



ARIZONA STATE SENATE

Fifty-Fifth Legislature, First Regular Session

FACT SHEET FOR H.B. 2535

mandatory reporting; vulnerable adults; penalties

Purpose

An emergency measure that classifies, as a class 6 felony, failure by a health professional to report suspected abuse, neglect or exploitation of vulnerable adults involving sexual offenses.

Background

According to statute, a *vulnerable adult* is an individual who is 18 years old or older and who is unable to protect themselves from abuse, neglect or exploitation by others because of a mental or physical impairment. Statute specifies that abuse, in reference to a vulnerable adult, includes: 1) intentional infliction of physical harm; 2) injury caused by criminally negligent acts or omissions; 3) unlawful imprisonment; and 4) sexual abuse or sexual assault ([A.R.S. § 13-3623](#)).

Health professionals and other related specified professionals who have the responsibility to care for a vulnerable adult are required to immediately report suspected abuse, neglect or exploitation. Such reports must be made to a peace officer or Adult Protective Services and include the following information: 1) the names and addresses of the vulnerable adult and any individuals who have known custody of the adult; 2) the adult's age and the nature and extent of the adult's vulnerability; 3) the nature and extent of the abuse, neglect or exploitation; and 4) any other helpful information which may establish the cause of the abuse, neglect or exploitation. Current statute classifies violations of abuse, neglect and exploitation reporting requirements as a class 1 misdemeanor ([A.R.S. § 46-454](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Classifies failure by a health professional or other health services provider to report suspected abuse, neglect or exploitation of a vulnerable adult that involves a sexual offense as a class 6 felony.
2. Defines *health professional*.
3. Makes technical and conforming changes.
4. Becomes effective on signature of the Governor, if the emergency clause is enacted.

House Action

HHS	2/11/21	W/D	
JUD	2/17/21	DP	9-0-0-1
3 rd Read	2/23/21		53-0-1

Prepared by Senate Research
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 CRS/AP/kja