

Dear Senator Lyons,

I'm writing to you in my role as the Vice-President of the Board of Directors of COVE (Community of Vermont Elders), to request that your committee remove item 6 from the amendment you are currently considering to H.171, and to thank you for your intention to raise this matter in Committee today.

This change seeks to establish a requirement that the abuse and the person's disability be linked. For example, a person with a physical disability, under this new definition, would not be protected by APS if they were financially exploited, because presumably they could protect themselves from exploitation using their mental faculties. A person with a cognitive disability would not be protected by APS if they were physically assaulted, because presumably they could protect themselves physically. To require this linkage between the specific abuse and the type of disability the victim experiences fails to acknowledge the person as a whole. People who have significant care needs or functional disabilities are vulnerable as whole people due not only to their disabilities, but to the complex systems of care that support them and on which they rely.

The proposal by the Department of Disabilities, Aging, and Independent Living, and what is currently contained in the amendment, would *exclude* a significant portion of the population who have significant disabilities of some sort and who have been abused, neglected, or exploited, but who cannot satisfactorily tell the department why or how they were vulnerable to that specific abuse. Consider the example of a woman who is physically sound but has a cognitive disability. If her caregiver sexually assaults her, should APS not get involved because she is physically able to run away?

DAIL's reasoning seems deeply problematic to me. I know just from being a caregiver for my own mother how much power those of us in these roles hold, and just how complex these relationships can be. My mother needs my care, and in the future she will likely need the paid care of others. I want her and all Vermonters in her situation to have the state's protection.

Limiting the definition of vulnerable adult in this way currently proposed in the amendment to H.171 is dangerous and would fail our collective duty to a significant portion of our disabled population.

We must protect our most vulnerable. That is the very essence of this statute. Please reconsider the sixth segment of the committee's amendment.

Best regards,
Anore

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Anore Horton | Executive Director

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