

Oneida Nation

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Oneida, WI 54155

BC Resolution # 07-08-26-B Elder Protection Law

- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the purpose of the Elder Protection Law (the Law) is to uphold the Nation's responsibility to honor and protect its Elders. This law establishes a comprehensive framework to prevent, identify, report, investigate, and respond to elder abuse, neglect, self-neglect, and financial exploitation and affirms the Nation's cultural responsibility to honor, respect, and preserve elder wellbeing; and
- WHEREAS,** the Law establishes a comprehensive framework to prevent, identify, report, investigate, and respond to elder abuse, neglect, self-neglect, and financial exploitation; and
- WHEREAS,** the Law establishes an Interdisciplinary Team composed of multiple Nation departments to coordinate case review, guide investigations, recommend actions, promote cooperation, and identify resources; and
- WHEREAS,** the Law provides investigation procedures requirements including that they must begin promptly and include required steps such as:
- Visiting the elder's residence;
 - Observing the elder;
 - Conducting interviews;
 - Reviewing healthcare and financial records;
 - Interviewing guardians/caregivers;
 - Requesting law-enforcement assistance;
 - Offering or arranging needed services; and
- WHEREAS,** the Law establishes a duty to report suspected elder abuse, neglect, and exploitation. The law requires any person with knowledge or reasonable suspicion of abuse, neglect, self-neglect, or exploitation of an elder to report immediately to Aging & Disability Services or the Oneida Police Department; and

- WHEREAS,** the Law creates a broad class of mandated reporters, including family, caretakers, elected officials, employees, healthcare workers, mental health professionals, social workers, law enforcement, judicial staff, and fiduciaries.
- Good-faith reporters receive immunity.
 - Non-mandated reporters may remain anonymous; and
- WHEREAS,** the Law establishes civil penalties:
- A mandated reporter who fails to report may be fined up to \$2,000.
 - Anyone who knowingly files a false report may be fined up to \$2,000.
 - Anyone who interferes with an investigation or retaliates against a reporter may be fined up to \$2,000 per occurrence; and
- WHEREAS,** the Law protects confidentiality and records. Departmental report forms and investigative records are confidential and may only be disclosed under limited circumstances, such as to the elder, suspect, service providers, law enforcement, auditors, and through court order; and
- WHEREAS,** the Legislative Operating Committee developed the proposed through collaboration with representatives from Aging and Disability, Comprehensive Health, Oneida Law Office, Oneida Police Department, Oneida Commission on Aging, CEO; and
- WHEREAS,** in accordance with the Legislative Procedures Act a legislative analysis and fiscal impact statement were completed for the proposed Elder Protection Law; and
- WHEREAS,** the Legislative Operating Committee held a public meeting on the proposed Elder Protection Law on April 16, 2025. Four (4) individuals provided public comments during this public meeting. The public comment period was then held open until April 23, 2026. Three (3) individuals provided written comments during the public comment period; and
- NOW THEREFORE BE IT RESOLVED,** the Oneida Business Committee hereby adopts the amendments to the Elder Protection Law, which shall become effective on August 03, 2026.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 6 members were present at a meeting duly called, noticed and held on the 8th day of July, 2026; that the forgoing resolution was duly adopted at such meeting by a vote of 5 members for, 0 members against, and 0 members not voting*; and that said resolution has not been rescinded or amended in any way.



Lisa Liggins, Secretary
Oneida Business Committee

*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."