



Minnesota's Vulnerable Adult Act House Human Services Finance and Policy Committee Meeting 1/21/2021

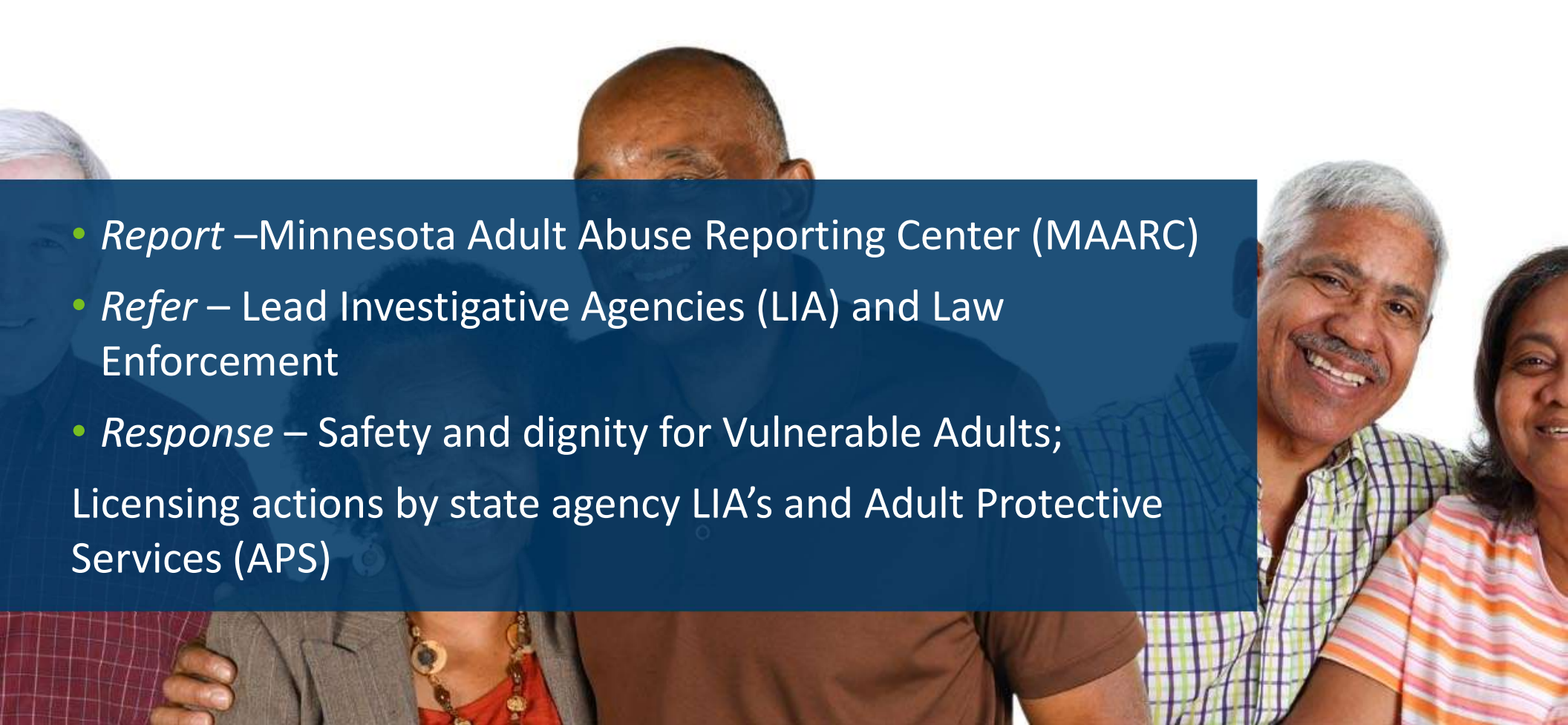
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Director | Aging and Adult Services Division



Vulnerable Adult Act(VAA) Minnesota Statutes [626.557](#)

- *Report* –Minnesota Adult Abuse Reporting Center (MAARC)
- *Refer* – Lead Investigative Agencies (LIA) and Law Enforcement
- *Response* – Safety and dignity for Vulnerable Adults;
Licensing actions by state agency LIA's and Adult Protective Services (APS)



Minnesota Adult Abuse Reporting Center (MAARC)

1-844-880-1574

What does MAARC do?

Accepts

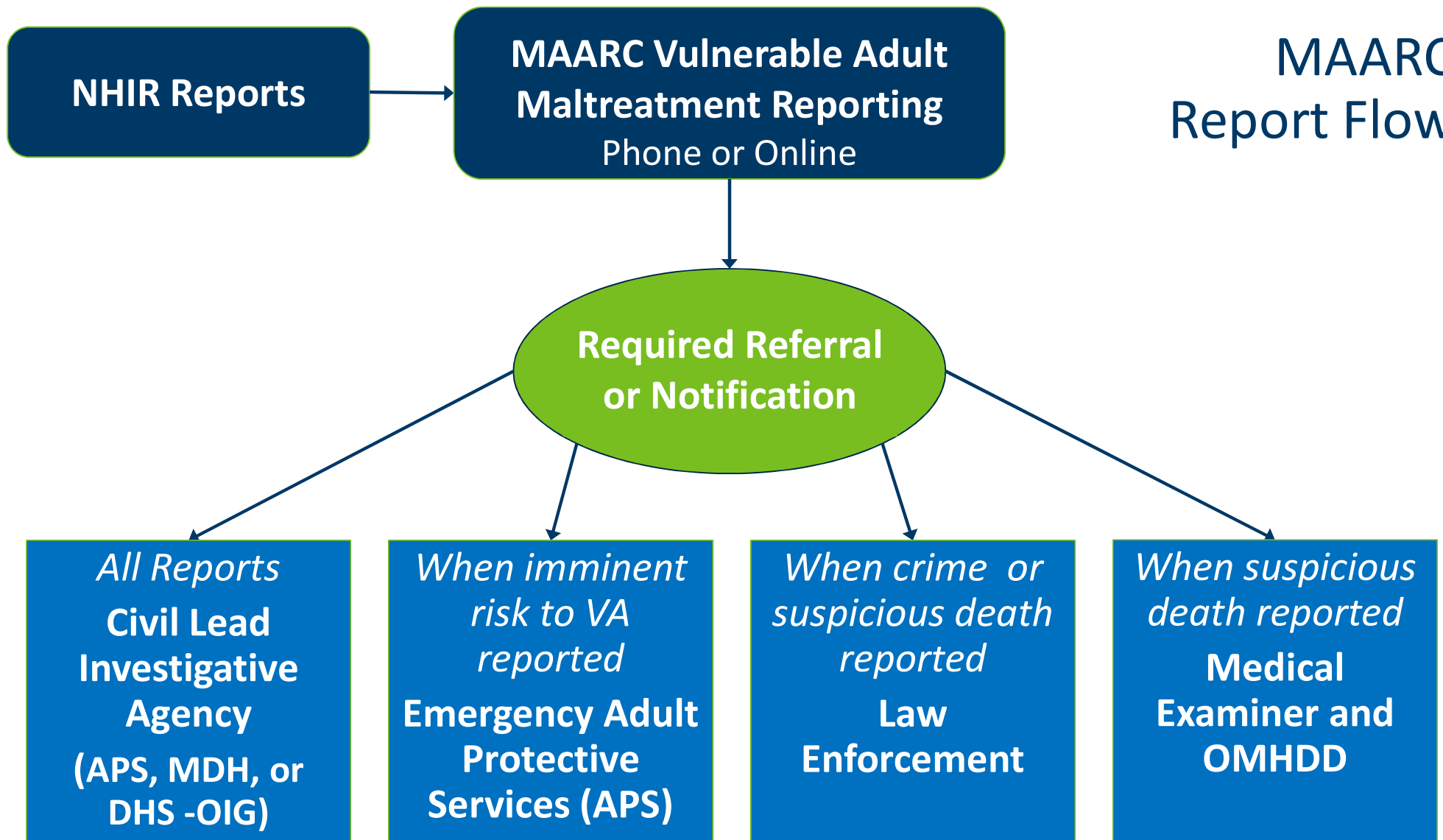
Refers

Notifies

- Suspected Vulnerable Adult Maltreatment
- 24/7/365 Reporting
- Immediate Referrals to LIA's
- Immediate Required Notifications



MAARC Report Flow



What Does MAARC Not Do?

MAARC does ***NOT***

- Screen reports – Decide which reports are accepted by the LIA for investigation or services
- Investigate
- Replace or substitute 911

Lead Investigative Agency (LIA)

MN Statute 626.5572

Adult Protective Services (APS)

PCA
Self-Neglect
Family, Friends, Scam
or Unlicensed Service
provider

MN Dept. of Health (MDH)

Nursing Home
Hospital
Home Care
Assisted Living

DHS-OIG

HCBS Licensed
Services – Residential
mental health, Adult
foster care,
community programs

LIA is the primary administrative agency responsible for:

1. Responding to reports (reports are made to MAARC)
2. Making initial and final civil investigative disposition

Who is a Vulnerable Adult?

MN Statute 626.5572

Categorical Vulnerable Adult

MN Statute 626.5572 Subd. 21 (1) –(3)

1. 18 years of age or older
2. Person is a resident or inpatient of a facility regulated by MDH or DHS
or
Receives services from a facility or service regulated under 245A (including PCA)
or
Recipient of home care or hospice services from provider regulated by MDH under 144A; includes Assisted Living/Customized Living

Functional Vulnerable Adult

MN Statute 626.5572 Subd. 21 (4)

1. 18 years of age or older
2. Has an impairment or disability, regardless of residence or service
3. And because of this impairment has an impaired ability to meet basic needs
and
an impaired ability to protect self from maltreatment

What is Maltreatment?

MN Statute 626.5572

Abuse *Subd. 2*

- Physical Abuse
- Sexual Abuse
- Emotional Abuse

Self or Caregiver Neglect *Subd. 17*

Lacks food, shelter, clothing, health care or services necessary to maintain health, comfort or safety

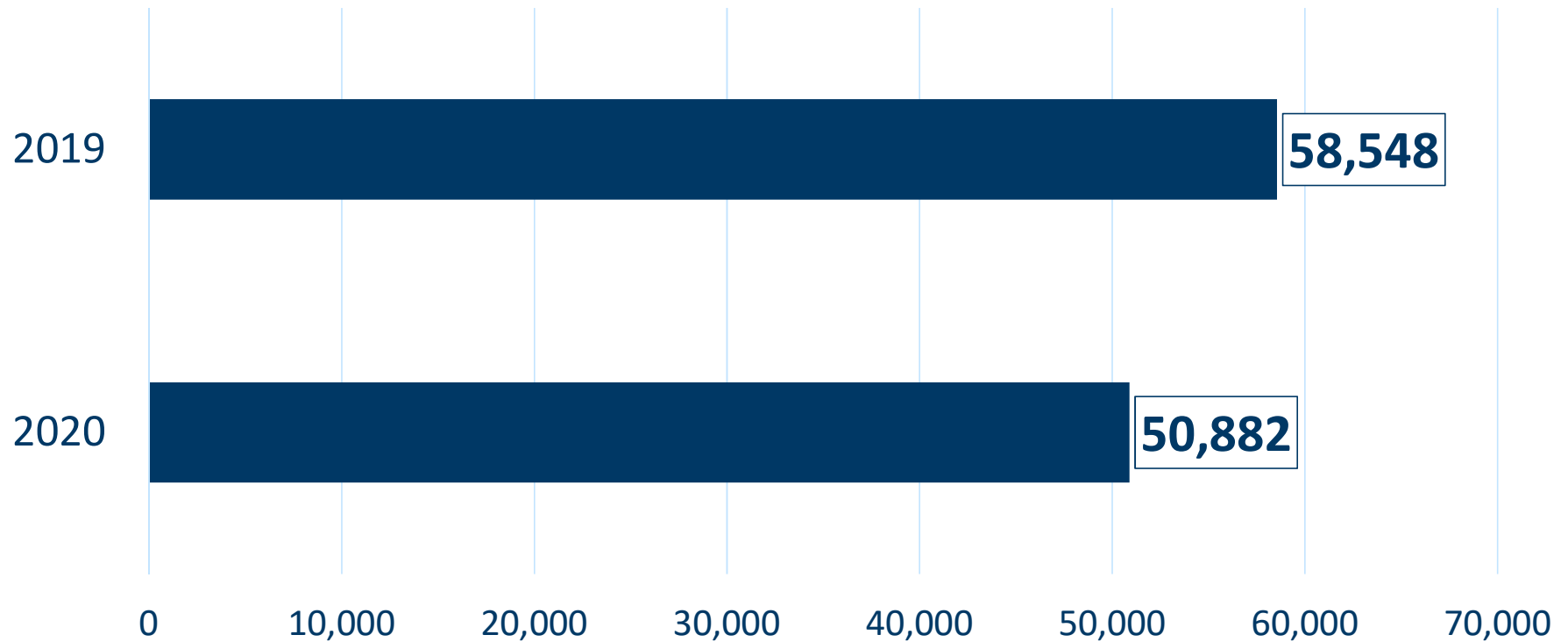
Financial Exploitation *Subd. 9*

Using or stealing property or assets through theft, undue influences, deception or fraud; forced services

Vulnerable Adults Reported to MAARC CY 2019 and 2020

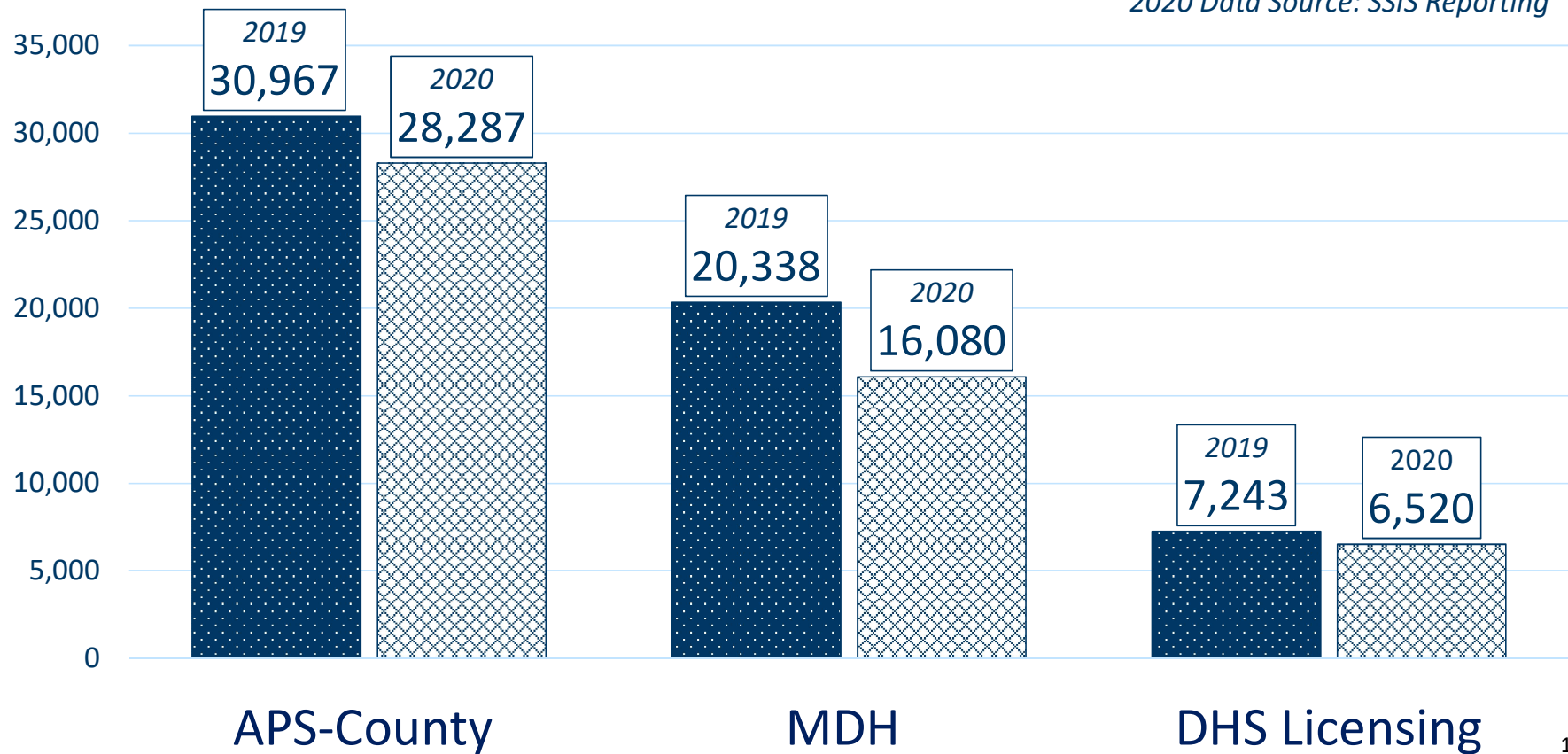
2019 Data Source: DHS Data warehouse

2020 Data Source: SSIS Reporting



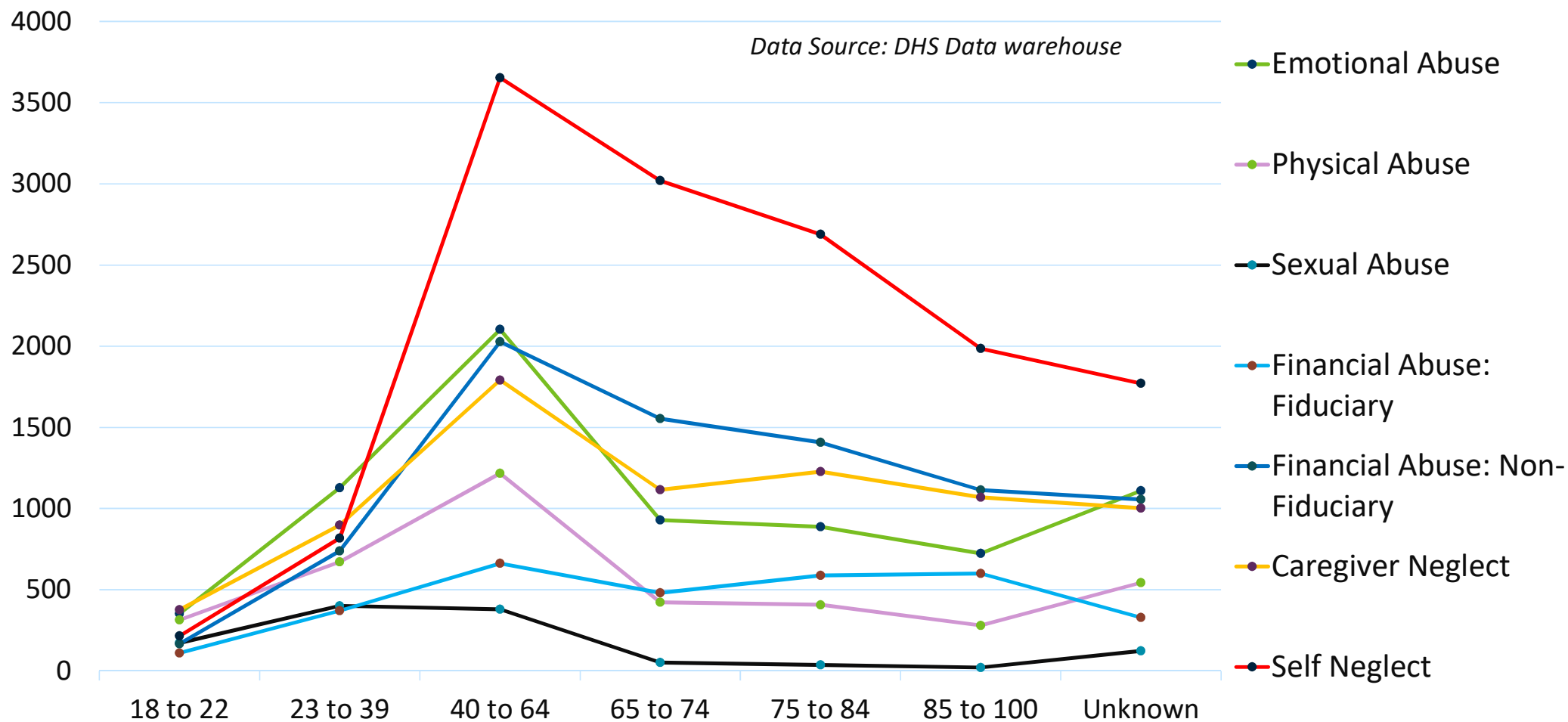
Vulnerable Adults Reported to MAARC by LIA - CY 2019 and 2020

2019 Data Source: DHS Data warehouse
2020 Data Source: SSIS Reporting



2019 Vulnerable Adult Alleged Maltreatment APS LIA

Data Source: DHS Data warehouse



MN Vulnerable Adult Protection System

MN Adult Protection System: County Administered, State Supported

MN DHS Role:
([§256.01](#), [§626.557](#))

- Supporting compliance with statutes, rules, policies and quality
- Serving as a resource for training and consultation
- Promoting statewide consistency and person-centered outcomes for vulnerable adults



APS Dual Role: Services and Investigation

APS dual mandate: engage vulnerable adults and support persons to offer services *and* investigate alleged maltreatment

This dual role can potentially be in conflict.

- APS works *with* a vulnerable adult, provides supports, services, and solutions
- APS investigates vulnerable adult and supports including family or friends to determine the allegation and assign blame (or not)



APS Service Interventions



The goal of APS intervention is to improve safety and quality of life as defined by the person and reduce risk of re-victimization.

Voluntary Interventions -Examples

- Home or community based services
- Caregiver education or support
- Case management
- Engage social supports
- Financial management

Involuntary Interventions-Examples

- Guardianship or Conservator
- Law enforcement coordination
- Restraining order

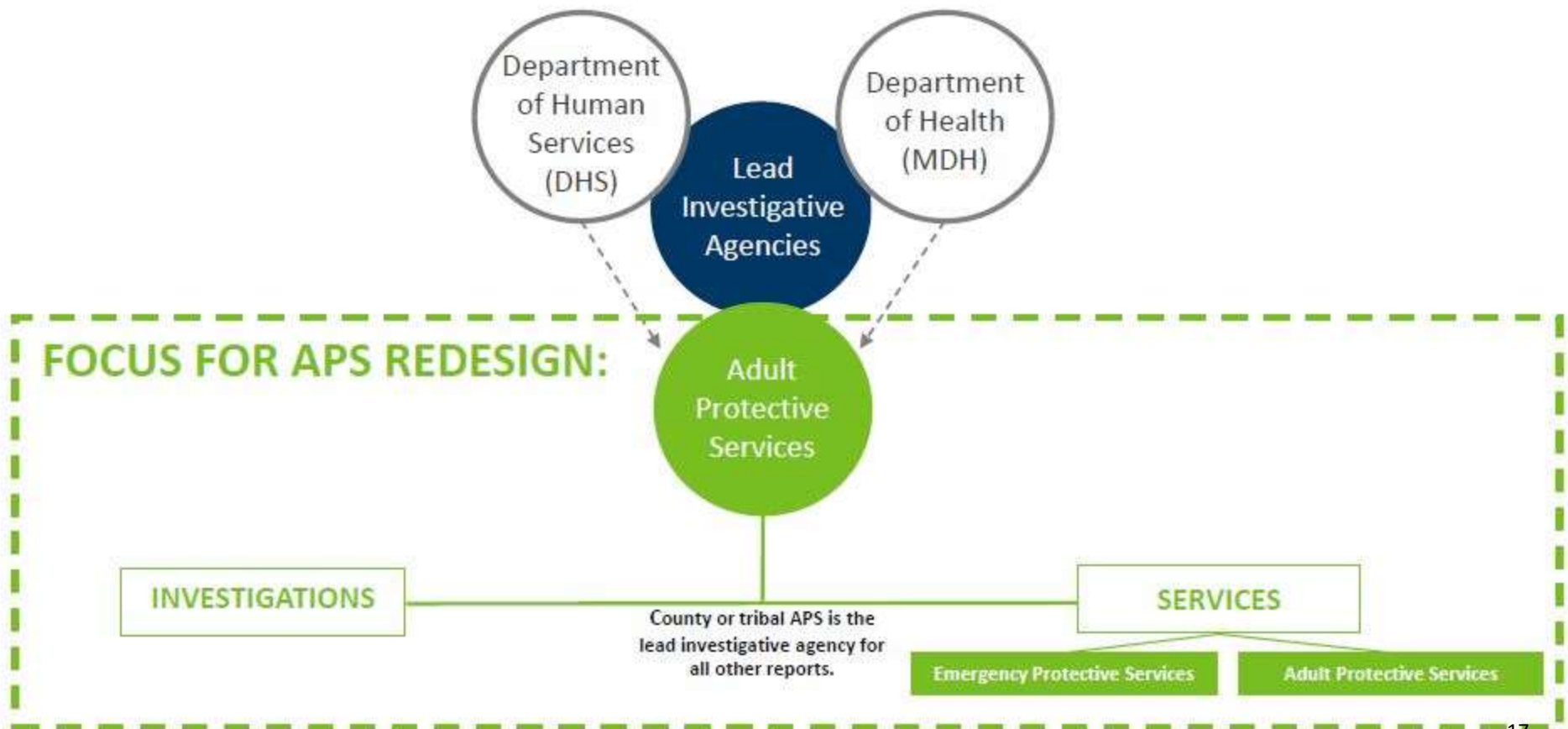
APS Funding

- Federal Social Service Block Grants (SSBG) allocated under [256M.40](#)
FY19 772,637
- State Grants Allocated under [256M.40](#) and [256M.42](#)
CY20 4M
- Local Government
FY19 5.1M
- The first dedicated federal APS funding was included in the federal COVID-19 relief bill signed December 27, 2020

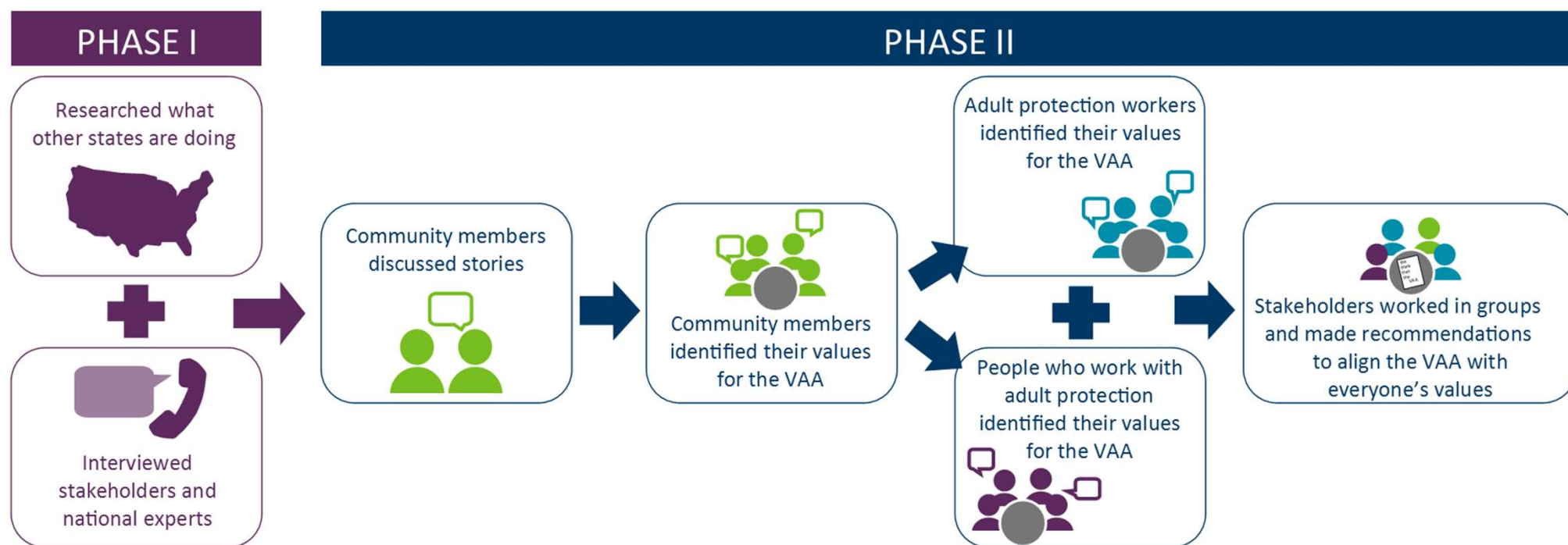
APS Vulnerable Adult Act (VAA) Redesign

- 1980 VAA designed for a facility based system of care
- Changing Demographics – more vulnerable adults
- Role is response, not prevention
- Does an investigatory response best promote safety?
- Do good intentions of unpaid caregivers matter in neglect?
- What about person-centered practices?
- APS system was developed without resources

VAA Redesign – Project Scope



VAA Redesign – Stakeholder Engagement Process



Scope of Stakeholder Engagement *(slide 1 of 2)*

June, 2019. **“The Vulnerable Adult Act and Adult Protective Services in Minnesota: A Review of National Models, Best Practices, and Stakeholder Insights”**

- 63 stakeholder interviews – federal, state, local, tribal government agencies, county APS, advocacy, researchers, care providers, law enforcement and justice system and thought leaders

August 22, 2019. **Addendum to “The Vulnerable Adult Act and Adult Protective Services in Minnesota: Stakeholder Insights”**

- Additional interviews were intended to ensure that the voices of historically marginalized groups were meaningfully included from the beginning of the project. MAD conducted 10 additional interviews from a list of organizations and interviewees provided by DHS

September – November, 2019. **Community Conversations**

- 20 organizations or community groups hosted Community Conversations
- 39 online submissions, representing 59 conversations

Scope of Stakeholder Engagement *(slide 2 of 2)*

November 22, 2019. **Community Stakeholder Summit**

- 24 people representing 14 organizations

December 3, 2019. **Institutional Stakeholder Summit**

- 42 attendees, including advocacy organizations, providers and provider associations, lawyers, law enforcement and representatives from the Minnesota Association of County Social Service Administrators (MACSSA) representing APS

December 13, 2019. **APS Stakeholder Summit**

- 49 APS staff representing 18 counties and one tribal nation

January – March, 2020. **Solution Groups**

- 43 people, 30 organizations and state agencies and 11 counties
- 60 recommendations

August 4-17, 2020. **Online public comment**

- 44 responses

VAA Redesign

Completely Supported Recommendations

- Increase awareness; Include underserved communities
- Offer support to vulnerable adults after a report is made
- Allow preventive services to be offered at any point
- Revise definition of caregiver, remove family relationship and focus on assumed responsibility
- Allow alternative to investigations; especially self-neglect
- Quality Assurance function to review screening decisions

VAA Redesign – Highly Supported Recommendations

- Maintain the rights of individuals involved in the process
- Support and expand collaboration and data sharing between partner agencies
- Support and expand multidisciplinary teams, but do not require them in statute
- Align system with ACL Guidelines
- Establish a quality assurance function to review APS decisions

Thank you!