

**STATE OF MONTANA
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER NO. 5-2023**

EXECUTIVE ORDER CONTINUING THE MONTANA ELDER JUSTICE COUNCIL

WHEREAS, the State of Montana has a rapidly growing population of senior citizens, defined as "older persons" under the laws of the State of Montana, § 52-3-803 and § 45-6-333, MCA;

WHEREAS, senior citizens play a key role in the vitality of our neighborhoods, family, and social networks, and as they age or become disabled, they become vulnerable to abuse, neglect, and exploitation;

WHEREAS, multidisciplinary agencies and organizations work in partnership to protect the wellbeing, safety, quality of life, and dignity of Montana's senior citizens who require assistance and support in meeting their ongoing needs, including health and mental health care providers, financial advisors, law enforcement, the courts, and community groups;

WHEREAS, agencies that provide oversight and services to senior citizens have reported an increasing number of elder abuse, neglect, and exploitation cases being investigated and prosecuted in Montana;

WHEREAS, outreach and education efforts are critical to inform families, the public, and professionals of elder abuse signs and are effective ways to increase awareness, protect vulnerable senior citizens, and end abuse, neglect, and exploitation;

WHEREAS, interagency coordination is necessary in order to strengthen the effectiveness of educational, prevention, and intervention efforts implemented in Montana for the protection of Montana's senior citizens;

WHEREAS, centralized leadership is essential to ensure the oversight and interface of agencies' efforts in Montana, which requires access to confidential criminal justice information from criminal justice agencies to evaluate and guide current processes to address and reduce the occurrence of elder abuse, neglect and exploitation;

WHEREAS, the Eastern Montana Elder Justice Council was created by Executive Order No. 18-2019 and continued by Executive Order No. 12-2020; and

WHEREAS, Executive Order No. 16-2021 continued the Eastern Montana Elder Justice Council and created the Northern Central Montana, Western Montana, and South Central Montana Elder Justice Councils to address these concerns statewide.

NOW, THEREFORE, I, GREG GIANFORTE, Governor of the State of Montana, pursuant to the authority vested in me under the Constitution and the laws of the State of Montana, do hereby amend Executive Order No. 16-2021 and authorize the continuance of the Montana Elder Justice Council (Council) and, pursuant to the Montana Criminal Justice Information Act of 1979 (Title 44, Chapter 5, MCA) designate the Council as a Criminal Justice Agency, as that term is used in Title 44, Chapter 5, MCA, as follows:

PURPOSE

1. The Council shall be comprised of four regions:
 - The Eastern Montana Elder Justice Council (Region 1), comprised of Big Horn, Carbon, Carter, Custer, Daniels, Dawson, Fallon, Garfield, Golden Valley, McCone, Musselshell, Phillips, Powder River, Prairie, Richland, Roosevelt, Rosebud, Sheridan, Stillwater, Sweet Grass, Treasure, Valley, Wibaux and Yellowstone counties;
 - The North Central Montana Elder Justice Council (Region 2), comprised of Blaine, Cascade, Chouteau, Fergus, Glacier, Hill, Judith Basin, Liberty, Petroleum, Pondera, Teton, Toole, and Wheatland counties;
 - The Western Montana Elder Justice Council (Region 3), comprised of Flathead, Granite, Lake, Lincoln, Mineral, Missoula, Ravalli, and Sanders counties;
 - The South Central Montana Elder Justice Council (Region 4), comprised of Beaverhead, Broadwater, Deer Lodge, Gallatin, Jefferson, Lewis and Clark, Madison, Meagher, Park, Powell and Silver Bow counties.
2. The purpose of each regional Council is to provide coordination of agency and community efforts implemented within its region to address and reduce the abuse, neglect and exploitation of senior citizens and adults with disabilities.

DUTIES AND PROCESS

Within its region, each Council shall:

1. Evaluate elder abuse prevention and intervention efforts currently being implemented;
2. Research strategies and best practices that aim to reduce the occurrence of elder abuse;
3. Identify and promote educational, outreach and prevention strategies to increase awareness of elder abuse and ensure the protection of elders' rights within its region;
4. Establish partnerships with governmental, private and nonprofit organizations and other stakeholders within its region and, where appropriate, statewide;
5. Ensure the appropriate dissemination and coordination of information between agencies, local governments, and the public; and

6. Prepare and deliver a report on its activities to the Governor, the Attorney General, the Commissioner of Securities and Insurance, and the Legislature by December 31, 2024.

In fulfilling its duties, the Council may handle and receive confidential information consistent with its designation as a Criminal Justice Agency. The Council shall follow protocol for using confidential criminal justice information and may not use the information, records, or data for purposes other than those designated by this executive order.

COMPOSITION AND ORGANIZATION

Each regional Council will include at least seven members representing both the public and private sectors with experience in dealing with senior and disabled adult abuse, exploitation, and neglect, including criminal and civil law, investigation and enforcement, accounting, banking, fiduciary services (including trusts, guardianships, and powers of attorney), healthcare, insurance, financial planning, general senior and disability adult services, and senior advocacy.

1. The Council members shall be appointed by and serve at the pleasure of the Governor.
2. The Governor will designate one member from each Council as its chairperson.
3. At the discretion of the Governor, the Council may include ex-officio members to support and inform the work of the Council, including representatives from the following:
 - a. Department of Administration;
 - b. Department of Public Health and Human Services;
 - c. Department of Justice;
 - d. Commissioner of Securities and Insurance;
 - e. Other state agencies;
 - f. Local government.
4. Each regional Council may establish sub-committees to assist in the execution of its duties. The subcommittees shall be given specific deliverables within definite timetables.
5. The Council is administratively attached to the Montana Department of Public Health and Human Services.

STATE AGENCY ROLES AND RESPONSIBILITIES

The Department of Administration, the Commissioner of Securities and Insurance, the Department of Justice, and the Department of Public Health and Human Services are authorized to assist the Council in its formation and duties, making available staff who can support the Council with technical, policy, social, scientific, and legal matters.

REIMBURSEMENT OF EXPENSES

Eligible Council members shall be reimbursed for expenses pursuant to § 2-15-122(5), MCA.

DURATION

Each regional Council shall expire on or before September 30, 2025, unless rescinded or renewed by subsequent executive order.

This Order is effective immediately.


GIVEN under my hand and the GREAT SEAL of the State of Montana this 12 day of September 2023.





GREG GIANFORTE, Governor

ATTEST:



CHRISTI JACOBSEN, Secretary of State