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**DEPARTMENT OF HUMAN SERVICES**

**LICENSING DIVISION**

**LEGISLATIVE REPORT**

**MALTREATMENT REPORT**

**(Minnesota Statutes, section 626.557, subdivision 12b)**

**MARCH 2005**

## **COST OF PREPARING THE REPORT**

The cost of preparing this report is provided to comply with the requirements of Minnesota Statutes, section 3.197, which states:

**3.197 Required reports.** A report to the legislature must contain, at the beginning of the report, the cost of preparing the report, including any costs incurred by another agency or another level of government.

This report was prepared by staff from the Department of Human Services, Division of Licensing. No outside consultants assisted in the development of this report.

It took approximately 100 hours of staff time to prepare the report. Based on average per hour compensation of staff, including benefits, the staff costs for preparing the report is \$3,120.

The cost of printing and distributing 17 copies of the report is estimated to be \$28.33. The report will also be available to the public on the Department of Human Services, Division of Licensing web site (<http://www.dhs.state.mn.us/licensing/>).

The total cost of preparing, printing, and distributing this report is \$3,148.

## LEGISLATIVE DIRECTIVE

Minnesota Statutes, section 626.557, requires DHS to annually report to the Legislature and the Governor information about alleged maltreatment in licensed facilities.

Minnesota Statutes, section 626.557, subdivision 12b, paragraph (e), states:

***Summary of reports.** The commissioners of health and human services shall each annually report to the legislature and the governor on the number and type of reports of alleged maltreatment involving licensed facilities reported under this section, the number of those requiring investigation under this section, and the resolution of those investigations. The report shall identify:*

- (1) whether and where backlogs of cases result in a failure to conform with statutory time frames;*
- (2) where adequate coverage requires additional appropriations and staffing; and*
- (3) any other trends that affect the safety of vulnerable adults.*

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**DEPARTMENT OF HUMAN SERVICES  
LEGISLATIVE REPORT  
MALTREATMENT**

**I. EXECUTIVE SUMMARY**

The focus of this report is the investigation of maltreatment in the Department of Human Services (DHS) directly licensed programs (approximately 4,000 programs) and adult foster care homes (approximately 4,000 homes). Adult foster care homes are licensed by the Department, however, except for investigating maltreatment, the monitoring and oversight responsibilities have been delegated to counties in Minnesota Statutes section 245A.16. This is the third annual report required under Minnesota Statutes, section 626.557, subdivision 12b.

**Key Data**

The report provides information on the following: general trends in the number of reports received, assessed, and investigated; allegations substantiated and action taken by DHS; information on the effect of maltreatment on vulnerable adults and children; resolution of investigations; conformance with statutory time frames; progress made on the backlog of cases; and adequacy of resources.

**Numbers of Reports Received and Assigned**

The data shows:

- After steady growth in the number of reports received from FY99 through FY03, there was a slight decrease in the number of reports received in FY04 (from 4,048 to 3,976; down 2 percent).
- After an increase in the number of reports receiving a non-maltreatment telephone investigation from 1,449 in FY02 to 2,172 in FY03 (72 percent) the number of reports receiving a telephone investigation decreased in FY04 from 2,172 to 1,670 (down 24 percent).
- There was an increase in the number of reports assigned for maltreatment field investigation from 673 in FY03 to 751 in FY04 (11 percent).
- The 751 maltreatment reports assigned for field investigation included 917 allegations of maltreatment and 63 allegations of a licensing violation.
- The percent of reports assigned for field investigation in the metro area over the last three calendar years has decreased 6 percent, from 59 percent of reports assigned to 53 percent, from 399 reports to 379. The percent of reports assigned in greater Minnesota have increased 6 percent, from 275 to 336 reports, which necessitates increased travel.
- There were also 491 reports assigned to licensors for investigation of alleged licensing violations.

### **Serious Issues**

The data shows that the effect of alleged maltreatment on the vulnerable adult and/or child victim is often serious. In FY04 there were:

- 22 allegations assigned for investigation where the alleged maltreatment preceded or caused a vulnerable adult or child's death (22 in FY03);
- 29 allegations where a vulnerable adult or child sustained a serious or life threatening injury (43 in FY03);
- 84 allegations where a vulnerable adult or child was sexually abused (83 in FY03); and
- 79 allegations where a vulnerable adult or child sustained a moderate injury (80 in FY03).

Comparison of the total number of reports with the most serious impact on the vulnerable adult or child shows that there were 228 in FY03 and 214 in FY04. In FY04 allegations of the most serious effects of alleged maltreatment on the vulnerable adult and/or child victim decreased slightly.

### **Number of Investigations Completed**

The number of maltreatment field investigations completed by DHS per year for the previous 6 years averaged 613. FY02 had the lowest number of field investigations completed (425) due primarily to staffing shortages. The number of field investigations completed in FY03 was 715; an increase of 20 percent from the average number of field investigations completed in the preceding 6 years. There were 690 maltreatment field investigations completed in FY04. This was a decrease of 25 investigations from FY03 (4 percent).

### **Issues Affecting DHS Output**

The 2001 Legislature reviewed the workload and product of this Department function and provided an increased appropriation of \$359,000 in FY02 and \$277,000 each year thereafter. Staffing issues significantly affected the number of investigations, 425, that were completed in FY02. Toward the end of FY02 six new positions were created and filled in the Intake and Investigations Unit, and two positions that had been left vacant due to a hiring freeze were filled. The hiring and restructuring of duties facilitated the increase in the number of field investigations completed, from 425 in FY02 to 715 in FY03.

There were three positions vacated during FY03, two in FY04, and 3 so far in FY05, and replacement of investigators has, in every case, been affected by a hiring freeze. Each time a new investigator is hired there are resources redirected to training, and it takes time for an investigator to gain the experience necessary to be fully productive. The slight decrease in investigations completed in FY04 was likely caused by staff turnover and an increase in travel time necessitated by an increase in assigned field investigations in greater Minnesota.

### **Improvements Made and Planned to Increase Output**

During FY02 DHS received additional resources and reorganized duties to maximize the effectiveness of the increased resources. Specifically, DHS:

- hired and trained six additional investigators and filled two positions that had remained open as a result of a hiring freeze;
- centralized the report intake functions and restructured related duties within the Licensing Division;
- developed and implemented technological changes; for example, beginning in September 2002 reports of alleged maltreatment were received electronically from Hennepin County. This increased efficiency by reducing data entry and reduced cost for Hennepin County.

During FY03 and FY04 DHS continued to refine the centralization of functions and the standardized criteria for initial investigation of reports. Through the application of standardized criteria during initial investigation, reports with the greatest harm and/or greatest risk of harm are assigned for field investigation first. During FY04 this careful initial investigation resulted in:

- an increase in the number of reports assigned for maltreatment field investigation;
- a decrease in the number of non-maltreatment phone investigations; and
- an increase in the number of maltreatment field investigations of allegations of abuse and a decrease in the number of maltreatment investigations of financial exploitation.

Newly hired investigators gained experience which enhanced the Department's ability to complete more investigations in a timely manner. In FY04 DHS was able to complete 214 investigations within 60 days which was 31 percent of the investigations completed. However, timely completion of reports will continue to be an issue until the backlog of reports needing investigation is completed. With current resources, no staff turnover, and no further increase in the number of reports received or assigned, DHS resources will allow, with very careful initial investigation, maintaining the current number of pending maltreatment field investigations.

The Governor's budget recommendation for the FY06 – FY07 biennium includes funding for 6 investigators. The additional positions would enable DHS to reduce the number of pending investigations, thereby enabling the more timely completion of investigations. In addition, DHS would be able to gradually increase the number of reports assigned for field investigation. DHS continues to be committed to the effective and efficient utilization of resources, the thorough and objective investigation of reports of alleged maltreatment, and timely action to prevent recurrence of maltreatment.

## II. INTRODUCTION AND BACKGROUND<sup>1</sup>

The Department of Human Services (DHS), in partnership with counties, licenses approximately 27,000 service providers and monitors and investigates their compliance with Minnesota laws and rules. The purpose of licensing is to protect the health, safety, rights and well-being of those receiving services by requiring that providers meet minimum standards of care and physical environment. Licensed programs serve thousands of people in child care centers, adolescent group homes, day training and habilitation programs, and residential and outpatient programs for people with chemical dependency, mental illness or developmental disabilities. The focus of this report is the investigation of maltreatment in DHS directly licensed and monitored programs (approximately 4,000) and adult foster care homes (approximately 4,000) licensed by DHS which, except for maltreatment investigations, are monitored by counties.

The statutes most relevant to investigating maltreatment are Minnesota Statutes: section 626.557, the Reporting of Maltreatment of Vulnerable Adults Act (VAA); section 626.556, the Reporting of Maltreatment of Minors Act (MOMA); Chapter 245A, the Human Service Licensing Act (HSLA); and Chapter 245C, the Human Services Background Study Act. From 1995 to the present there have been significant changes to both the VAA and the MOMA. Some of these changes made DHS the sole agency responsible for investigating reports of maltreatment in DHS directly licensed programs and in adult foster care homes. All adults served in DHS licensed programs, except for outpatient chemical abuse treatment programs and the two sexual psychopath programs, are categorically "vulnerable adults" under the VAA.

Also since 1995, additional statutory changes increased the complexity of investigations by initiating a sophisticated appeal process and requiring extensive notifications of decisions made and actions taken. Because statutory background study requirements direct DHS to disqualify people from providing direct contact service when they are found responsible for some types of maltreatment, the changes have also addressed standards for determining who was responsible for maltreatment. Today each investigation must determine:

- what actually happened;
- whether the event met the definition of maltreatment;
- whether an individual or facility was responsible for substantiated maltreatment;
- whether the maltreatment was serious and/or recurring; and
- whether action was necessary to reduce the chance of recurrence of the event to protect the health and safety of vulnerable adults and children.

Most investigations include a visit to the program, many interviews, and the review and collection of a variety of documents. The complexity of investigations requires an extensive training period for new investigators and limits the number of investigations each investigator can adequately complete. A trained investigator has been expected to complete approximately 50 investigations per year which is difficult to meet because this includes time in appeals such as assisting in preparation for, and testifying at, administrative hearings, increased complexity of investigations, and increased travel time.

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<sup>1</sup> There are minimal changes to this section since there were no legislative or other changes to the work required.

### III. CURRENT STATUS AND TRENDS

#### A. Reports assessed

The number of reports of suspected maltreatment of vulnerable adults and children received by DHS each year increased from approximately 3,000 in FY98 to almost 3,800 in FY02 (33 percent increase). In FY03 there was an increase of 9 percent to 4,048. In FY04 the number of reports received decreased very slightly from 4,048 to 3,976 (2 percent). Reporters of maltreatment include county staff members, family members of vulnerable adults and children, staff members of licensed programs, other professionals working with people receiving services, and community persons.

Many reports received do not include adequate information to determine: the harm or risk of harm presented to the vulnerable adult or child by the reported events or conditions; or whether the issue reported represents possible maltreatment or a possible licensing violation. If the initial additional information obtained by telephone indicates harm or high risk of harm to the vulnerable adults or children affected and meets a definition of maltreatment in statute then the report is assigned for field investigation. If the additional information indicates a possible licensing violation the investigation may be completed by telephone or, for seemingly higher risk or systemic licensing issues, the report may be assigned for a licensing field investigation.

The numbers of completed investigations in this report refers only to reports assigned for maltreatment field investigation. An investigation is only completed when the investigation memorandum required in statute is written and all required notices of the findings have been issued. (This report does not address the resolution of reports assigned for field investigation of alleged licensing violations.)

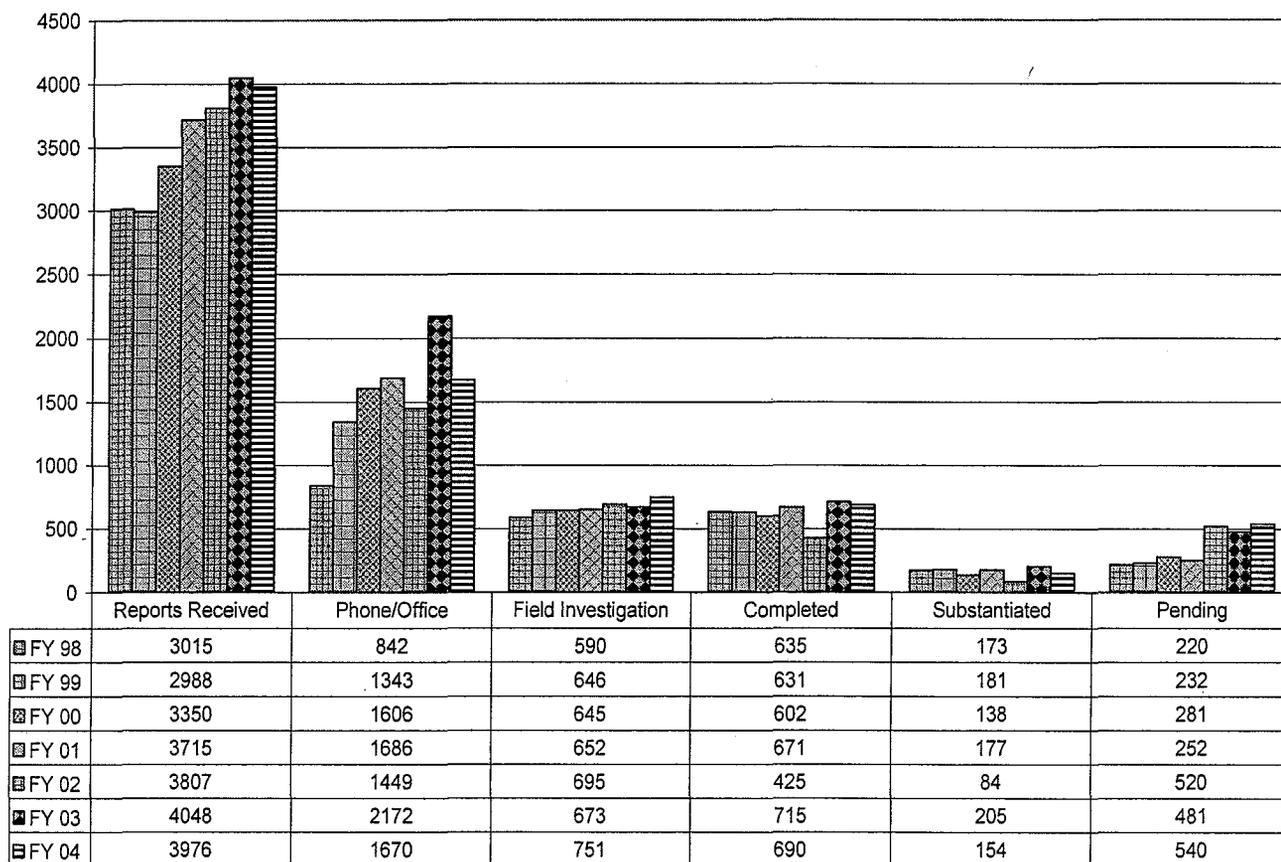
Following are trends identified in recent data:

- The number of reports receiving a **phone investigation** increased from 1449 in FY02 to 2172 in FY03 (33 percent increase). During FY04 there was a decrease of 24 percent in the number of reports receiving phone investigations; from 2172 to 1670.
- The number of reports **assigned** for maltreatment field investigations was generally unchanged in FY99, FY00, and FY01, approximately 650, and then increased in FY02 to 695. In FY03 there was a slight decrease in the number of reports assigned for field investigation from 695 to 673. In FY04 reports assigned for maltreatment field investigation increased from 673 to 751, 11 percent.
- The number of investigations **completed** per year over the preceding 6 years averaged 613. FY02 had the lowest number of investigations completed (425) due primarily to staffing shortages. The staffing issues included staff turnover, a hiring freeze that resulted in unfilled positions, a strike by MAPE employees, and redirection of some staff resources to train new investigators. FY03 had the highest number of investigations completed, 715; which represent an increase of 20 percent over the average number of investigations completed in the preceding 6 years. In FY04 there were 690 maltreatment field investigations completed. The decrease of

25 investigations completed (4 percent) was the result of staff turnover and increased travel time.

- See **Figure 1** for an overview of reports received, reports receiving office or field investigations, reports substantiated, and reports pending.

**Figure 1 Maltreatment and Abuse Reports and Investigations by Fiscal Years**



**B. Effect of Alleged Maltreatment on the Victim**

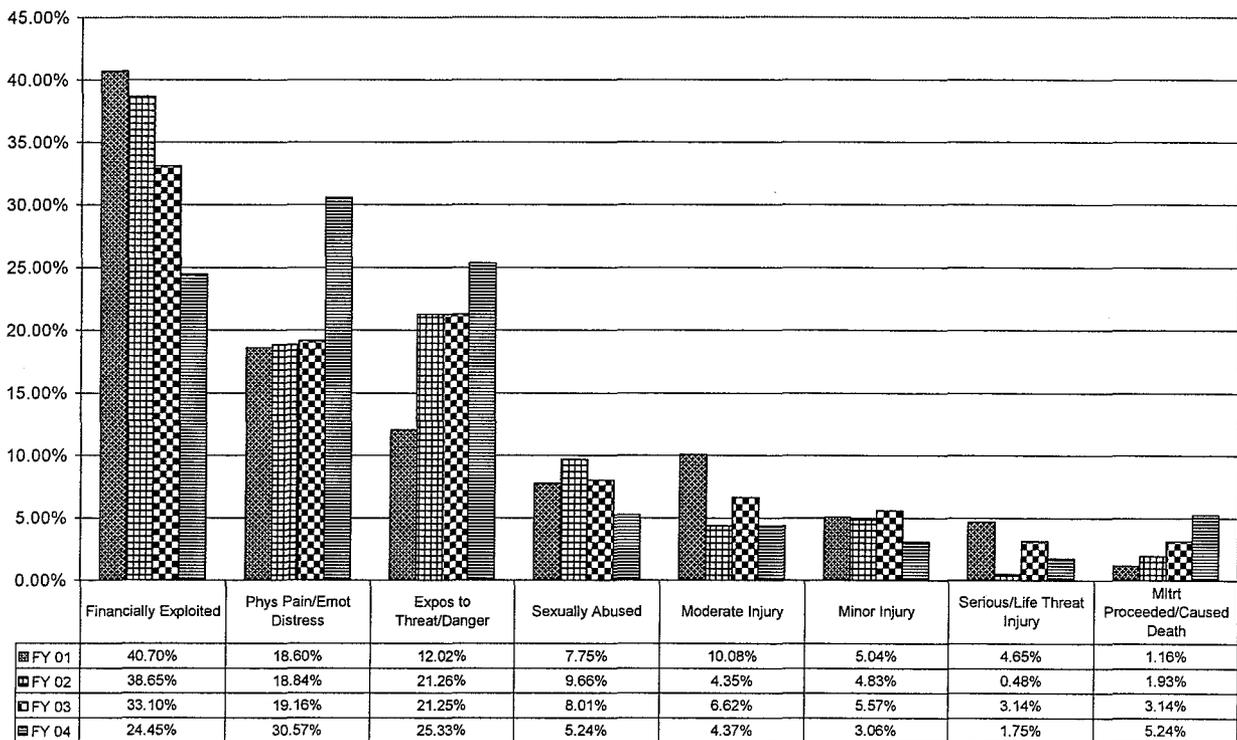
The Department tracks the effect of alleged maltreatment on the vulnerable adult or child victim by using the statutory definitions of maltreatment. Each report may include more than one allegation (average of 1.22 maltreatment allegations per investigation in FY04). This means that there can be more than one effect on the vulnerable adult or child victim on each report assigned for field investigation. For example, it may be alleged that a vulnerable adult was both financially exploited and physically abused.

**Figure 2** on page 7 shows the effect of maltreatment on the vulnerable adult or child victim in investigations completed in FY01 through FY04. In previous years a comparison was made of the number of the various effects on each victim. Since the number of allegations substantiated each year varied, the comparisons of the numbers could not adequately represent any trends. This year the comparison is given as a percent and compared with the total allegations substantiated. In FY03 there were 287

allegations substantiated and in FY04 there were 229 allegations substantiated. General trends include:

- The percent of allegations substantiated where maltreatment preceded or caused a vulnerable adult or child's death increased from approximately 3 percent to 5 percent.
- The percent of allegations substantiated where a vulnerable adult or child was caused physical pain or emotional distress increased from approximately 19 percent to 30 percent.
- The percent of allegations substantiated where a vulnerable adult was financially exploited decreased from approximately 33 percent to 24 percent.
- The percent of allegations substantiated where a vulnerable adult or child received a moderate injury decreased from approximately 7 percent to 4 percent.

Figure 2 Maltreatment Substantiated (Percent) by Effect on Victim by Fiscal Years



**C. Type of program/vulnerability of victim**

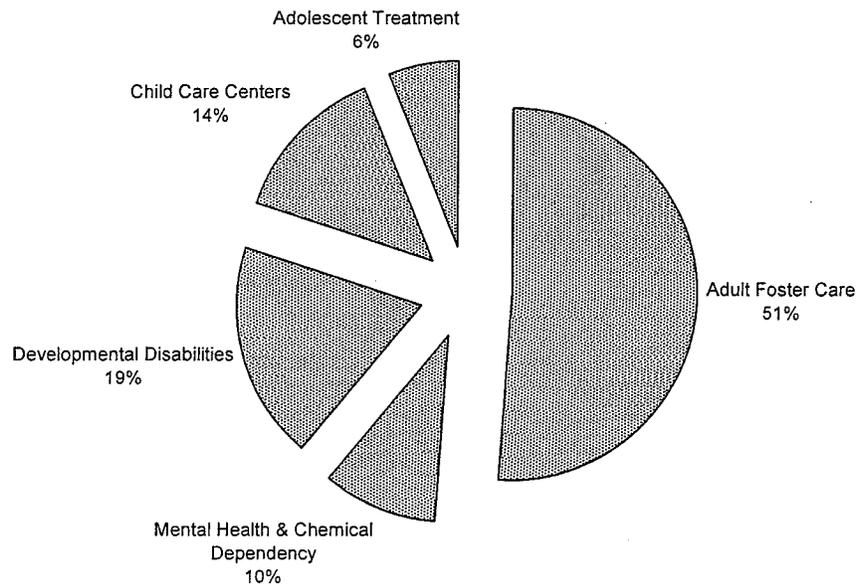
The data shows:

- In FY02 approximately 66 percent of reports assigned for field investigation involved a vulnerable adult and 34 percent involved a child. In FY03 approximately 70 percent of reports assigned for field investigation involved a vulnerable adult and 30 percent involved a child. In FY04 approximately 78 percent of reports assigned for field investigation involved a vulnerable adult and 22 percent involved a child.

Although the data shows a clear trend of an increasing percent of investigations involving vulnerable adults and a decrease in the percent of investigations involving children, it has not been determined why this is changing.

- Figure 3** below shows that in FY04 the number of reports assigned for field investigation was: child care centers - 14 percent; programs serving persons with developmental disabilities - 19 percent; adult foster care homes - 51 percent; programs serving persons with mental illness and chemical dependency (MI/CD) - 10 percent; and adolescent treatment programs - 6 percent. (Note: in previous years programs serving persons with mental illness and chemical dependency and adolescent treatment centers were counted within the MI/CD group with the total for FY03 being 14 percent.) These numbers show an increase in the investigations assigned in adult foster care homes (from 48 percent in FY03 to 51 percent in FY04) and a slight increase for programs serving persons with mental illness, chemical dependency, and adolescent treatment programs (from 14 percent in FY03 to 16 percent in FY04). There was a decrease in the percent of investigations assigned in child care centers (from 19 percent in FY03 to 14 percent in FY04) and those assigned in programs serving persons with developmental disabilities stayed the same (19 percent in FY03 and 04).

**Figure 3 Type of Programs Where Victim of Reports Assigned for Investigation Received Services (FY 04)**



#### IV. RESOLUTION OF INVESTIGATIONS

**Determinations:** Under the maltreatment reporting and investigations statutes and under the licensing statutes, various types of resolutions are possible at different stages of the investigation. These include an initial determination, a determination of whether maltreatment occurred, and a determination as to whether action is necessary to decrease the risk of recurrence of maltreatment.

##### A. Initial Determinations

The initial resolution of investigations includes one of the following five determinations:

- no jurisdiction because the event did not occur in a DHS licensed program;
- further investigation is not necessary because the event does not meet a statutory definition of maltreatment and does not represent a possible licensing violation;
- low risk because the vulnerable adult or child was not physically injured and risk of injury was low, often because the facility took action to reduce the risk of recurrence;
- the report is assigned for licensing field investigation; or
- the report is assigned for maltreatment field investigation.

Due to the potential seriousness of reports involving the death of a child or vulnerable adult if maltreatment or licensing violations preceded or caused a death, all reports involving a death have received at least a telephone investigation since FY99. Since the beginning of FY04 these reports are all assigned to a senior investigator for investigation.

##### B. Did Maltreatment Occur

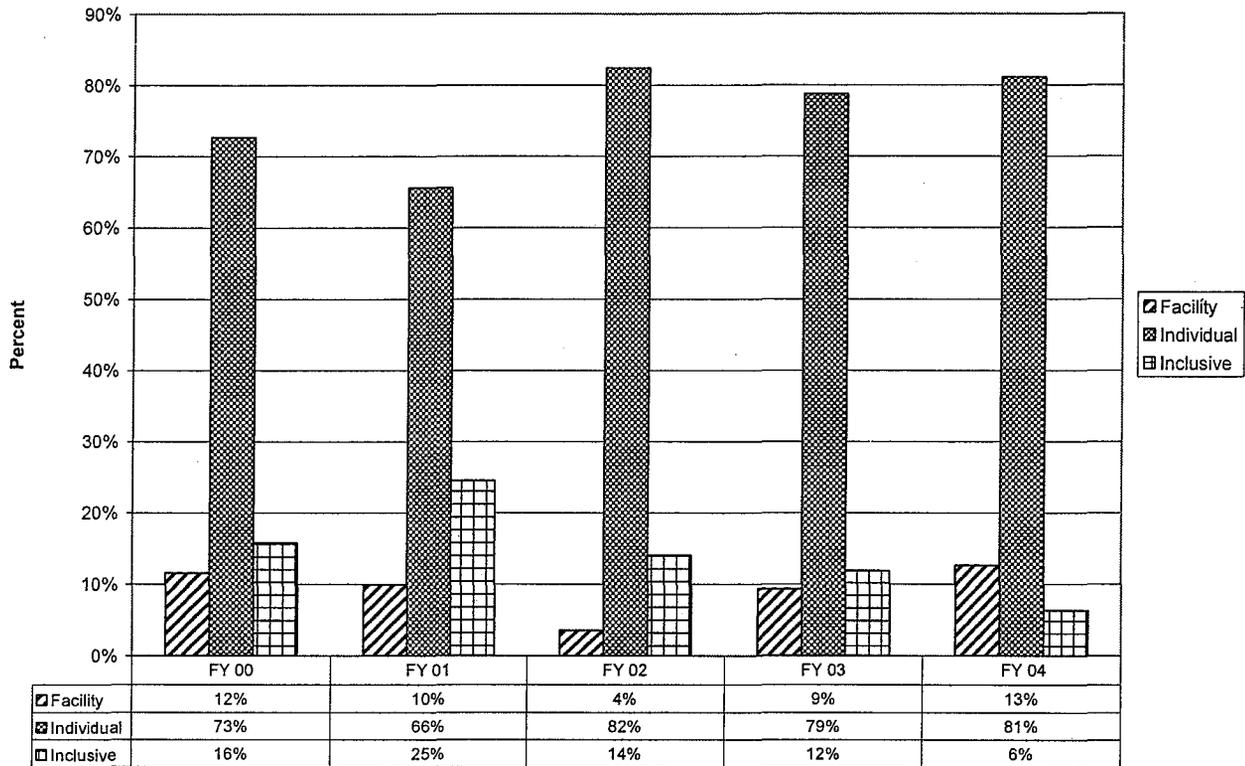
As stated earlier, each report assigned for field investigation will result in a determination of whether or not maltreatment occurred. If maltreatment occurred there is a determination of whether an individual(s) or facility was responsible for the maltreatment, whether the maltreatment was serious and/or recurring, and whether any action was necessary to reduce the risk of recurrence. The determinations of whether or not maltreatment of children occurred include: "maltreatment determined" or "maltreatment not determined." Determinations for vulnerable adult maltreatment include: "substantiated," "inconclusive," "false," or "no determination will be made."

A review of **substantiated reports and allegations** shows the following:

- Prior to FY02 the percent of reports substantiated had remained relatively stable, averaging 26 percent. In FY02 the percent of substantiated reports declined to 20 percent. In FY03 the percent of substantiated reports increased to 29 percent. In FY04 the percent of substantiated reports again declined to 22 percent. See **Figure 1** on page 6.
- A review of data for FY00 through FY04 shows that the percent of investigations that determined a facility was responsible for substantiated maltreatment has been relatively constant at approximately 10 percent; the number of investigations that determined an individual was responsible for maltreatment has been approximately 80 percent for the past 3 years; and since FY01 the number of reports where

responsibility was inconclusive has been declining, to a low of 6 percent in FY04. See figure 4 below.

**Figure 4 Responsibility for Substantiated Maltreatment**

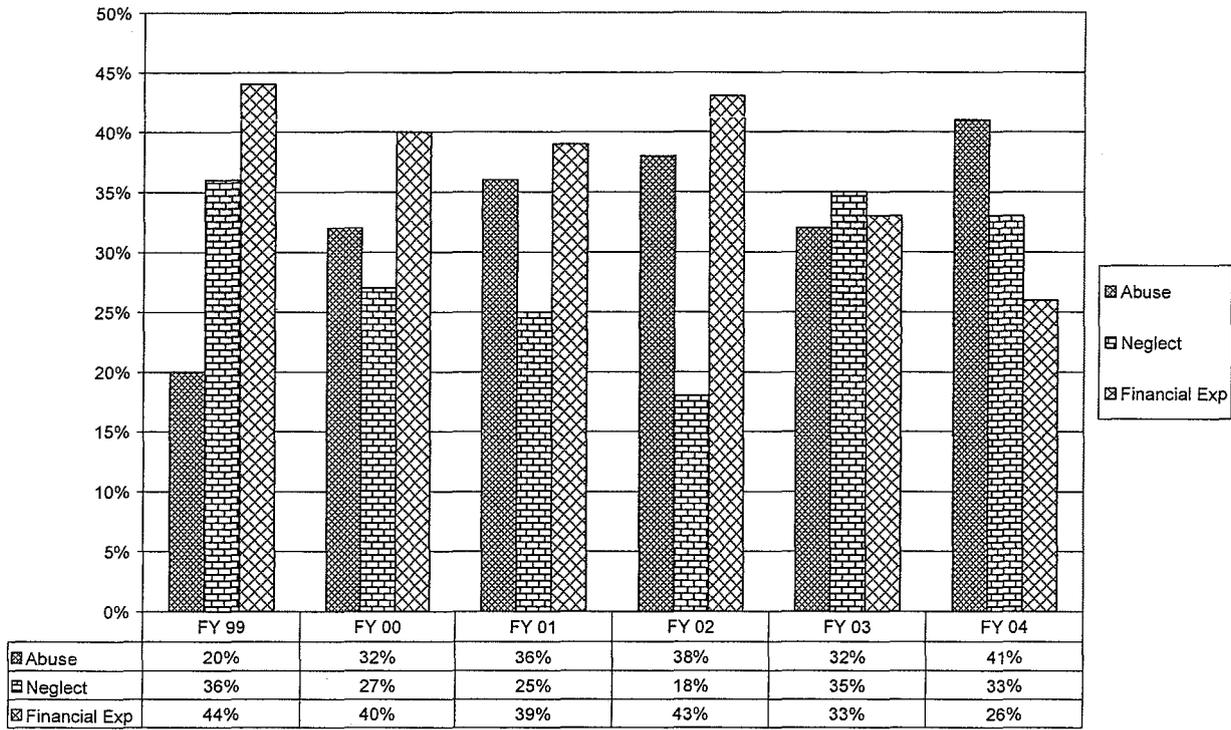


**Source Data for Figure 4 - Number of Investigations Substantiated and Responsibility**

Numbers	FY 00	FY 01	FY 02	FY 03	FY 04
Investigations substantiated	138	177	84	205	154
Allegations substantiated	260	302	142	320	222
Facility responsible	30	30	5	30	28
Individual responsible	189	198	117	252	180
Inclusive	41	74	20	38	14

- Over the past eight fiscal years, the percent of investigations that substantiated:
  - abuse declined from FY96 to FY98, remained about the same in FY98 and FY99, then increased through FY02, decreased in FY03, and increased in FY04;
  - neglect declined from FY96 through FY02, then increased in FY03, and decreased slightly in FY04; and
  - financial exploitation increased from FY96 through FY99, then decreased each year through FY04.
- Of FY04 substantiated maltreatment, abuse comprised 40 percent of the total allegations, while neglect allegations were 32 percent, and financial exploitation allegations were 25 percent of the total cases. See **Figure 5 on page 11**.

Figure 5 VAA and MOMA Allegations Completed and Substantiated



**C. Was Action Necessary to Decrease the Risk of Recurrence**

The focus of this section is on the resolution of reports assigned for further investigation where DHS determined that maltreatment occurred and investigations where there was a determination that some type of action was necessary to reduce the risk of recurrence. Possible actions taken to reduce the risk of recurrence of maltreatment are authorized under Minnesota Statutes, chapter 245A and 245C and include: disqualification of an individual from the provision of direct care to persons served in programs licensed by DHS, the Department of Health, the Department of Corrections, and Personal Care Provider Organizations; issuance of a citation(s) ordering a facility to correct a licensing violation; or issuance of a negative licensing action (fine, conditional license, suspension or revocation of license). The following **actions** have been **taken by DHS** following maltreatment investigations:

Disqualifications:

- From 1998 through FY02 investigations resulted in an average of 65 individuals per year being disqualified from direct contact with persons served by licensed programs. Approximately 11% of field investigations completed resulted in the disqualification of an individual.
- In FY03 there were 82 individuals disqualified; the percent of completed investigations resulting in a disqualification remained 11 percent.

Licensing actions:

- In FY04 there were 71 individuals disqualified or approximately 10 percent of investigations completed.
- In FY03 there were 17 negative licensing actions taken following maltreatment investigations. In FY04 there were 29 licensing actions, including fines, taken immediately following maltreatment investigations. There were also approximately 16 additional actions taken on adult foster care licenses after appeals of the maltreatment finding.
- In FY03 there were 140 citations for rule violations following maltreatment investigations. In FY04 there were 83 citations issued for rule violations.

In summary, in FY04 as a result of maltreatment investigations, DHS disqualified a similar number of individuals, issued fewer citations but issued more negative licensing actions than in previous fiscal years.

**D. Appeals**

Every decision regarding maltreatment and every decision regarding consequences for maltreatment made by DHS following completion of an investigation is subject to review and appeal. A vulnerable adult, a vulnerable adult or child’s designee, a substantiated individual perpetrator, or a substantiated facility may ask for reconsideration of the determination of whether maltreatment occurred. The Division of Licensing responds to each request for reconsideration received. If, after this administrative reconsideration, DHS does not change the finding, the substantiated perpetrator may request an administrative hearing. This administrative hearing is available to substantiated perpetrators only, whether they are individuals or facilities. The victim, victim’s designees, or a child’s parent or guardian may request review by a maltreatment review panel. The maltreatment review panel may make recommendations to the investigation agency.

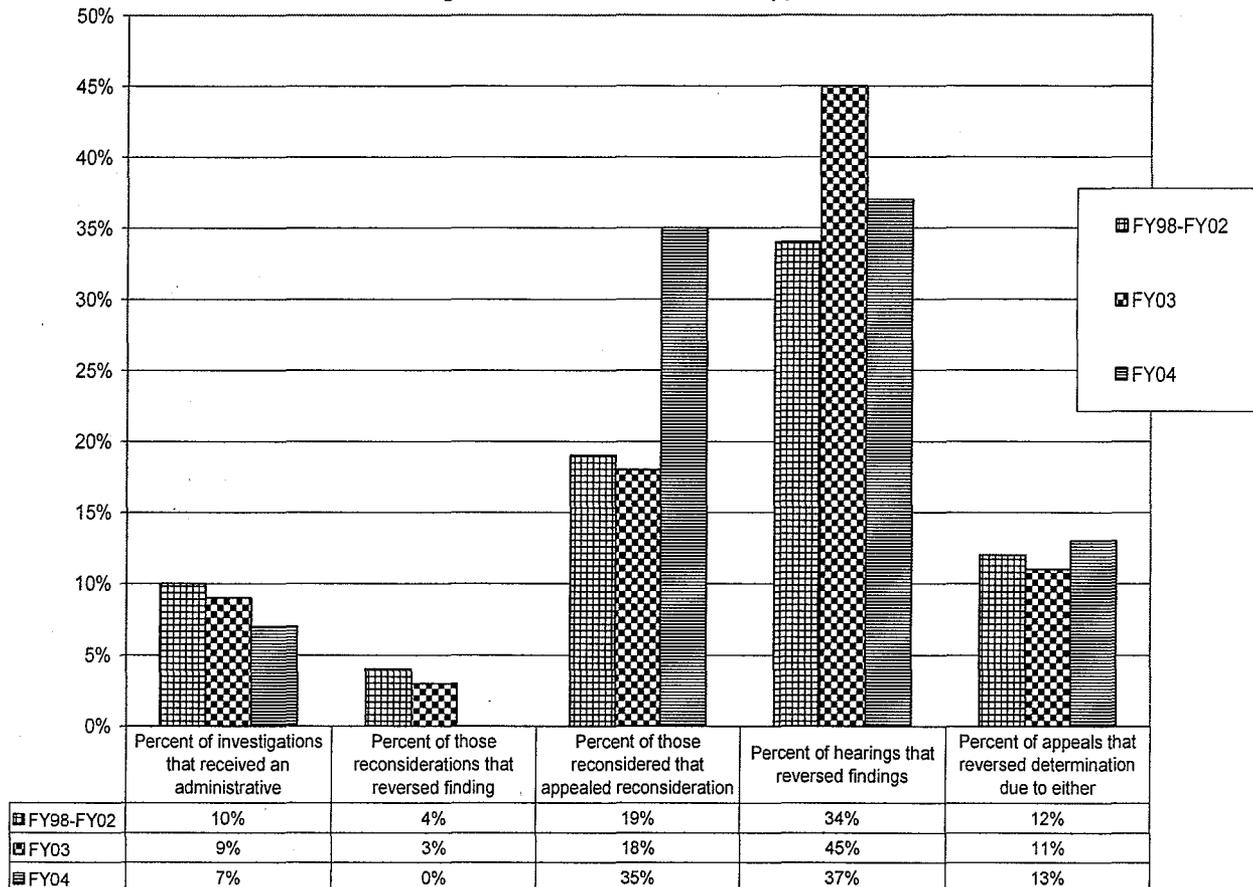
**RECONSIDERATION AND APPEALS  
OF MALTREATMENT DETERMINATIONS**

Fiscal Year	Reports Completed	Findings	Reconsiderations		Appeal Hearings	
			Total	Maltreatment	Total	Maltreatment
			Requested	Findings	Requested	Findings
				Reversed		Reversed
1998	635	N/A	68	2	8	2
1999	631	1033	54	2	22	9
2000	602	1122	48	4	13	5
2001	671	1226	67	3	7	1
2002	425	692	54	1	6	2
<b>5 Yr Total</b>	<b>2964</b>	<b>4073</b>	<b>291</b>	<b>12</b>	<b>56</b>	<b>19</b>
2003	715	1010	62	2	11	5
2004	690	748	46	0	16	6

It was suggested in the FY03 Legislative Report that there was likely to be some reduction in the number of hearings resulting in a changed determination because there

had been differences between the Division of Licensing and appeal referees in the definition/interpretation of what constituted recurring maltreatment and the Division modified its interpretation. In FY04 there was a reduction in the percent of investigations appealed and there was also a decrease in the percent of appeal hearings resulting in reversal of the determination.

Figure 6 Data on Maltreatment Appeals

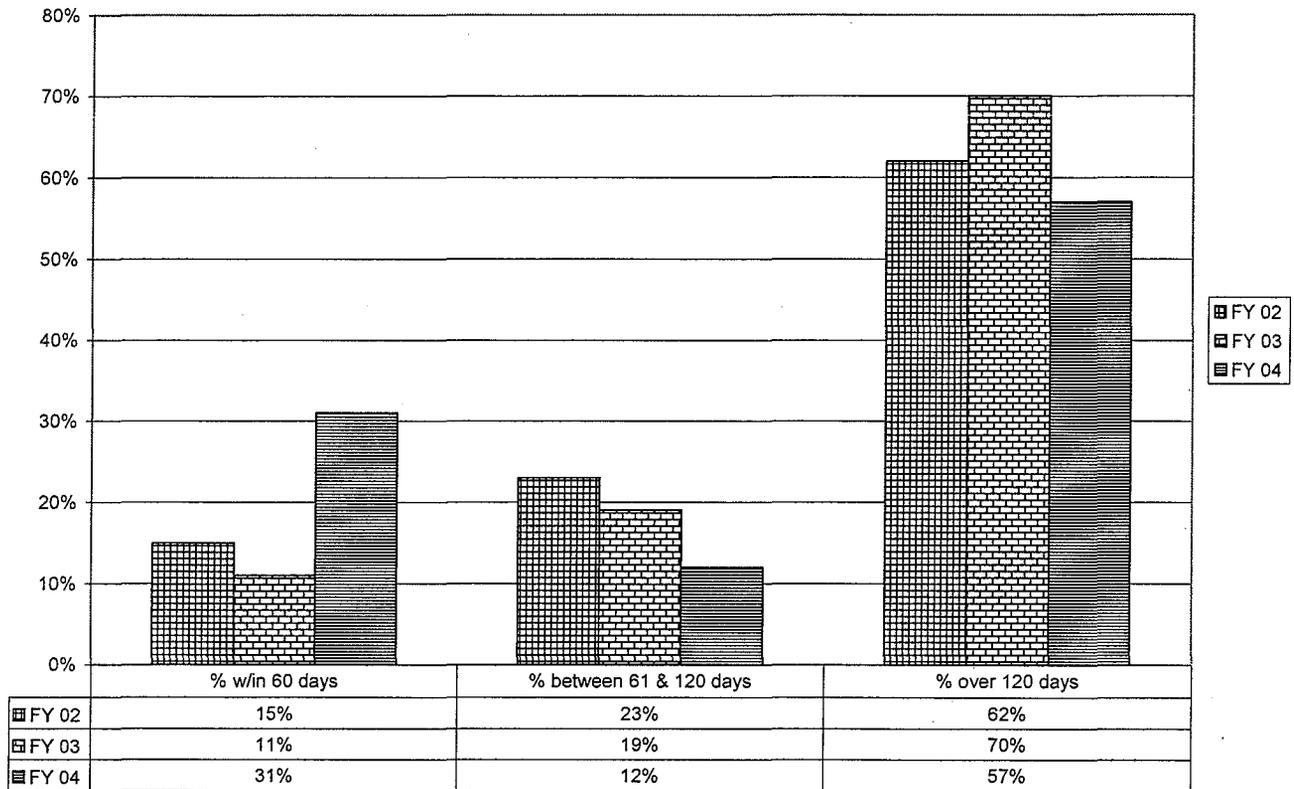


**V. WHETHER AND WHERE BACKLOGS OF CASES RESULT IN A FAILURE TO CONFORM WITH STATUTORY TIME FRAMES**

DHS continues to meet statutory timelines in assessing reports of alleged maltreatment within 24 hours, determining an initial disposition within five days, and providing notification of the initial disposition to reporters of alleged maltreatment within five days.

Although the VAA has required that investigations be completed within 60 days since 1995, DHS has not been able to meet this timeline for all investigations. In FY02, FY03 and FY04 investigations were completed within the following timelines:

Figure 7 Maltreatment Investigations - Percent Completed within Various Timelines



In FY03 the average time to complete investigations was slightly over 10 months. In FY04 the average time to complete investigations decreased to approximately 9 months. As the chart above demonstrates, although a much higher percentage of reports were completed within 60 days, it continues to be a struggle to balance completion of the oldest investigations with the completion of current investigations.

The number of pending investigations was 220 in FY98 and has increased every year except FY03. FY03 had the highest number of completed reports which resulted in a reduction in the pending reports by 39 reports. Unfortunately, in FY04 the number pending increased by 59 to 540. Although resources were increased in FY02, the increase in resources was not adequate to respond to the previously mentioned staff turnover, high number of reports received and assigned, a strike, hiring freezes, and the number of already pending investigations.

DHS is unable to meet statutory timeframes with current resources.

## **VI. WHERE ADEQUATE COVERAGE REQUIRES ADDITIONAL APPROPRIATIONS AND STAFFING**

DHS Division of Licensing completed significant work to maximize the utilization of the increased resources received in FY01. This work included the centralization of report intake functions, restructuring of duties within the division, and the hiring of additional investigators. This centralized intake unit now receives, processes, assesses, and assigns all reports of alleged maltreatment, reports of deaths of consumers, and licensing violations received by DHS. Additional computer system modifications and other technological solutions to enhance and standardize data collection for managing workflow and for performance reporting continue to be developed and refined.

Each report received is prioritized for investigation, according to standardized criteria, based on the potential risk of harm to vulnerable adults or children with the reports with the greatest harm and/or highest risk of harm assigned for field investigation first. During FY04 this careful initial investigation resulted in:

- an increase in the number of reports assigned for maltreatment field investigation;
- a decrease in the number of non-maltreatment phone investigations; and
- an increase in the number of field investigations of allegations of abuse and a decrease in the number of investigations of financial exploitation.

The current level of resources is slowly helping to improve the turnaround time for maltreatment field investigations; however, additional resources would improve this turnaround time faster.

The Governor's budget recommendation includes funding for 6 investigators. A seventh position is also in the budget to respond to increased investigation duties resulting from new regulations for all residential services for children in out-of-home placement. Some of the current county responsibility for investigation of alleged maltreatment in facilities licensed by the Department of Corrections will transfer to DHS, Division of Licensing in FY06. The additional positions would enable DHS to reduce the number of pending investigations, thereby enabling the more timely completion of investigations. With the increased positions, a more reasonable expectation of 36 investigations rather than 50 investigations per investigator per year will be implemented. As stated above, the complexity of investigations is ever increasing, and duties include defending decisions under appeal. In addition, DHS would be able to gradually increase the number of reports assigned for field investigation.

If there is no increase in budget resources, the Licensing Division will continue to "tread water." With no increase in the number of reports received and no staff turnover, significant illness or parental leaves, it will still be necessary to very carefully choose which reports receive field investigations, and the timeframes for completion and the number of pending investigations will remain about the same.

DHS and the Division of Licensing remain committed to the effective and efficient utilization of resources, the thorough and objective investigation of reports of alleged maltreatment, and timely action to prevent recurrence of maltreatment.