

# **Maltreatment of Vulnerable Adults and Minors Reporting Policy and Procedure**

## **Policy**

Adults and minors (children) with developmental disabilities are more vulnerable to maltreatment than others. Lifeworks Services, Inc. is required by state law to ensure the safety of vulnerable individuals and report any suspected maltreatment in accordance to MN Statutes 245A, 245D and 626.5572 and 626.556. All Lifeworks staff are considered mandated reporters.

## **Procedure:**

### **Vulnerable Adults:**

#### **A. Who should report suspected maltreatment of a vulnerable adult:**

1. As a mandated reporter, if you know or suspect that a vulnerable adult has been maltreated, you must report it immediately (as soon as possible, but no longer than 24 hours from the time initial knowledge that the incident occurred has been received).

#### **B. Where to report suspected maltreatment of a vulnerable adult:**

1. If you know or suspect that a vulnerable adult is in immediate danger, call 911.
2. You may report suspected maltreatment of a vulnerable adult internally or externally. Internally, you may report to your Lifeworks supervisor (primary person) or the compliance committee (secondary person) at 651-454-2732. Externally, you may report to the Minnesota Adult Abuse Reporting Center (MAARC), formerly known as the Common Entry Point, by calling 1-844-880-1574 which is open 24 hours a day, seven days a week or through their webpage at [mn.gov/dhs/reportadultabuse/](http://mn.gov/dhs/reportadultabuse/).

#### **C. What to report:**

1. Definitions of maltreatment of a vulnerable adult are located at the end of this policy.
2. An external or internal report should contain enough information to identify the vulnerable adult, the caregiver, the nature and extent of the suspected maltreatment, any evidence of previous maltreatment, the name and address of the reporter, the time, date, and location of the incident, and any other information that the reporter believes might be helpful in the investigation of the suspected maltreatment.

#### **D. Definition of a Vulnerable Adult:**

1. Anyone over the age of 18 who:
  - a. has a physical, mental or emotional disorder that makes it difficult for the person to care for themselves without help and to protect themselves from maltreatment;
  - b. is in a hospital, nursing home, transitional care unit, assisted living, housing with services, board and care, foster care or other licensed care facility; or
  - c. receives services such as home care, day services, personal care assistance or other licensed services.

### **Minors (children):**

#### **A. Who should report suspected maltreatment of a minor:**

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1. If you provide care to minors (children) served by this program, you are legally required or mandated to report and cannot shift the responsibility of reporting to your supervisor or to anyone else at your licensed facility.
2. If you know or have reason to believe that a child is being or has been neglected or physically or sexually abused within the preceding three years you must immediately (as soon as possible, but no longer than 24 hours) make a report to an outside agency (see the list of county phone numbers at the end of this policy). B.

Where to report suspected maltreatment of a minor:

1. If you know or suspect that a vulnerable individual is in immediate danger, call 911.
2. All reports concerning suspected maltreatment of a minor (child) in a licensed facility must be made to the Department of Human Services, Licensing Division's Maltreatment Intake line at (651) 431-6600. All other possible violations of the Minnesota Statutes or Rules should be reported to the Department of Human Services, Licensing Division at (651) 431-6500.
3. All reports concerning suspected maltreatment of a minor (child) within a family or in the community should be made to the local law enforcement or county social services agency (see list of counties and phone numbers at the end of this policy). C.

What to report:

1. Definitions of maltreatment of a minor (children) are located at the end of this policy.
2. A report to any of the above agencies should contain enough information to identify the child involved, any persons responsible for the abuse or neglect (if known), and the nature and extent of the maltreatment and/or possible licensing violations. For reports concerning suspected abuse or neglect occurring within this program, the report should include any actions taken by this program in response to the incident.
3. An oral report of suspected abuse or neglect made to one of the above agencies by a mandated reporter must be followed by a written report to the same agency within 72 hours, exclusive of weekends and holidays.

**Internal Reporting & Review:**

A. Internal Reports:

1. When an internal report is received regarding a vulnerable adult, the program supervisor (for intensive support services) or service coordinator (for basic support services) is responsible for deciding if a report to the MAARC is required. If that person is involved in the suspected maltreatment, the program manager or compliance committee (651-454-2732) will assume responsibility for deciding.
2. The report to the MAARC must be as soon as possible (no longer than 24 hours from the time initial knowledge of the incident occurred has been received).
3. If you have reported internally, you will receive a confidential written notice within 2 business days that tells you whether or not your report regarding an abuse of a vulnerable adult has been forwarded to the MAARC. If you are not satisfied with the action taken, you may still make an external report to the MAARC. B. Internal Review:

1. When Lifeworks has reason to believe that an internal or external report of alleged or suspected maltreatment has been made, an internal review will be conducted and will take corrective action, if necessary, to protect the health and safety of the vulnerable individual.
2. The internal review will include an evaluation of whether: related policies and procedures were followed; the policies and procedures were adequate; there is a

need for additional staff training; the reported event is similar to past events with the vulnerable individual or the services involved; and there is a need for corrective action by the license holder to protect the health and safety of the vulnerable individual.

3. The internal review will be completed by the compliance committee within 30 calendar days. If an individual from the compliance committee is involved in the alleged or suspected maltreatment, the individual will be removed from being involved in the internal review.
4. Internal reviews regarding maltreatment will be made accessible to the commissioner (DHS) immediately (within 24 hours) upon the commissioner's request.
5. Based on the internal review, a correction action plan will be developed, documented and implemented to correct current lapses and assist in preventing future lapses in performance by individuals or the program.

### **Failure to Report, Retaliation and Training:**

#### **A. Failure to Report:**

1. A mandated reporter who negligently or intentionally fails to report suspected maltreatment of a vulnerable adult is liable for damages caused by the failure to report.
2. A mandated reporter who knows or has reason to believe a child is or has been neglected or physically or sexually abused and fails to report is guilty of a misdemeanor. In addition, a mandated reporter who fails to report maltreatment that is found to be serious or recurring maltreatment may be disqualified from employment in positions allowing direct contact with persons receiving services from programs licensed by the Department of Human Services and by the Minnesota Department of Health, and unlicensed Personal Care Provider Organizations.

#### **B. Retaliation Prohibited:**

1. A facility or person shall not retaliate against any person who reports in good faith or against the vulnerable individual with respect to whom the report is made.
2. The Reporting of Maltreatment of Minors Act contains specific provisions regarding civil actions that can be initiated by mandated reporters who believe that retaliation has occurred.

#### **C. Orientation for persons served:**

1. Orientation will be provided regarding the internal and external reporting procedures to all persons served and/or legal representatives within 24 hours of admission or within 72 hours if the person would benefit more from a later orientation.

#### **D. Staff training:**

1. Staff will receive training on this policy, Minnesota Statutes, sections [626.556](#), [626.557](#) and [626.5572](#), the requirements of Minnesota Statutes, section [245A.65](#), the program's program abuse prevention plan when applicable, and all internal policies and procedures related to the prevention and reporting of maltreatment of individuals receiving services.
2. The program will document the provision of this training, monitor implementation by staff, and ensure that the policy is readily accessible to staff, as specified under Minnesota Statutes, section [245A.04](#), subdivision 14.

### **Definitions of Maltreatment of a Vulnerable Adult:**

#### **A. Abuse of a Vulnerable Adult include:**

1. Physical, emotional and sexual abuse, use of restraints, involuntary seclusion or punishment.
- B. Neglect of a Vulnerable Adult include:
  1. Failure to provide necessary food, shelter, clothing, health care or supervision because of neglect by a caregiver or because the vulnerable adult cannot meet their own needs.
- C. Financial Exploitation of a Vulnerable Adult include:
  1. Theft or withholding of money or property and/or use of money or property not for the vulnerable adult's benefit.
- D. Visit MN Statutes 626.5572 for more information on maltreatment of vulnerable adults.

**Definitions of Maltreatment of a Minor:**

A. Neglect of a Minor:

1. Neglect is the most common form of maltreatment and is usually a failure of a child's caregiver to:
  - a. provide needed food, clothing, shelter, medical or mental health care, education or appropriate supervision;
  - b. protect a child from conditions or actions that endanger the child; or
  - c. take steps to ensure that a child is educated as required by law.
2. Exposing a child to certain drugs during pregnancy and causing emotional harm to a child may also be considered neglect. B. Physical Abuse:

1. This is when a caregiver causes any physical injury, or threatens harm or substantial injury, on a child other than by accident. Physical abuse can range from minor bruises to severe internal injuries and death. C. Mental Injury:

1. This is harm to a child's psychological capacity or emotional stability evidenced by an observable and substantial impairment of a child's functioning. D. Sexual Abuse:

1. This is when a child is a victim of a criminal sexual act or threatened act committed by:
  - a. a person responsible for a child's care;
  - b. a person who has a significant relationship to a child; or
  - c. a person in a position of authority.

E. Visit MN Statutes 626.556 for more definitions on maltreatment of minor (children).

**County Phone Numbers to Report Maltreatment of a Minor (children):**

COUNTY	DAY	EVENING/WEEKEND
AITKIN	(218) 927-7200 or (800) 328-3744	(218) 927-7400
ANOKA	(763) 422-7168	(651) 291-4680
BECKER	(701) 235-3620	(701) 235-3620
BELTRAMI	(218) 333-4223	(218) 751-9111
BENTON	(320) 968-5087	(320) 968-7201
BIG STONE	(320) 839-3558	(320) 839-3558
BLUE EARTH	(507) 304-4319	(507) 625-9034

BROWN	(507) 354-8246	(507) 233-6720
CARLTON	(218) 879-4511	(218) 384-4185
CARVER	(952) 361-1600	(952) 226-1483
CASS	(218) 547-1340	(218) 547-1424
CHIPPEWA	(320) 269-6401	(320) 269-2121
CHISAGO	(651) 213-0324	(651) 213-5617
CLAY	(218) 299-5200	(218) 299-5171
CLEARWATER	(218) 694-6226	(218) 694-6226
COOK	(218) 387-3620	(218) 387-3030
COTTONWOOD	(507) 831-1891	(507) 831-1375
CROW WING	(218) 824-1140	(218) 829-4749

COUNTY	DAY	EVENING/WEEKEND
DAKOTA	(651) 554-6000	(952) 891-7171
DODGE	(507) 635-6170	(507) 635-6200
DOUGLAS	(320) 762-2302	(320) 762-8151
FARIBAULT	(507) 526-3265	(507) 526-5148
FILLMORE	(507) 765-2175	(507) 765-3874
FREEBORN	(507) 377-5400	(507) 377-3081 or (507) 373-2940
GOODHUE	(651) 385-3000	(612) 385-3155
GRANT	(218) 685-4417	(218) 685-5303
HENNEPIN	(612) 348-8526	(612) 348-8526
HOUSTON	(507) 725-5811	(507) 725-3379
HUBBARD	(218) 732-1451	(218) 732-3331
ISANTI	(763) 689-8146	(763) 689-2141
ITASCA	(218) 327-2941	(218) 327-2941
JACKSON	(507) 847-4000	(507) 847-4420
KANABEC	(320) 679-6350	(320) 679-2141
KANDIYOHI	(320) 231-6232	(320) 235-2244
KITSON	(218) 843-2689 or (800) 672-8026	(218) 843-3535

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KOOCHICHING	(218) 283-7000	(218) 283-4416
LAC QUI PARLE	(320) 598-3720	(320) 598-3720
LAKE	(218) 834-8401	(218) 834-8385
LAKE OF THE WOODS	(218) 634-2642	(218) 634-1143
LE SUEUR	(507) 357-8288	(507) 357-2251
LINCOLN	(507) 532-6241 or (800) 657-3811	(507) 694-1664
LYON	(507) 532-6241 or (800) 657-3811	(507) 537-7000
MAHNOMEN	(218) 935-2568	(218) 935-2255
MARSHALL	(218) 745-5124	(218) 745-5411
MARTIN	(507) 526-3265	(507) 526-5148
MC LEOD	(320) 864-3144	(320) 864-3134
MEEKER	(320) 693-5300	(320) 693-5400
MILLE LACS	(320) 983-8208	(320) 983-8257
MORRISON	(320) 632-2951	(320) 632-9233
MOWER	(507) 437-9700	(507) 437-9400
MURRAY	(507) 352-6241 or (800) 657-3811	(507) 836-6168
NICOLLET	(507) 934-8559	(507) 931-1570 or (800) 247-5044
NOBLES	(507) 372-2157	(507) 372-2136
NORMAN	(218) 784-5400	(800) 422-0863
OLMSTED	(507) 328-6400	(507) 281-6248
OTTER TAIL	(218) 998-8150	(218) 998-8555
<b>COUNTY</b>	<b>DAY</b>	<b>EVENING/WEEKEND</b>
PENNINGTON	(218) 683-4350	(218) 683-4350
PINE	(800) 450-7263	(800) 629-3930
PIPESTONE	(507) 825-6700	(507) 825-6700
POLK	(218) 281-3127	(218) 281-0431
POPE	(320) 634-5750	(320) 634-5411
RAMSEY	(651) 266-4012	(651) 291-6795
RED LAKE	(218) 253-4131	(218) 253-2996
REDWOOD	(507) 637-4050	(507) 637-4036

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RENVILLE	(320) 523-2202	(320) 523-1161
RICE	(507) 332-6115	(800) 422-1286
ROCK	(507) 283-5070	(507) 283-5000
ROSEAU	(218) 463-2411	(218) 463-1421
SCOTT	(952) 445-7751	(952) 496-8484
SHERBURNE	(763) 241-2600	(763) 607-0969 or (763) 241-2500
SIBLEY	(507) 237-4000	(507) 237-4330
ST. LOUIS	(218) 726-2164 or (800) 450-9777	(218) 726-2164 or (877) 474-4290
STEARNS	(320) 656-6000	(320) 656-6000
STEELE	(507) 444-7500	(507) 451-8232
STEVENS	(320) 589-7400	(320) 589-2141
SWIFT	(320) 843-3160	(320) 843-3133
TODD	(320) 732-4500	(320) 732-2157
TRAVERSE	(320) 563-8255	(320) 563-4244
WABASHA	(651) 565-3351	(651) 565-3361
WADENA	(218) 631-7605	(218) 631-7600
WASECA	(507) 835-0560	(507) 835-0500
WASHINGTON	(651) 430-6484	(651) 291-6795
WATONWAN	(507) 375-3294	(507) 375-3121
WILKIN	(218) 643-8013	(218) 643-8544
WINONA	(507) 457-6200	(507) 457-6368
WRIGHT	(763) 682-7400	(763) 490-8569
YELLOW MEDICINE	(320) 564-2211	(320) 564-2130

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