

# State of South Dakota

NINETY-FIRST SESSION  
LEGISLATIVE ASSEMBLY, 2016

400X0196

## SENATE BILL NO. 19

Introduced by: The Committee on Judiciary at the request of the Department of Social Services

1 FOR AN ACT ENTITLED, An Act to revise certain mandatory reporting requirements for elder  
2 and disabled adult abuse and neglect.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 22-46-9 be amended to read:

5 22-46-9. Any person ~~who is a:~~

6 ~~—(1)—Physician, dentist, doctor of osteopathy, chiropractor, optometrist, podiatrist,~~  
7 ~~religious healing practitioner, hospital intern or resident, nurse, paramedic,~~  
8 ~~emergency medical technician, social worker, or any health care professional;~~

9 ~~—(2)—Long-term care ombudsman;~~

10 ~~—(3)—Psychologist, licensed mental health professional, or counselor engaged in~~  
11 ~~professional counseling; or~~

12 ~~—(4)—State, county, or municipal criminal justice employee or law enforcement officer;~~

13 who knows, or has reasonable cause to suspect, that an elder or disabled adult has been or is  
14 being abused or neglected, shall, within twenty-four hours, report ~~such~~ the knowledge or  
15 suspicion orally or in writing to the state's attorney of the county in which the elder or disabled



1 adult resides or is present, to the Department of Social Services, or to a law enforcement officer.

2 Any person who knowingly fails to make the required report is guilty of a Class 1 misdemeanor.

3 For the purposes of this section, the term, person, means:

4 (1) Physician, dentist, doctor of osteopathy, chiropractor, optometrist, podiatrist,  
5 religious healing practitioner, hospital intern or resident, nurse, paramedic,  
6 emergency medical technician, social worker, or any health care professional;

7 (2) Psychologist, licensed mental health professional, or counselor engaged in  
8 professional counseling; or

9 (3) State, county, or municipal criminal justice employee or law enforcement officer.