

**BILL SUMMARY**  
1<sup>st</sup> Session of the 60<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB1566</b>
<b>Version:</b>	<b>INT</b>
<b>Request Number:</b>	<b>10133</b>
<b>Author:</b>	<b>Rep. Duel</b>
<b>Date:</b>	<b>2/4/2025</b>
<b>Impact:</b>	<b>\$0</b>

**Research Analysis**

HB 1566, as introduced, creates "Neil's Law" and the "Oklahoma Elder Exploitation and Abuse Act," which is designed to promote the general welfare of all citizens by establishing a civil action for incapacitated persons and vulnerable adults as well as allow them to pursue claims against people who abuse, neglect, or exploit the individual. This does not preclude an individual's responsibility to report to Adult Protective Services or law enforcement if there is reasonable cause to believe that a vulnerable adult is being abused, neglected, or exploited. The district court must exercise the authority given by the act to encourage the development of self-reliance and independence of incapacitated persons and vulnerable adults and only make appointments or other orders to the extent necessitated by the mental and adaptive limitations of the individual. Nothing in this measure will construe that a vulnerable adult or their caretaker using prayer and other spiritual means for healing or the treatment or cure of disease or remedial care will be solely considered abuse or neglect.

A claim for elder neglect, exploitation or abuse may be brought in any district court within a state county in which the adult lives or was living at the time of the act. A person who commits neglect, financial neglect, exploitation or abuse will be liable for the corresponding damages listed in statute. The prevailing party in these claims will be entitled to recover reasonable attorney fees and costs. The claims provided for in the measure may be brought by the vulnerable adult or on their behalf by a designee. A vulnerable adult may be entitled to the types of documentation listed in state and those records must be produced within ten days, upon an order of the court. The claims provided for in this section survive the death of the vulnerable adult. The district court in which an authorized claim is filed may issue a restraining order or other injunctive relief regardless of the existence of any other remedy at law and in addition thereto. Subject to a specific court order, physician-patient nor spousal privilege will be grounds for excluding evidence.

Prepared By: Suzie Nahach

**Fiscal Analysis**

HB 1566 creates Neil's Law and the Oklahoma Elder Exploitation and Abuse Act, which provides incapacitated individuals and vulnerable adults with a civil action against those who exploit or neglect them. The measure does not direct any one agency or individual with the responsibility of enforcing the provisions of the Act, as the intent is to provide a legal framework to protect these individuals. Therefore, in its current form, HB 1566 is not anticipated to have a direct fiscal impact on the state budget or appropriations.

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## **Other Considerations**

None.

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