

**ADULT PROTECTIVE SERVICES, INSTITUTIONAL ABUSE AND LONG TERM CARE  
OMBUDSMAN PROGRAM LAWS: CITATIONS, BY STATE**

(Laws current as of 12/31/06)

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the National Center on Elder Abuse<sup>2</sup>

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Research conducted on Westlaw compliments of West Group

**CAUTION:** Read the explanation of this chart before relying upon the chart.

You can find the explanation online at <http://www.abanet.org/aging/about/elderabuse.shtml>.

**Alabama**

APS: [Ala. Code §§ 38-9-1 through 38-9-11](#)

Inst. Abuse: N/A

LTCOP: [Ala. Code §§ 22-5A-1 through 22-5A-7](#)

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**Alaska**

APS: [Alaska Stat. §§ 47.24.010 through 47.24.900](#)

Inst. Abuse: N/A

LTCOP: [Alaska Stat. §§ 47.62.010 through 47.62.090](#)

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**Arizona**

APS: [Ariz. Rev. Stat. Ann. §§ 46-451 through 46-459](#)

Inst. Abuse: N/A

LTCOP: [Ariz. Rev. Stat. Ann. §§ 46-452.01 through 46-452.02](#)

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**Arkansas**

APS: [Ark. Code Ann. §§ 12-12-1701 through 12-12-1721](#) (*These provisions relate to reporting and investigation*) & [Ark. Code Ann. §§ 9-20-101 through 9-20-121](#) (*These provisions authorize APS to take victims into protective custody*)

Inst. Abuse: [Ark. Code §§ 12-12-1701 through 12-12-1721](#)

LTCOP: [Ark. Code Ann. §§ 20-10-601 through 20-10-603](#)

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**California**

APS: [Cal. Welf. & Inst. Code §§ 15600 through 15766](#) (*Encompasses the Elder Abuse and Dependent Adult Civil Protection Act in Chapter 11, Protective Placements and Custody of Endangered Adults in Chapter 12, and Adult Protective Services in Chapter 13*)

Inst. Abuse: N/A

LTCOP: [Cal. Welf. & Inst. Code §§ 9700 through 9745](#)

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## Colorado

APS: [Colo. Rev. Stat. Ann. §§ 26-3.1-101 through 26-3.1-208](#)

Inst. Abuse: N/A

LTCOP: [Colo. Rev. Stat. Ann. §§ 26-11.5-101 through 26-11.5-112](#)

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## Connecticut

APS: [Conn. Gen. Stat. Ann. §§ 17b-450 through 17b-461](#)

Inst. Abuse: N/A

LTCOP: [Conn. Gen. Stat. Ann. §§ 17b-400 through 17b-417](#)

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## Delaware

APS: [Del. Code Ann. tit. 31, §§ 3901 through 3913](#)

Inst. Abuse: [Del. Code Ann. tit. 16, §§ 1131 through 1142](#)

LTCOP: [Del. Code Ann. tit. 16, §§ 1150 through 1156](#)

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## District of Columbia

APS: [D.C. Code Ann. §§ 7-1901 through 7-1913](#)

Inst. Abuse: N/A

LTCOP: [D.C. Code Ann. §§ 7-701.01 through 7-706.1](#)

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## Florida

APS: [Fla. Stat. Ann. §§ 415.101 through 415.113](#)

Inst. Abuse: N/A

LTCOP: [Fla. Sta. Ann. §§ 400.0060 through 400.0091](#)

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## Georgia:

AP : [Ga Code Ann. §§ 30-5-1 through 30-5-10](#)

Inst. Abuse: [Ga. Code Ann. §§ 31-8-80 through 31-8-88](#)

LTCOP: [Ga. Code Ann. §§ 31-8-50 through 31-8-63](#)

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## **Guam**

APS: [10 Guam Code Ann. §§ 2950 through 2960](#)

Inst. Abuse: N/A

LTCOP: N/A

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## **Hawaii**

APS: [Haw. Rev. Stat. §§ 346-221 through 346-253](#)

Inst. Abuse: N/A

LTCOP: [Haw. Rev. Stat. §§ 96-1 through 96-19](#)

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## **Idaho**

APS: [Idaho Code §§ 39-5301 through 39-5312](#)

Inst. Abuse: N/A

LTCOP: [Idaho Code § 67-5009](#)

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## **Illinois**

APS: [320 Ill. Comp. Stat. 20/1 through 20/14](#)

Inst. Abuse: [210 Ill. Comp. Stat. 30/1 through 30/16](#)

LTCOP: [20 Ill. Comp. Stat. 105/4.04](#)

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## **Indiana**

APS: [Ind. Code Ann. §§ 12-10-3-1 through 12-10-3-31](#)

Inst. Abuse: N/A

LTCOP: [Ind. Code Ann. §§ 12-10-13-3 through 12-10-13-20](#)

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## **Iowa**

APS: [Iowa Code Ann. §§ 235B.1 through 235B.20](#)

Inst. Abuse: [Iowa Code Ann. §§ 10A.101 through 10A.801](#)

LTCOP: [Iowa Code Ann. §§ 231.41 through 231.44](#)

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## **Kansas**

APS: [Kan. Stat. Ann. §§ 39-1430 through 39-1443](#)

Inst. Abuse: [Kan. Stat. Ann. §§ 39-1401 through 39-1412](#)

LTCOP: [Kan. Stat. Ann. §§ 75-7301 through 75-7314](#)

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## **Kentucky**

APS: [Ky. Rev. Stat. Ann. §§ 209.005 through 209.195](#) & [Ky. Rev. Stat. Ann. § 209.990](#)

Inst. Abuse: N/A

LTCOP: [Ky. Rev. Stat. Ann. §§ 216.535 through 216.590](#) & [910 Ky. Admin. Regs. 1:210](#) (*This is a regulation; the statute authorizes the program but doesn't provide details about function*)

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## **Louisiana**

APS: [La. Rev. Stat. Ann. § 14:403.2](#)

Inst. Abuse: N/A

LTCOP: [La. Rev. Stat. Ann. §§ 40:2010.1 through 40:2010.5](#)

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## **Maine**

APS: [Me. Rev. Stat. Ann. tit. 22, §§ 3470 through 3487](#)

Inst. Abuse: N/A

LTCOP: [Me. Rev. Stat. Ann. tit. 22, § 5107-A](#)

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## **Maryland**

APS: [Md. Code Ann., Fam. Law §§ 14-101 through 14-309](#)

Inst. Abuse: [Md. Code Ann., Health § 19-347](#)

LTCOP: [Md. Code Ann., Art. 70B § 5](#)

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## **Massachusetts**

APS: [Mass. Gen. Laws Ann. ch. 19A, §§ 14 through 26](#) (*These provisions apply to persons who are 60 or older*) & [Mass. Gen. Laws ch. 19C, §§ 1 through 13](#) (*These provisions only apply to persons with disabilities*)

Inst. Abuse: N/A

LTCOP: [Mass. Gen. Laws Ann. ch. 19A, §§ 27 through 35](#)

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## Michigan

APS: [Mich. Comp. Laws Ann. §§ 400.11 through 400.11f](#)

Inst. Abuse: [Mich. Comp. Laws Ann. § 400.11f](#)

LTCOP: [Mich. Comp. Laws Ann. §§ 400.586g through 400.586j](#)

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## Minnesota

APS: [Minn. Stat. Ann. §§ 626.557 through 626.5572](#)

Inst. Abuse: N/A

LTCOP: [Minn. Stat. Ann. §§ 256.974 through 256.9744](#)

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## Mississippi

APS: [Miss. Code Ann. §§ 43-47-1 through 43-47-39](#)

Inst. Abuse: N/A

LTCOP: [Miss. Code Ann. §§ 43-7-51 through 43-7-77](#)

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## Missouri

APS: [Mo. Ann. Stat. §§ 660.250 through 660.295](#) (*These provisions apply only to persons who are unable to protect their own interests or adequately perform or obtain services necessary to meet their essential human needs and are either: (1) 60 or older, or (2) between 18 and 59 and have a disability*) & [Mo. Ann. Stat. §§ 660.300 through 660.321](#) (*These provisions are applicable only to individuals who are receiving “in home services” as defined by § 660.250(9) “through any in-home services provider agency” as defined by § 660.250(11). Missouri does not have two statutes. We established this construct to distinguish in the charts between the provisions applicable to individuals who are receiving in home services and those who are not. The statute indicated that the definitions contained in 660.250 apply to what we have labeled as Missouri #2; 660.300 – 660.321.*).

Inst. Abuse: [Mo. Ann. Stat. § 198.070](#)

LTCOP: [Mo. Ann. Stat. §§ 660.600 through 660.608](#)

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## Montana

APS: [Mont. Code Ann. §§ 52-3-801 through 52-3-825](#)

Inst. Abuse: N/A

LTCOP: [Mont. Code Ann. §§ 52-3-601 through 52-3-605](#)

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## Nebraska

APS: [Neb. Rev. Stat. §§ 28-348 through 28-387](#)

Inst. Abuse: N/A

LTCOP: [Neb. Rev. Stat. §§ 81-2237 through 81-2264](#)

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## Nevada

APS: [Nev. Rev. Stat. Ann. §§ 200.5091 through 200.50995](#)

Inst. Abuse: N/A

LTCOP: [Nev. Rev. Stat. Ann. §§ 427A.125 through 427A.165](#)

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## New Hampshire

APS: [N.H. Rev. Stat. Ann. §§ 161-F:42 through 161-F:57](#)

Inst. Abuse: N/A

LTCOP: [N.H. Rev. Stat. Ann. §§ 161-F:10 through 161-F:19](#)

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## New Jersey

APS: [N.J. Stat. Ann. §§ 52:27D-406 through 52:27D-426](#)

Inst. Abuse: [N.J. Stat. Ann. § 52:27G-7.1](#)

LTCOP: [N.J. Stat. Ann. §§ 52:27G-1 through 52:27G-16](#)

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## New Mexico

APS: [N.M. Stat. Ann. §§ 27-7-14 through 27-7-31](#)

Inst. Abuse: N/A

LTCOP: [N.M. Stat. Ann. §§ 28-17-1 through 28-17-19](#)

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## New York

APS: [N.Y. Soc. Serv. Law, Art. 9B, § 473](#)

Inst. Abuse: N/A

LTCOP: [N.Y. Elder Law § 218](#)

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## North Carolina

APS: [N.C. Gen. Stat. §§ 108A-99 through 108A-111](#)

Inst. Abuse: N/A

LTCOP: [N.C. Gen. Stat. §§ 143B-181.15 through 143B-181.25](#)

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## North Dakota

APS: [N.D. Cent. Code §§ 50-25.2-01 through 50-25.2-14](#)

Inst. Abuse: N/A

LTCOP: [N.D. Cent. Code §§ 50-10.1-01 through 50-10.1-07](#)

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## Ohio

APS: [Ohio Rev. Code Ann. §§ 5101.60 through 5101.71](#)

Inst. Abuse: [Ohio Rev. Code Ann. §§ 3721.21 through 3721.34](#)

LTCOP: [Ohio Rev. Code Ann. §§ 173.14 through 173.27](#)

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## Oklahoma

APS: [Okla. Stat. Ann. tit. 43A, §§ 10-101 through 10-110](#)

Inst. Abuse: N/A

LTCOP: [Okla. Stat. Ann. tit. 63, §§ 1-2211 through 1-2216](#)

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## Oregon

APS: [Or. Rev. Stat. §§ 124.050 through 124.095](#) (*These provisions apply to persons 65 or older who are not residents of long-term care facilities*) & [Or. Rev. Stat. §§ 430.735 through 430.768](#) (*These provisions apply only to persons 18 or older who are mentally ill or developmentally disabled and receive services from a community program or facility*)

Inst. Abuse: [Or. Rev. Stat. §§ 441.630 through 441.685](#)

LTCOP: [Or. Rev. Stat. §§ 441.100 through 441.147](#)

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## Pennsylvania

APS: 35 Pa. Cons. Stat. Ann. §§ 10225.101 through 10225.708 (*Statute not available online*)

Inst. Abuse: N/A

LTCOP: 71 Pa. Cons. Stat. Ann. § 581-3(24.2) (*Statute not available online*)

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## **Puerto Rico**

APS: 8 P.R. Laws Ann. §§ 341 through 347 (*The APS provisions are part of “Bill of Rights for Elderly Persons”*) (*Statute not available in English online*)

Inst. Abuse: N/A

LTCOP: 3 P.R. Laws Ann. §§ 1968 through 1975 (*Statute not available in English online*)

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## **Rhode Island**

APS: [R.I. Gen. Laws §§ 42-66-4.1 through 42-66-17](#) (*The APS provisions are part of the statute establishing the Department of Elderly Affairs*)

Inst. Abuse: [R.I. Gen. Laws §§ 23-17.8-1 through 23-17.8-14](#)

LTCOP: [R.I. Gen. Laws §§ 42-66.7-1 through 42-66.7-17](#)

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## **South Carolina**

APS: [S.C. Code Ann. §§ 43-35-5 through 43-35-350](#)

Inst. Abuse: [S.C. Code Ann. § 43-35-15](#)

LTCOP: [S.C. Code Ann. §§ 43-38-10 through 43-38-60](#)

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## **South Dakota**

APS: *There is no APS statute but the state’s APS program is authorized by* [S.D. Codified Laws Ann. § 28-1-44](#)

Inst. Abuse: N/A

LTCOP: [S.D. Codified Laws Ann. §§ 28-1-45.6 through 28-1-45.7](#)

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## **Tennessee**

APS: [Tenn. Code Ann. §§ 71-6-101 through 71-6-122](#)

Inst. Abuse: N/A

LTCOP: [Tenn. Code Ann. § 71-2-109](#)

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## **Texas**

APS: [Tex. Hum. Res. Code Ann. §§ 48.001 through 48.408](#)

Inst. Abuse: [Tex. Health & Safety Code Ann. § 242.122](#)

LTCOP: [Tex. Hum. Res. Code Ann. §§ 101.051 through 101.064](#)

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## Utah

APS: [Utah Code Ann. §§ 62A-3-301 through 62A-3-321](#)

Inst. Abuse: N/A

LTCOP: [Utah Code Ann. §§ 62A-3-201 through 62A-3-208](#)

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## Vermont

APS: [Vt. Stat. Ann. tit. 33, §§ 6901 through 6941](#)

Inst. Abuse: N/A

LTCOP: [Vt. Stat. Ann. tit. 33, §§ 7501 through 7510](#)

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## Virgin Islands

APS: [34 V.I. Code Ann. §§ 451 through 463](#)

Inst. Abuse: N/A

LTCOP: N/A

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## Virginia

APS: [Va. Code Ann. §§ 63.2-1603 through 63.2-1610](#)

Inst. Abuse: N/A

LTCOP: [Va. Code Ann. §§ 2.2-700 through 2.2-709](#)

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## Washington

APS: [Wash. Rev. Code Ann. §§ 74.34.005 through 74.34.901](#)

Inst. Abuse: N/A

LTCOP: [Wash. Rev. Code Ann. §§ 43.190.010 through 43.190.900](#)

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## West Virginia

APS: [W. Va Code §§ 9-6-1 through 9-6-16](#)

Inst. Abuse: N/A

LTCOP: [W. Va Code §§ 16-5L-1 through 16-5L-22](#)

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## Wisconsin

APS: [Wis. Stat. Ann. § 46.90](#) (These provisions apply to persons who are 60 or older) & [Wis. Stat. Ann. §§ 55.001 through 55.23](#) (These provisions apply to adults with disabilities)

Inst. Abuse: N/A

LTCOP: [Wis. Stat. Ann. §§ 16.009\(1\) through 16.009\(5\)\(e\)](#)

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## Wyoming

APS: [Wyo. Stat. Ann. §§ 35-20-101 through 35-20-116](#)

Inst. Abuse: N/A

LTCOP: [Wyo. Stat. Ann. §§ 9-2-1301 through 9-2-1309](#)

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<sup>1</sup> The views expressed herein have not been approved by the House of Delegates or the Board of Governors of the American Bar Association and, accordingly, should not be construed as representing the policy of the American Bar Association.

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