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# **Vulnerable Adult Maltreatment Reconsideration Review Panel 2004**

A Report to the Minnesota Legislature

Vulnerable Adult Maltreatment  
Reconsideration Review Panel

A Report to the Minnesota Legislature

Minnesota Department of Human Services  
Aging Initiative

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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 by lead investigative agencies of alleged vulnerable adult maltreatment. 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 five (5) members to the Panel:

- |    |   |                           |
|----|---|---------------------------|
| 1. | The Commissioner of Health:                         | Designee - Wayne Carlson  |
| 2. | The Commissioner of Human Services                  | Designee - Constance Tuck |
| 3. | Ombudsman for Older Minnesotans                     | Sharon Zoesch             |
| 4. | Ombudsman for Mental Health &<br>Mental Retardation | Designee - Brian Relay    |
| 5. | Representative of the Minnesota Board<br>on Aging   | Sandra Anderson           |

The legislation requires quarterly meetings of the Panel. Two meetings were held in calendar year 2003. Two quarterly meetings were canceled because no requests for review were received during that period of time.

During 2003, nine (9) requests for review were received:

- Four (4) for investigations conducted by the **Minnesota Department of Health**. The Panel requested additional information from the investigators on one (1) of the four reviews prior to reaching a final decision.

- Two (2) for investigations conducted by the **Minnesota Department of Human Services**. The Panel requested additional information from the investigators on both of the two reviews prior to reaching a final decision.
- Three (3) requests for reconsideration were reviewed from two **county Social Services Agencies**. The Panel requested additional information from the investigators on all three reviews prior to reaching a final decision.

As of December 29, 2003, the Panel requested the three investigative agencies to reconsider five (5) of the cases reviewed in 2003. In all five cases, the investigating agencies affirmed their first determination with supporting evidence and declined to reinvestigate. The Panel has no recommendations for improvement to the Review Panel process at this time.

**2003 Minnesota Vulnerable Adult Maltreatment  
Reconsideration Panel Meetings**

DATE OF MEETING	MN DEPT. OF HEALTH		MN DEPT. OF HUMAN SERVICES		COUNTY	
	Requests	Reconsiderations	Requests	Reconsiderations	Requests	Reconsiderations
January 23, 2003	3	1	0	0	0	0
April 16, 2003	1	0	2	2	3	3
July 17, 2003 (canceled)	0	0	0	0	0	0
October 16, 2003 (canceled)	0	0	0	0	0	0
<b>TOTALS</b>	<b>4</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>3</b>	<b>3</b>

Quarterly meetings for 2004 are scheduled for the third week in January, April, July, and October.