

Vulnerable Adult Maltreatment Reconsideration Review Panel 2009

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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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 - Pam York |
| 2. The Commissioner of Human Services | Designee - Vicki Kunerth |
| 3. Ombudsman for Long-Term Care | Designee - Maria Michlin |
| 4. Ombudsman for Mental Health & Developmental Disabilities | Designee - Andrea Ayres |
| 5. Representative of the Minnesota Board on Aging | Heidi Michaels |

The legislation requires quarterly meetings of the Panel, if requests for reviews have been received in the preceding quarter. Three meetings were held in calendar year 2009.

During 2009, five (5) requests for review were received:

- Three (3) requests for reconsideration were 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 two (2) 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**.

- 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) investigative agencies.

As of December 15, 2009, the Panel requested two (2) reconsiderations of cases reviewed in 2009. The Panel requested additional information from the investigative agency in zero (0) cases and the determinations were upheld in the remaining three (3) cases.

**2009 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 22, 2009	0	0	0	0	0	0
April 23, 2009	0	0	0	0	1	0
July 29, 2009	2	1	0	0	0	0
October 13, 2009	1	1	0	0	1	0
TOTALS	3	2	0	0	2	0

Quarterly meetings for 2010 are scheduled for the third week in January, April, July, and October.

