

October 28, 2015

Lynne Egan, Chair
Senior Issues/Diminished Capacity Committee
North American Securities Administrators Association (NASAA)
750 First Street, NE, Suite 1140
Washington, DC 20002

RE: Proposed Model Legislation or Regulation to Protect Vulnerable Adults from Financial Exploitation (Model Act)

Dear Ms. Egan:

I am writing on behalf of the 800 members of the National Adult Protective Services Association to express NAPSA's strong support of NASAA's *Proposed Model Legislation or Regulation to Protect Vulnerable Adults from Financial Exploitation (Model Act)*.

If adopted by the states, the proposed Model Act could save the assets and well-being of countless older persons and younger adults with disabilities who are victimized by financial exploitation. Allowing a brief delay in disbursing a vulnerable client's funds when financial abuse is suspected, and requiring broker-dealers and investment advisors to promptly report all suspected financial exploitation of vulnerable adults to Adult Protective Services (APS) and the securities regulatory agency, will provide significant added protections to these clients. In addition to helping to safeguard their assets and to holding their perpetrators accountable, the reporting provision also means that APS can work to identify other client needs and provide critical services, such as home-delivered meals, where necessary and available.

The Model Act also protects the broker-dealers and advisors from liability for taking steps to shield their clients from harm, and gives them clear authority to act. These are essential components of the proposed legislation, which will encourage investment professionals to act affirmatively on their clients' behalves.

NAPSA especially supports *Section 9, Records*, which makes it clear that investment firms may provide client records to APS pursuant to an APS investigation of financial exploitation.

- Recommendation: add a sentence to this section which reads: "A broker-dealer or investment adviser must provide a legitimate reason for denying access or copies of records to adult protective services or to law enforcement."
- Note: we assume that implementation guidelines and training will make clear that this permission applies regardless of whether a case was reported by the firm.
- Question: should a section 10 should be added to provide immunity for the sharing of records as well?

NASAA is to be commended for demonstrating such leadership in addressing an immense, and an immensely complex, issue with such care and forward thinking.

NAPSA looks forward to continuing to work with you to prevent financial exploitation. Thank you.

Sincerely,



Kathleen M Quinn
Executive Director