

Policy Updates to Adult Protective Services SSIS Letters September 7, 2016 SSIS Mentor Meeting

* Changes in the Notice of Findings letters are italicized and underlined below

Initial Disposition:

Language updated: "Common Entry Point" replaced with "Minnesota Adult Abuse Reporting Center"

Notice of Finding:

Victim Letters -

- A. Letters for "Interested Person" were removed.
 1. Per MN Statute 626.557 Subd. 9c (h) *The lead investigative agency shall notify the vulnerable adult who is the subject of the report or the vulnerable adult's guardian or health care agent, if known, and any person or facility determined to have maltreated a vulnerable adult, of their appeal or review rights under this section or section 256.021.*
 2. Notice of Findings letters should be written to the VA and mailed to the VA's guardian or health care agent if applicable.
- B. Language updated under –"Adult Protection records": "The person against whom the report was made, and other interested persons may also have the right to see some of the information in the report."
 1. Replaced with: "Other individuals identified in the report may also have the right to see some of the information in the report."
 2. "Your Rights":
 - i. The underlined language was added
 - a) If you, or an interested person acting on your behalf under MN Statute 626.557 Subd. 9d, do not agree with the county lead investigative agency's determination, you, or an interested person acting on your behalf, may ask the county lead investigative agency to reconsider its determination. The request for reconsideration must be submitted in writing within 15 calendar days of receiving this letter.
 - b) MN Statute 626.557 Subd.9d identifies who an "interested person" is.
 - c) If you, or an interested person acting on your behalf, do not agree with the county's maltreatment reconsideration decision, or if the county did not respond to your request you may ask the Adult Maltreatment Review Panel to review the county's determination. The Adult Maltreatment Review

Panel is a state panel that reviews determinations regarding maltreatment of a vulnerable adult.

C. Perpetrator Letters

1. Language updated: "Interested persons" replaced with "individuals identified in the report"

D. Language updated on both Victim and Perpetrator letters

1. "Agency" was replaced with "County Lead Investigative Agency"
2. County agency's name will now appear throughout the appeal rights section.

E. Request for Reconsideration:

1. *New* Letters specific to victim and perpetrator have been created.
2. Language updated: "Final Disposition" was replaced with "Maltreatment Determination"
3. "Financial Exploitation" was added as a maltreatment type in the reconsideration letters
4. Victim letter: Because victims can appeal any determination made, you will now be able to select the determination that was made - The investigation determined the allegation of maltreatment was [SUBSTANTIATED; INCONCLUSIVE; FALSE]
5. Perpetrator letter language updated: "The final disposition of the investigation was that maltreatment was determined." was replaced with "The investigation determined, based on preponderance of the evidence, maltreatment did occur."

F. Investigation Summary:

An Investigation Summary Template is now available in SSIS. Counties are not required by statute to complete an investigation summary however, are highly encouraged. These summaries are used for a variety of reasons. Not only can they be used for internal use within the county system of adult protection, they can also be referenced and identified in an appeal process, a criminal process, civil processes such as a maltreatment review panel and/or an appeal. The investigation summary has many advantages for the county agency:

- Creates a history overview of the investigation.
- Identifies the basis of the investigation outcome.
- DHS Background Study Unit will review it to determine whether serious and reoccurring maltreatment standard has been met.
- Tracks the investigation in an easy format.
- Great resource for the APS worker and/or the county APS unit for future overview of the case.

- Solid foundation for APS case process review.
- *Counties are not required at this time to use the available template in SSIS.