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Vulnerable Adult Maltreatment Reconsideration Review Panel 2006

A Report to the Minnesota Legislature

Vulnerable Adult Maltreatment
Reconsideration Review Panel

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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 five (5) members to the Panel:

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|--|----------------------------|
| 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, if requests for reviews have been received in the preceding quarter. No such requests were received in the second quarter of 2006; the July 2006 meeting was cancelled. Three meetings were held in calendar year 2006.

During 2006, nine (9) requests for review were received:

- Five (5) requests for reconsideration were reviewed from the **Minnesota Department of Health**. The Panel affirmed three (3) of the final resolutions by the investigative agency and asked for reconsideration on two (2) cases.

- Two (2) requests for reconsideration were reviewed from the **Minnesota Department of Human Services**. The Panel affirmed one (1) of the final resolutions by the investigative agency and asked for reconsideration on one (1) case.
- Two (2) requests for reconsideration were reviewed from two (2) **County Social Services Agencies**. The Panel requested reconsideration from one (1) of the county agencies and affirmed the other one (1).

As of December 15, 2006, the Panel requested four (4) reconsiderations of cases reviewed in 2006 and the determinations were upheld in the remaining five (5) cases.

**2006 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 19, 2006	2	1	0	0	0	0
April 20, 2006	1	0	2	1	2	1
No meeting in July 2006	0	0	0	0	0	0
November 30, 2006	2	1	0	0	0	0
TOTALS	5	2	2	1	2	1

Quarterly meetings for 2007 are scheduled for the third week in January, April, July, and October.