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Vulnerable Adult Maltreatment Reconsideration Review Panel

Aging and Adult Services Division
January 2014

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Minnesota Department of Human Services



Legislative Report

Minnesota Department of **Human Services**

Vulnerable Adult Maltreatment Reconsideration Review Panel

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**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 lead 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 lead investigative agency reviewed. The vulnerable adult or interested party must first request an Administrative Reconsideration from the lead investigating agency before requesting a Panel review. If the action taken by the lead 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 a lead 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:

- | | |
|--|----------------------------|
| 1. The Commissioner of Health | Designee - Pam York |
| 2. The Commissioner of Human Services | Designee – Julie Beck |
| 3. Ombudsman for Long-Term Care | Designee – Jim Dostal |
| 4. Ombudsman for Mental Health &
Developmental Disabilities | Designee - Andrea Ayres |
| 5. The Minnesota Board on Aging | Designee-Gretchen Scheffel |
| 6. County Human Services Administrators | Designee-Deb Tulloch |

The legislation requires quarterly meetings of the Panel. Four meetings were held in calendar year 2013. The Continuing Care Administration is responsible for drafting the Panel report and does so based on recommendations of cases reviewed at Panel meetings. The recommendations are laid out below and include the number of cases reviewed each quarter, the affirmation of the findings in each case, as well as any Panel request to the lead investigative agency to reconsider their findings.

During 2013, six (6) requests for review were received:

- Three (3) requests for reconsideration were reviewed from the **Minnesota Department of Health**. The Panel affirmed three (3) of the final resolutions by the lead investigative

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

- One (1) request for reconsideration was reviewed from the **Minnesota Department of Human Services, Division of Licensing**. The Panel affirmed one (1) of the final resolutions by the lead investigative agency. The Panel requested reconsideration on zero (0) of the final resolutions by the lead investigative agency.
- Two (2) requests for reconsideration were reviewed from two (2) **County Social Services Agencies**. The Panel affirmed two (2) of the final resolutions by the two (2) lead investigative agencies. The Panel requested reconsideration on zero (0) of the final resolutions by the lead investigative agency.

As of December 31, 2013, the Panel requested zero (0) reconsiderations of cases reviewed in 2013. The Panel requested additional information from the lead investigative agency in zero (0) cases and the determinations were upheld in the remaining six (6) cases.

2013 Minnesota Vulnerable Adult Maltreatment Reconsideration Panel Meetings

DATE OF MEETING	MN DEPT. OF HEALTH		MN DEPT. OF HUMAN SERVICES		COUNTY	
	Requests for panel review	A. Panel requests for reconsideration by lead investigative agency	Requests for panel review	B. Panel requests for reconsideration by lead investigative agency	Requests for panel review	C. Panel requests for reconsideration by lead investigative agency
January 24, 2013	2	0	0	0	1	0
May 2, 2013	1	0	0	0	1	0
July 26, 2013	0	0	0	0	0	0
October 24, 2013	0	0	1	0	0	0
TOTALS	3	0	1	0	2	0

Conclusions and Recommendations

The Panel has no recommendations for improvement to the Review Panel process at this time. Quarterly meetings for 2014 are scheduled for the fourth week in January, April, July, and October.