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## DIGEST

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Simon

HB No. 20

**Abstract:** Amends the definition of "abuse" and defines "sexual abuse" for purposes of the mandatory reporting requirements of abuse of adults.

Present law provides for mandatory reporting when a person has cause to believe that an adult's physical or mental health or welfare has been or may be adversely affected by abuse, neglect, or exploitation.

Present law defines "adult" as any individual 18 years of age or older, or an emancipated minor who, due to a physical, mental, or developmental disability or the infirmities of aging, is unable to manage his own resources, carry out the activities of daily living, or protect himself from abuse, neglect, or exploitation.

Present law defines "abuse" as the infliction of physical or mental injury on an adult by other parties, including but not limited to such means as sexual abuse, abandonment, isolation, exploitation, or extortion of funds or other things of value, to such an extent that his health, self-determination, or emotional well-being is endangered.

Proposed law redefines "abuse" as the infliction of physical, emotional, or mental injury or actions which may reasonably be expected to inflict physical, emotional, or mental injury, on an adult by other parties, including but not limited to such means as sexual abuse, abandonment, isolation, exploitation, or extortion of funds or other things of value.

Proposed law defines "sexual abuse" of an adult as follows:

- (1) The adult is forced, tricked, threatened, or otherwise coerced by a person into sexual activity or contact.
- (2) The adult is involuntarily exposed to sexually explicit material, sexually explicit language, or sexual activity or contact.
- (3) The adult lacks the capacity to consent, and a person engages in sexual activity or contact with that adult.

(Amends R.S. 15:1503(2); Adds R.S. 15:1503(13))