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Vulnerable Adult Maltreatment Reconsideration Review Panel

A Report to the Minnesota Legislature

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A Report to the Minnesota Legislature

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

December 15, 2005

Prepared by the Department of Human Services
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- Three (3) requests for reconsideration were reviewed from three (3) **county Social Services Agencies**. The Panel requested a reconsideration from one (1) of the counties and upheld the findings of the investigative agencies from the other two (2) counties.

As of December 15, 2005, the Panel requested four (4) reconsiderations of cases reviewed in 2005 and the determinations were upheld in the remaining four (4) cases. The Panel has no recommendations for improvement to the Review Panel process at this time.

**2005 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 20, 2005	2	1	1	0	0	0
April 21, 2005	0	0	0	0	1	1
July 21, 2005	1	1	0	0	2	0
October 27, 2005	1	1	0	0	0	0
TOTALS	4	3	1	0	3	1

Quarterly meetings for 2006 are scheduled for the third week in January, April, July, and October.

**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 - Linda Norlander |
| 2. The Commissioner of Human Services | Designee - Vicki Kunerth |
| 3. Ombudsman for Older Minnesotans | Designee - Maria Michlin |
| 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. Four meetings were held in calendar year 2005.

During 2005, eight (8) requests for review were received:

- Four (4) for investigations conducted by the **Minnesota Department of Health**. The Panel affirmed one (1) of the final resolutions by the investigative agency and asked for reconsideration on three (3) cases.
- 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.

