

2012 Kansas Statutes

39-1443. Investigation of adult abuse; coordination and cooperation between agencies. (a) *Investigation of adult abuse.* The state department of social and rehabilitation services and law enforcement officers shall have the duty to receive and investigate reports of adult abuse, neglect, exploitation or fiduciary abuse for the purpose of determining whether the report is valid and whether action is required to protect the adult from further abuse or neglect. If the department and such officers determine that no action is necessary to protect the adult but that a criminal prosecution should be considered, the department and such law enforcement officers shall make a report of the case to the appropriate law enforcement agency.

(b) *Joint investigations.* When a report of adult neglect, adult abuse, exploitation or fiduciary abuse indicates (1) that there is serious physical injury to or serious deterioration or sexual abuse or exploitation of the adult and (2) that action may be required to protect the adult, the investigation may be conducted as a joint effort between the department of social and rehabilitation services and the appropriate law enforcement agency or agencies, with a free exchange of information between such agencies. Upon completion of the investigation by the law enforcement agency, a full report shall be provided to the department of social and rehabilitation services.

(c) *Coordination of investigations by county or district attorney.* If a dispute develops between agencies investigating a reported case of adult abuse, neglect, exploitation or fiduciary abuse, the appropriate county or district attorney shall take charge of, direct and coordinate the investigation.

(d) *Investigations concerning certain facilities.* Any investigation by a law enforcement agency involving a facility subject to licensing or regulation by the secretary of health and environment shall be reported promptly to the state secretary of health and environment, upon conclusion of the investigation or sooner if such report does not compromise the investigation.

(e) *Cooperation between agencies.* Law enforcement agencies and the department of social and rehabilitation services shall assist each other in taking action which is necessary to protect the adult regardless of which party conducted the initial investigation.

History: L. 2003, ch. 91, § 1; July 1.