



Free Legal Help for Maine's Seniors

December 5, 2016

Senator Susan Collins
Chair, Senate Special Committee on Aging
Dirksen Senate Office Building
Washington, DC 20510

Re: SeniorSafe (S 2216)

Dear Senator Collins:

I want to thank you for inviting me to speak with the Senate Special Committee on Aging about the serious problem of financial exploitation of seniors by guardians and others in a position of power. I also want to thank you for your leadership in working to ensure there is training of financial institution employees in reporting elder abuse and an improvement in the timely reporting of financial exploitation when it is suspected through passage of the SeniorSafe Act. I strongly support this legislation that is based upon work done here in Maine.

I served for over two years on the working group that developed Maine's SeniorSafe training program for financial institution managers and employees. It is a voluntary training program. Through that work I came to fully appreciate the very real concerns of the financial industry regarding the consequences of violating, or being perceived as violating, the broad range of state and federal privacy laws that apply to their industry. I also came to appreciate that absent broad immunity for reporting of suspected financial exploitation, privacy regulations would continue to be a barrier to good faith reporting of suspected financial exploitation. In a landscape that includes family members who often wish to keep exploitation from coming to light because they are perpetrating the exploitation, the risk of facing potential nuisance or false complaints over privacy violations is all too real.

This is a barrier that must be removed so that financial institution employees will act immediately to make a report to the proper authorities upon forming a reasonable belief that exploitation is occurring. These professionals are on the front lines in the fight against elder financial exploitation and are often the only ones in a position to stop exploitation before it is too late.

I want to add that tying the grant of immunity to required training for not just supervisors, compliance officers, and legal advisors, but to all who come in contact with seniors as a part of their regular duties, will have the direct result of bringing more cases of exploitation to the timely attention of the proper authorities because it will significantly increase the knowledge and awareness in the industry of the red flags for elder abuse. In Maine, where our training program is entirely voluntary and carries no legal status or benefit, we have already seen what a difference training can make.

SeniorSafe is a much needed step in the fight against financial exploitation of seniors and there is no doubt it will make our nation's seniors safer. I thank you again for your leadership in this important area.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jaye L. Martin". The signature is stylized and fluid, with a long horizontal stroke extending to the right.

Jaye L. Martin
Executive Director