

Vulnerable Adult Maltreatment Reconsideration Review Panel 2011

A Report to the Minnesota Legislature

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Reconsideration Review Panel

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

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Prepared by the Department of Human Services
Adult Protection
540 Cedar Street
St. Paul, MN 55116-0976
(651) 431-2546

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 six (6) members to the Panel:

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| 1. The Commissioner of Health | Designee - Pam York |
| 2. The Commissioner of Human Services | Designee – Julie Beck |
| 3. Ombudsman for Long-Term Care | Designee – Deb Holtz |
| 4. Ombudsman for Mental Health & Developmental Disabilities | Designee - Andrea Ayres |
| 5. Representative of the Minnesota Board on Aging | Mary Jane Thompson |
| 6. Representative from County Human Services Administrators | Vickie Savik - Faribault & Martin Counties |

The legislation requires quarterly meetings of the Panel. Three meetings were held in calendar year 2011. One quarterly meeting was canceled because no requests for review were received during that period of time. The Continuing Care Administration is responsible for drafting the Panel report and does so based on recommendations to cases reviewed at Panel meetings. The recommendations are laid out below and include the amount of cases reviewed each quarter, the affirmation of the findings in each case, as well as any Panel request to the lead agency to reconsider their findings.

During 2011, 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 investigative

agency. The Panel requested reconsideration on zero (0) of the final resolutions by the investigative agency.

- Zero (0) requests for reconsideration were reviewed from the **Minnesota Department of Human Services, Division of Licensing**. The Panel affirmed zero (0) of the final resolutions by the investigative agency.
- Four (4) requests for reconsideration were reviewed from two (2) **County Social Services Agencies**. The Panel affirmed four (4) of the final resolutions by the two (2) investigative agencies.

As of December 15, 2011, the Panel requested zero (0) reconsiderations of cases reviewed in 2011. The Panel requested additional information from the investigative agency in zero (0) cases and the determinations were upheld in the remaining five (5) cases.

As of December 29, 2011, the Panel requested the three investigative agencies to reconsider zero (0) of the cases reviewed in 2011.

2011 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 27, 2011	0	0	0	0	1	0
April 28, 2011	0	0	0	0	3	0
July 28, 2011	1	0	0	0	0	0
October 27, 2011 (canceled)	0	0	0	0	0	0
TOTALS	1	0	0	0	4	0

Conclusions and Recommendations

The Panel has no recommendations for improvement to the Review Panel process at this time. Quarterly meetings for 2012 are scheduled for the fourth week in January, April, July, and October.

