

SILVER ALERT INITIATIVES IN THE STATES

11/9/2010

Protecting Seniors with Cognitive
Impairments



Silver Alert Initiatives in the States

PROTECTING SENIORS WITH COGNITIVE IMPAIRMENTS

INTRODUCTION

In March 2009, NASUAD released a report that identified states that have a Silver Alert program, how they fund it, and how each administers the program. The report revealed that 18 states have a Silver Alert program, 14 states had pending legislation, and 18 states did not have legislation.

Several states have implemented Silver Alert programs since our last report. The following chart reflects the updated status of states across the country.

| States with Silver Alert Programs | | States with Pending Legislation | States Without Silver Alert Programs |
|-----------------------------------|-----------------|---------------------------------|--------------------------------------|
| Alabama * | Mississippi * | California | Alaska |
| Arizona | Missouri | Hawaii | Idaho |
| Arkansas ** | New Hampshire | Massachusetts | Illinois |
| Colorado | New Jersey * | Pennsylvania | Iowa |
| Connecticut * | New Mexico | | Maine |
| Delaware | North Carolina | | Michigan |
| Florida | Oklahoma | | Montana |
| Georgia | Ohio | | Nebraska |
| Indiana * | Rhode Island | | Nevada |
| Kansas * | South Carolina | | New York |
| Kentucky | Tennessee * | | North Dakota |
| Louisiana | Texas | | Oregon |
| Maryland * | Virginia | | South Dakota |
| Minnesota | West Virginia * | | Utah |
| | | | Vermont |
| | | | Washington |
| | | | Wisconsin *** |
| | | | Wyoming |

* State has legislation that went into effect since NASUAD's 2009 Report.

** Arkansas has a Memorandum of Understanding that establishes the Silver Alert Program.

*** Wisconsin governor vetoed legislation for a lack of funding.

States with Silver Alert Programs

Currently, there are 28 states that have implemented or will implement Silver Alert programs, an increase of 10 states since the NASUAD's last report. The following section provides a brief summary of the legislation that establishes the programs, the agencies administering the programs, and the program requirements for initiating an alert. The links below will provide you with further information on each state's Silver Alert program.

Alabama

The Alabama Missing Senior Citizen Alert Act (HB 33) went into effect on June 1, 2009. The purpose of this law is to provide immediate response to missing or lost seniors age 60 or older who are at risk of bodily harm or death and to gain the voluntary assistance of the broadcast media to help locate missing seniors. The Department of Public Safety, who administers this program, works collaboratively with other local and state law enforcement agencies, the Alabama Association of Broadcasters and licensed broadcasters in the state.

To view the legislation, please visit the following Web site.

<http://www.dps.state.al.us/ABI/pdf/MissingSeniorAct.pdf>

Arkansas

House Bill 2087, "An Act to Establish the 'Silver Alert System' for Adults Who Are Living with Dementia or Other Cognitive Impairment," was filed, but it never became law. However, in March 2009, the Arkansas State Police entered into a Memorandum of Understanding with the Arkansas Sheriffs' Association and the Arkansas Association of Chiefs of Police to host an Internet website that provides Arkansas broadcasters and news organizations a means to receive Arkansas Silver Alerts that are shared with the public. Silver Alerts are disseminated for missing persons 18 years of age or older who are living with dementia or other cognitive impairment.

To view the legislation, please visit the following Web site.

<http://staging.arkleg.state.ar.us/ftproot/bills/2009/public/HB2087.pdf>

Connecticut

Substitute Senate Bill 451 went into effect July 1, 2009 establishing Connecticut's Silver Alert System. The Department of Public Safety's Missing Child Information Clearinghouse administers the program and notifies the public of missing persons 65 years of age or older and anyone 18 or over who has a mental impairment.

To view the legislation, please visit the following Web site.

http://search.cga.state.ct.us/dtSearch_lpa.html

Indiana

Governor Mitch Daniels signed Senate Bill 307 to establish the Indiana Silver Alert, effective July 1, 2009. The Indiana Clearinghouse for Information on Missing Children and Missing Endangered Adults administers the program and works collaboratively with private organizations and law enforcement agencies in alerting the public of missing persons age 18 or older with mental illness, dementia, or other mental or physical incapacity.

To view the legislation, please visit the following Web site.

<http://capwiz.com/ahca/in/webreturn/?url=http%3A%2F%2Fwww.in.gov%2Fapps%2Flsa%2Fsession%2Fbillwatch%2Fbillinfo%3Fyear%3D2009%26session%3D1%26request%3DgetBill%26doctype%3DSB%26docno%3D0307>

Kansas

The Kansas Silver Alert Plan was implemented on July 30, 2009 following a resolution that called for the establishment of this senior alert system, but did not require it by law (SHL Resolution 2506). It is administered by the Kansas Bureau of Investigation, which collaborates with local law enforcement agencies and the media to alert the public of missing persons living with dementia or persons over age 65 with a medical or mental condition or one who is at risk of harming himself.

The following Web site provides the protocol and policies for the Silver Alert Plan.

<http://www.ksag.org/page/attorney-general-establishes-silver-alert-protocol>

Maryland

In October 2009, Maryland established its Silver Alert Program (HB 192) that is designed to alert the public about missing persons with cognitive impairments such as Alzheimer's or dementia. The Department of State Police administers the statewide program and works collaboratively with the State Highway Administration on this initiative.

You can view the bill by going to the following Web site.

http://mlis.state.md.us/2009rs/fnotes/bil_0002/hb0192.pdf

Mississippi

The Mississippi Silver Alert System Act of 2010 (HB 664) went into effect July 1, 2010. The Bureau of Investigation of the Department of Public Safety will be responsible for implementing the statewide alert system. The purpose of the Silver Alert System is to provide a tiered, rapid response system to notify the public about missing endangered adults age 18 or older with dementia or other cognitive impairments. The Bureau of Investigation will work with local law enforcement agencies and the Mississippi Highway Patrol Headquarters Communication Center to alert the public about missing persons.

You can view the bill by going to the following Web site.

<http://billstatus.ls.state.ms.us/documents/2010/pdf/HB/0600-0699/HB0664PS.pdf>

New Jersey

The Silver Alert System Act went into effect on December 22, 2009. The State Police administers the program and disseminates missing person information on people age 65 or older to broadcast media, the Department of Transportation, the New Jersey Highway Authority, the New Jersey Turnpike Authority, and the South Jersey Transportation Authority.

You can view the bill by going to the following Web sites.

http://www.njleg.state.nj.us/2008/Bills/A3000/2844_11.HTM

http://www.njleg.state.nj.us/2008/Bills/S2000/1844_11.HTM

Tennessee

The Tennessee Senior Alert Act went into effect on August 4, 2009. The Tennessee Bureau of Investigation administers the Silver Alert system that provides a statewide system for the rapid dissemination of information on missing persons age 18 or older who have dementia or other cognitive impairment.

You can view the bill by going to the following Web site.

<http://www.capitol.tn.gov/Bills/106/Bill/HB0346.pdf>

West Virginia

HB 2504 was signed into law by Governor Joe Manchin and went into effect on July 10, 2009 establishing the West Virginia's Silver Alert Plan. The State Police administers the program by providing alerts for cognitively impaired missing persons to broadcast media, the Department of Transportation, the Division of Highways, the West Virginia Turnpike Commission, and affected authorities. HB 2504 does not specify an age requirement of a cognitively impaired missing person.

You can view the bill by going to the following Web site.

http://www.legis.state.wv.us/Bill_Text_HTML/2009_SESSIONS/RS/BILLS/hb2504%20enr%20sub.htm

Pending Legislation

California

On December 22, 2008, Senators Alquist, Correa, and Oropeza introduced SB 38, a bill that would establish a missing senior person alert system. The bill specifies that a missing person would have to be 65 years of age or older and must have an impaired mental condition. As of August 27, 2009, there has been a second reading of the bill and it is currently being held in committee.

You can view the bill and its history by going to the following Web site.

http://www.legislature.ca.gov/cgi-bin/port-postquery?bill_number=sb_38&sess=CUR&house=B&author=alquist

Hawaii

Since January 2009, Hawaii legislators have introduced six bills that would establish a Silver Alert system in their state. However, it appears that SB2226 SD2 HD1 is the only bill that has received considerable action. It was introduced January 21, 2010 and, as of March 12, 2010, it passed the second reading as amended in HD 1 and was referred to the Committee on Judiciary without opposition. The bill specifies that the public alert would be made for missing senior citizens and defines a senior citizens as one who is 65 years of age or older.

You can view the bill and its history by going to the following Web site.

http://www.capitol.hawaii.gov/session2010/bills/SB2226_HD1_.pdf

http://www.capitol.hawaii.gov/session2010/lists/measure_indiv.aspx?billtype=SB&billnumber=2226

Massachusetts

H4344 (new draft of S322, H44, and H603) would establish a Silver Alert community response system to protect seniors. This Silver Alert system would be used to alert the public of missing adults with serious memory impairment such as Alzheimer's disease or other dementia. The last action recorded for this bill was on November 17, 2009 when the Joint Committee on Community Development and Small Business reported favorably on it and referred it to the House Committee on Ways and Means.

You can view the bill and its history by going to the following Web site.

<http://www.mass.gov/legis/bills/house/186/ht04pdf/ht04344.pdf>

<http://www.mass.gov/legis/186history/h04344.htm>

Pennsylvania

On March 5, 2009, the General Assembly of Pennsylvania referred HB 726 to Committee on Aging and Older Adult Services. HB 726, which is also referred to as the Silver Alert for Missing Senior Citizens Act, would establish a statewide alert system for notifying the public of missing persons age 65 or older who have an impaired mental condition and whose disappearance poses a credible threat to the senior citizens' health and safety. The Secretary of the Department of Aging is responsible for appointing a director to serve as the statewide coordinator of the alert system.

You can view the bill and its history by going to the following Web site.

<http://www.legis.state.pa.us/cfdocs/billinfo/billinfo.cfm?year=2009&sind=0&body=H&type=B&BN=0726>

NASUAD will continue to monitor pending legislations.

Legislation That Did Not Pass

Nevada

According to the Nevada Silver Haired Legislative Forum, AB 4 that would establish a statewide Silver Alert system was referred to the Health and Human Services Committee and died on April 11, 2009 due to no further action being taken on the bill.

Vetoed Legislation

Wisconsin

Unfunded legislation to establish a Silver Alert program was vetoed by Governor Jim Doyle.

For more information:

John Thompson
National Association of States United for Aging and Disabilities
1201 15th Street, NW
Suite 350
Washington, DC 20005
202-898-2578
www.nasuad.org