

# Vulnerable Adult Maltreatment Reconsideration Review Panel

Minnesota Department of Human Services  
Aging and Adult Services Division

January 2015



Minnesota Department of **Human Services**

## Legislative Report

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Minnesota Statutes, Chapter 3.197, requires the disclosure of the cost to prepare this report. The estimated cost of preparing this report is \$200.

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## **I. Legislation**

This report is submitted to the legislature pursuant to Minnesota Statutes (2014), section 256.021, subdivision 3.

### **Minn. Stat. §256.021, Subd. 3. Report.**

By January 15 of each year, the panel shall submit a report to the committees of the legislature with jurisdiction over section 626.557 regarding the number of requests for review it receives under this section, the number of cases where the panel requires the lead investigative agency to reconsider its final disposition, and the number of cases where the final disposition is changed, and any recommendations to improve the review or investigative process.

## II. Introduction

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 lead 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 lead investigative agency reviewed. The vulnerable adult or interested party must first request an Administrative Reconsideration from the lead investigating agency before requesting a Panel review. If the action taken by the lead 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 a lead 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 – Jim Dostal        |
| 4. Ombudsman for Mental Health &<br>Developmental Disabilities | Designee – Andrea Ayres      |
| 5. The Minnesota Board on Aging                                | Designee – Gretchen Scheffel |
| 6. County Human Services Administrators                        | Designee – Deb Tulloch       |

The legislation requires quarterly meetings of the Panel. Four meetings were held in calendar year 2014. The Continuing Care Administration is responsible for drafting the Panel report and does so based on recommendations of cases reviewed at Panel meetings. The recommendations are laid out below and include the number of cases reviewed each quarter, the affirmation of the findings in each case, as well as any Panel request to the lead investigative agency to reconsider their findings.

## Vulnerable Adult Maltreatment Reconsideration Review Panel

During 2014, five (5) requests for review were received:

- One (1) request for reconsideration was reviewed from the **Minnesota Department of Health**. The Panel affirmed one (1) of the final resolutions by the lead investigative agency. The Panel requested reconsideration on zero (0) of the final resolutions by the lead investigative agency.
- Two (2) requests for reconsideration were reviewed from the **Minnesota Department of Human Services, Division of Licensing**. The Panel affirmed two (2) of the final resolutions by the lead investigative agency. The Panel requested reconsideration on zero (0) of the final resolutions by the lead investigative agency.
- Two (2) requests for reconsideration were reviewed from two (2) **County Social Services Agencies**. The Panel affirmed two (2) of the final resolutions by the two (2) lead investigative agencies. The Panel requested reconsideration on zero (0) of the final resolutions by the lead investigative agency.

As of December 31, 2014, the Panel requested zero (0) reconsiderations of cases reviewed in 2014. The Panel requested additional information from the lead investigative agency in zero (0) cases and the determinations were affirmed in the remaining five (5) cases.

### 2014 Minnesota Vulnerable Adult Maltreatment Reconsideration Panel Meetings

Date of Meeting	MN Dept. of Health		MN Dept. of Human Services		County	
	Requests for panel review	A. Panel requests for reconsideration by lead investigative agency	Requests for panel review	B. Panel requests for reconsideration by lead investigative agency	Requests for panel review	C. Panel requests for reconsideration by lead investigative agency
January 24, 2014	0	0	2	0	1	0
May 2, 2014	0	0	0	0	1	0
July 26, 2014	1	0	0	0	0	0
October 24, 2014	0	0	0	0	0	0
<b>TOTALS</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>0</b>

### **III. Report recommendations**

The Panel has no recommendations for improvement to the Review Panel process at this time. Quarterly meetings for 2015 are scheduled for the fourth week in January, April, July, and October.