. 22, § 3483	Me. Rev. Stat. Ann. tit. 22, § 3482
Maryland	There is no statutory provision.	Md. Code Ann., Fam. Law § 14-307
Massachusetts (EPS) Mass. Gen. Laws Ann. ch. 19A, §§ 14 – 26 <i>(applicable to persons who are 60 or older)</i>	Mass. Gen. Laws Ann. ch. 19A, § 20(b)	Mass. Gen. Laws Ann. ch. 19A, § 20(a)
Massachusetts (APS) Mass. Gen. Laws ch. 19C, §§ 1 – 13 <i>(applicable to persons with disabilities)</i>	Mass. Gen. Laws Ann. ch. 19C, § 7(b)	Mass. Gen. Laws Ann. ch. 19C, § 7(a)
Michigan	There is no statutory provision.	There is no statutory provision.
Minnesota	There is no statutory provision.	There is no statutory provision.
Mississippi	Miss. Code Ann. § 43-47-15	Miss. Code Ann. § 43-47-13
Missouri (#1) Mo. Ann. Stat. §§ 660.250 – 660.295 <i>(applicable only to persons who are unable to protect their own interests or adequately perform or obtain services necessary to meet their essential human needs and are either: (1) 60 or older, or (2) between 18 and 59 and have a disability)</i>	Mo. Ann. Stat. § 660.290(2) – (5)	Mo. Ann. Stat. § 660.285 Mo. Ann. Stat. § 660.290(1)

STATE	EMERGENCY – CITATION(S)	INVOLUNTARY – CITATION(S)
Missouri (#2) Mo. Ann. Stat. §§ 660.300 – 660.321 (<i>these provisions are applicable only to individuals who are receiving “in home services” as defined by § 660.250(9) “through any in-home services provider agency” as defined by § 660.250(11). Missouri does not have two statutes. We established this construct to distinguish in the charts between the provisions applicable to individuals who are receiving in home services and those who are not. The statute indicated that the definitions contained in 660.250 apply to what we have labeled as Missouri #2; 660.300 – 660.321.)</i>)	Mo. Ann. Stat. § 660.300(7)	There is no statutory provision.
Montana	Mont. Code Ann. § 52-3-804(5)(b)	There is no statutory provision.
Nebraska	Neb. Rev. Stat. § 28-387	There is no statutory provision.
Nevada	There is no statutory provision.	There is no statutory provision.
New Hampshire	There is no statutory provision.	There is no statutory provision.
New Jersey	N.J. Stat. Ann. § 52:27D-413	N.J. Stat. Ann. § 52:27D-414
New Mexico	N.M. Stat. Ann. § 27-7-25 N.M. Stat. Ann. § 27-7-25.1 N.M. Stat. Ann. § 27-7-27	N.M. Stat. Ann. § 27-7-24 N.M. Stat. Ann. § 27-7-26
New York	N.Y. Soc. Serv. Law, Art. 9B, § 473-a	There is no statutory provision.
North Carolina	N.C. Gen. Stat. § 108A-106	N.C. Gen. Stat. § 108A-105
North Dakota	There is no statutory provision.	N.D. Cent. Code § 50-25.2-07
Ohio	Ohio Rev. Code Ann. § 5101.69	Ohio Rev. Code Ann. §§ 5101.65 Ohio Rev. Code Ann. §§ 5101.66 Ohio Rev. Code Ann. §§ 5101.67
Oklahoma	Okla. Stat. Ann. tit. 43A, §§ 10-107 Okla. Stat. Ann. tit. 43A, §§ 10-108	There is no statutory provision.
Oregon (EPS) Or. Rev. Stat. §§ 124.050 – 124.095 (<i>applicable to persons 65 or older who are not residents of long-term care facilities</i>)	There is no statutory provision.	There is no statutory provision.
Oregon (APS) Or. Rev. Stat. §§ 430.735 – 430.768	There is no statutory provision.	There is no statutory provision.

STATE	EMERGENCY – CITATION(S)	INVOLUNTARY – CITATION(S)
<i>(applicable only to persons 18 or older who are mentally ill or developmentally disabled and receive services from a community program or facility)</i>		
Pennsylvania	35 Pa. Cons. Stat. Ann. § 10225.307	There is no statutory provision.
Puerto Rico	There is no statutory provision.	There is no statutory provision.
Rhode Island	There is no statutory provision.	There is no statutory provision.
South Carolina	S.C. Code Ann. § 43-35-45(B)	S.C. Code Ann. § 43-35-45(B)
South Dakota	There is no statutory provision.	There is no statutory provision.
Tennessee	Tenn. Code Ann. § 71-6-107(a)(1) – (7) & (c)	Tenn. Code Ann. § 71-6-103(i) Tenn. Code Ann. § 71-6-103(l) Tenn. Code Ann. §§ 71-6-107(b) & (c)
Texas	Tex. Hum. Res. Code Ann. § 48.208	There is no statutory provision.
Utah	Utah Code Ann. § 62A-3-320	Utah Code Ann. § 62A-3-318 Utah Code Ann. § 62A-3-319
Vermont	There is no statutory provision.	There is no statutory provision.
Virgin Islands	34 V.I. Code Ann. § 458(c)	34 V.I. Code Ann. §§ 458(a) & (b)
Virginia	Va. Code Ann. § 63.2-1609	Va. Code Ann. § 63.2-1608
Washington	There is no statutory provision.	There is no statutory provision.
West Virginia	W.Va Code § 9-6-5	There is no statutory provision.
Wisconsin (EPS) Wis. Stat. Ann. § 46.90 <i>(applicable to persons who are 60 or older)</i>	There is no statutory provision.	There is no statutory provision.
Wisconsin (APS) Wis. Stat. Ann. §§ 55.001 – 55.23 <i>(applicable to adults with disabilities)</i>	Wis. Stat. Ann. § 55.13	Wis. Stat. Ann. § 55.08(2) Wis. Stat. Ann. § 55.09 Wis. Stat. Ann. § 55.10 Wis. Stat. Ann. § 55.11 Wis. Stat. Ann. § 55.12
Wyoming	Wyo. Stat. Ann. § 35-20-107	There is no statutory provision.

¹ The views expressed herein have not been approved by the House of Delegates or the Board of Governors of the American Bar Association and, accordingly, should not be construed as representing the policy of the American Bar Association.

² This document was completed for the National Center on Elder Abuse and supported in part by a grant, No. 90AM2792, from the Administration on Aging, U.S. Department of Health and Human Services. Grantees undertaking projects under government sponsorship are encouraged to express freely their findings and conclusions. Therefore, points of view or opinions do not necessarily represent official Administration on Aging policy.