

The Vermont Association of Area Agencies on Aging would like to propose the following amendment regarding access to records in H.171.

The request for records should be reasonably relevant to the alleged period of abuse to minimize the intrusion to the victim and reduce the burden and expense to the party required to produce the records.

§ 6911. RECORDS OF ABUSE, NEGLECT, AND EXPLOITATION

(a) Access to records.

(1) ~~Information obtained through reports and investigations, including the identity of the reporter, shall remain confidential and shall not be released absent a court order, except as follows:~~ Subject to confidentiality or privilege protections, the Department's Adult Protective Services shall have access to any records or documents, including client-identifying information, financial records, and medical and psychological records, necessary to the performance of the Department's duties under this chapter and shall cover the time period reasonably relevant to the alleged period of maltreatment. The duties include the investigation of abuse, neglect, or exploitation or the provision of protective services to a vulnerable adult. A person, agency, or institution that has a necessary and relevant record or document that the Department needs to perform its duties under this chapter shall, without unnecessary delay as soon as practicable, make the record or document available to the Department. For the purposes of this subsection, "records" does not include records developed or maintained by the Department of Financial Regulation.