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Vulnerable Adult Maltreatment Reconsideration Review Panel 2004

A Report to the Minnesota Legislature

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Adult Services 444 Lafayette Road

2000 Minn. Laws Chap. 465
Sec. 2 Subd. 3

Minn. Stat. 256.021

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Vulnerable Adult Maltreatment
Reconsideration Review Panel

A Report to the Minnesota Legislature

Minnesota Department of Human Services
Aging Initiative

January 15, 2005

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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 five (5) members to the Panel:

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

The legislation requires quarterly meetings of the Panel. Three meetings were held in calendar year 2004. One quarterly meeting was canceled because no requests for review were received during that period of time.

During 2004, seven (7) requests for review were received:

- Four (4) for investigations conducted by the **Minnesota Department of Health**. The Panel affirmed the final resolutions by the investigative agency and did not require it to reconsider any of the cases reviewed.

- One (1) for investigations conducted by the **Minnesota Department of Human Services**. The Panel affirmed the final resolution by the investigative agency and did not require it to reconsider the case reviewed.
- Two (2) requests for reconsideration were reviewed from two **county Social Services Agencies**. The Panel requested additional information from the investigators on one of the reviews prior to reaching a final decision.

As of December 15, 2004, the Panel requested none of the three investigative agencies to reconsider cases reviewed in 2004. In all seven cases, the investigating agencies determinations were upheld. The Panel has no recommendations for improvement to the Review Panel process at this time.

2004 Minnesota Vulnerable Adult Maltreatment Reconsideration Panel Meetings

DATE OF MEETING	MN DEPT. OF HEALTH		MN DEPT. OF HUMAN SERVICES		COUNTY	
	<i>Requests</i>	<i>Reconsiderations</i>	<i>Requests</i>	<i>Reconsiderations</i>	<i>Requests</i>	<i>Reconsiderations</i>
January 26, 2004	1	0	1	0	0	0
April 22, 2004	2	0	0	0	0	0
July 22, 2004	1	0	0	0	2	0
October 21, 2004 (cancelled)	0	0	0	0	0	0
TOTALS	4	0	1	0	2	0

Quarterly meetings for 2005 are scheduled for the third week in January, April, July, and October.