

# **Vulnerable Adult Maltreatment Reconsideration Review Panel 2012**

## **A Report to the Minnesota Legislature**

Vulnerable Adult Maltreatment  
Reconsideration Review Panel

A Report to the Minnesota Legislature

Minnesota Department of Human Services  
Continuing Care Administration  
Aging and Adult Services

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Minnesota Statutes, Chapter 3.197 requires that the cost of preparing a report to legislature be reported at its beginning. Approximately \$200 in staff salaries, printing and distribution was spent to prepare this report.

**VULNERABLE ADULT MALTREATMENT  
RECONSIDERATION REVIEW PANEL  
REPORT TO THE LEGISLATURE**

The Minnesota Legislature requires the Minnesota Department of Human Services to establish a panel to review investigations of alleged vulnerable adult maltreatment by lead investigative agencies. There are two types of lead investigative agencies: 1) State regulatory agencies, specifically the Minnesota Department of Human Services, Division of Licensing, and the Minnesota Department of Health, Office of Health Facility Complaints; and, 2) all county social service agencies, resulting in a total of 89 vulnerable adult maltreatment investigative agencies.

The *Vulnerable Adult Maltreatment Review Panel* (Panel) [Minnesota Statutes §256.021] was established to give vulnerable adults, or an interested party to the vulnerable adult, an opportunity to have the determination of the investigating agency reviewed. The vulnerable adult or interested party must first request an Administrative Reconsideration from the investigating agency before requesting a Panel review. If the action taken by the investigating agency does not satisfy the vulnerable adult's or interested party's concerns, they may make a written request to the Panel for review.

The authority of the Panel is limited to requesting an investigative agency to re-visit a maltreatment investigation, focusing on specific issues delineated by the Panel. It does not have the authority to order an investigation's determination changed.

There are six (6) members to the Panel:

- |   |                             |
|---|-----------------------------|
| 1. The Commissioner of Health                               | Designee - Pam York         |
| 2. The Commissioner of Human Services                       | Designee – Julie Beck       |
| 3. Ombudsman for Long-Term Care                             | Designee – Sherilyn Moe     |
| 4. Ombudsman for Mental Health & Developmental Disabilities | Designee - Andrea Ayres     |
| 5. The Minnesota Board on Aging                             | Designee-Mary Jane Thompson |
| 6. County Human Services Administrators                     | Designee-Vickie Savick      |

The legislation requires quarterly meetings of the Panel. Four meetings were held in calendar year 2012. The Continuing Care Administration is responsible for drafting the Panel report and does so based on recommendations to cases reviewed at Panel meetings. The recommendations are laid out below and include the amount of cases reviewed each quarter, the affirmation of the findings in each case, as well as any Panel request to the lead agency to reconsider their findings.

During 2012, ten (10) requests for review were received:

- Four (4) requests for reconsideration were reviewed from the **Minnesota Department of Health**. The Panel affirmed four (4) of the final resolutions by the

investigative agency. The Panel requested reconsideration on zero (0) of the final resolutions by the investigative agency.

- One (1) request for reconsideration was reviewed from the **Minnesota Department of Human Services, Division of Licensing**. The Panel affirmed one (1) of the final resolutions by the investigative agency. The Panel requested reconsideration on zero (0) of the final resolutions by the investigative agency.
- Five (5) requests for reconsideration were reviewed from five (5) **County Social Services Agencies**. The Panel affirmed five (5) of the final resolutions by the five (5) investigative agencies. The Panel requested reconsideration on zero (0) of the final resolutions by the investigative agency.

As of December 31, 2012, the Panel requested zero (0) reconsiderations of cases reviewed in 2012. The Panel requested additional information from the investigative agency in zero (0) cases and the determinations were upheld in the remaining ten (10) cases.

### 2012 Minnesota Vulnerable Adult Maltreatment Reconsideration Panel Meetings

DATE OF MEETING	MN DEPT. OF HEALTH		MN DEPT. OF HUMAN SERVICES		COUNTY	
	Requests	<i>Reconsiderations</i>	Requests	<i>Reconsiderations</i>	Requests	<i>Reconsiderations</i>
January 26, 2012	1	0	1	0	1	0
April 26, 2012	1	0	0	0	1	0
July 26, 2012	2	0	0	0	0	0
October 25, 2012	0	0	0	0	3	0
<b>TOTALS</b>	<b>4</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>5</b>	<b>0</b>

#### Conclusions and Recommendations

The Panel has no recommendations for improvement to the Review Panel process at this time. Quarterly meetings for 2013 are scheduled for the fourth week in January, April, July, and October.

