

1.1 moves to amend H.F. No. 1432 as follows:

1.2 Page 5, after line 24, insert:

1.3 "(d) When the county social service agency does not accept a report for adult protective
1.4 services or investigation, the agency may offer assistance to the reporter or the person who
1.5 was the subject of the report.

1.6 (e) When the county is the lead investigative agency or the agency responsible for adult
1.7 protective services, the agency may coordinate and share data with the Native American
1.8 Tribes and case management agencies as allowed under chapter 13 to support a vulnerable
1.9 adult's health, safety, or comfort or to prevent, stop, or remediate maltreatment. The identity
1.10 of the reporter shall not be disclosed, except as provided in subdivision 12b."

1.11 Reletter the paragraphs in sequence

1.12 Page 11, after line 30, insert:

1.13 "Sec. 6. Minnesota Statutes 2020, section 626.557, subdivision 10, is amended to read:

1.14 Subd. 10. **Duties of county social service agency.** (a) When the common entry point
1.15 refers a report to the county social service agency as the lead investigative agency or makes
1.16 a referral to the county social service agency for emergency adult protective services, or
1.17 when another lead investigative agency requests assistance from the county social service
1.18 agency for adult protective services, the county social service agency shall immediately
1.19 assess and offer emergency and continuing protective social services for purposes of
1.20 preventing further maltreatment and for safeguarding the welfare of the maltreated vulnerable
1.21 adult. The county shall use a standardized ~~tool~~ tools and the data system made available by
1.22 the commissioner. The information entered by the county into the standardized tool must
1.23 be accessible to the Department of Human Services. In cases of suspected sexual abuse, the
1.24 county social service agency shall immediately arrange for and make available to the

2.1 vulnerable adult appropriate medical examination and treatment. When necessary in order
2.2 to protect the vulnerable adult from further harm, the county social service agency shall
2.3 seek authority to remove the vulnerable adult from the situation in which the maltreatment
2.4 occurred. The county social service agency may also investigate to determine whether the
2.5 conditions which resulted in the reported maltreatment place other vulnerable adults in
2.6 jeopardy of being maltreated and offer protective social services that are called for by its
2.7 determination.

2.8 (b) Within five business days of receipt of a report screened in by the county social
2.9 service agency for investigation, the county social service agency shall determine whether,
2.10 in addition to an assessment and services for the vulnerable adult, to also conduct an
2.11 investigation for final disposition of the individual or facility alleged to have maltreated the
2.12 vulnerable adult.

2.13 (c) The county social service agency must investigate for a final disposition the individual
2.14 or facility alleged to have maltreated a vulnerable adult for each report accepted as lead
2.15 investigative agency involving an allegation of abuse, caregiver neglect that resulted in
2.16 harm to the vulnerable adult, financial exploitation that may be criminal, or an allegation
2.17 against a caregiver under chapter 256B.

2.18 (d) An investigating county social service agency must make a final disposition for any
2.19 allegation when the county social service agency determines that a final disposition may
2.20 safeguard a vulnerable adult or may prevent further maltreatment.

2.21 (e) If the county social service agency learns of an allegation listed in paragraph (c) after
2.22 the determination in paragraph (a), the county social service agency must change the initial
2.23 determination and conduct an investigation for final disposition of the individual or facility
2.24 alleged to have maltreated the vulnerable adult.

2.25 ~~(b)~~ (f) County social service agencies may enter facilities and inspect and copy records
2.26 as part of an investigation. The county social service agency has access to not public data,
2.27 as defined in section 13.02, and medical records under sections 144.291 to 144.298, that
2.28 are maintained by facilities to the extent necessary to conduct its investigation. The inquiry
2.29 is not limited to the written records of the facility, but may include every other available
2.30 source of information.

2.31 ~~(e)~~ (g) When necessary in order to protect a vulnerable adult from serious harm, the
2.32 county social service agency shall immediately intervene on behalf of that adult to help the
2.33 family, vulnerable adult, or other interested person by seeking any of the following:

3.1 (1) a restraining order or a court order for removal of the perpetrator from the residence
3.2 of the vulnerable adult pursuant to section 518B.01;

3.3 (2) the appointment of a guardian or conservator pursuant to sections 524.5-101 to
3.4 524.5-502, or guardianship or conservatorship pursuant to chapter 252A;

3.5 (3) replacement of a guardian or conservator suspected of maltreatment and appointment
3.6 of a suitable person as guardian or conservator, pursuant to sections 524.5-101 to 524.5-502;
3.7 or

3.8 (4) a referral to the prosecuting attorney for possible criminal prosecution of the
3.9 perpetrator under chapter 609.

3.10 The expenses of legal intervention must be paid by the county in the case of indigent
3.11 persons, under section 524.5-502 and chapter 563.

3.12 In proceedings under sections 524.5-101 to 524.5-502, if a suitable relative or other
3.13 person is not available to petition for guardianship or conservatorship, a county employee
3.14 shall present the petition with representation by the county attorney. The county shall contract
3.15 with or arrange for a suitable person or organization to provide ongoing guardianship
3.16 services. If the county presents evidence to the court exercising probate jurisdiction that it
3.17 has made a diligent effort and no other suitable person can be found, a county employee
3.18 may serve as guardian or conservator. The county shall not retaliate against the employee
3.19 for any action taken on behalf of the ~~ward or protected person~~ subject to guardianship or
3.20 conservatorship, even if the action is adverse to the county's interest. Any person retaliated
3.21 against in violation of this subdivision shall have a cause of action against the county and
3.22 shall be entitled to reasonable attorney fees and costs of the action if the action is upheld
3.23 by the court."

3.24 Renumber the sections in sequence

3.25 Page 12, line 22, delete "is deceased,"

3.26 Page 12, line 23, delete the comma

3.27 Page 18, line 25, after "for" insert "all or a portion of"

3.28 Correct the title numbers accordingly