

House Research Act Summary

CHAPTER: 465

SESSION: 2000 Regular Session

TOPIC: Vulnerable Adults; Developmentally Disabled Persons

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Overview

This act creates a panel to review agency decisions regarding maltreatment of vulnerable adults.

- 1 **Vulnerable adult maltreatment review panel.** Provides a cross-reference in the data practices chapter relating to classification of vulnerable adult maltreatment review panel data.
- 2 **Vulnerable adult maltreatment review panel.**
 - Subd. 1. Creation.** (a) Requires the commissioner of human services to establish a panel to review vulnerable adult maltreatment determinations. Requires quarterly meetings.
 - (b) Requires the panel to consist of representatives from DHS, MDH, the ombudsperson for older Minnesotans, the ombudsperson for mental health and mental retardation, and the board on aging.
 - Subd. 2. Review procedure.** (a) Provides procedures if a vulnerable adult or a person acting on the vulnerable adult's behalf requests a review. Provides time frames in which the panel must act. Provides that it is a "paper" review. Permits consolidation of requests relating to the same matter.
 - (b) Requires an opinion within 30 days. Requires the panel to make specific investigative recommendations if it determines reconsideration is necessary. Requires the responsible agency to make a redetermination, and explain its rationale, within 30 days.
 - Subd. 3. Report.** Requires the panel to report its general activities to the legislature annually.
 - Subd. 4. Data.** Classifies review panel data as private data on individuals.
- 3 **Lead agency; notification, dispositions, and determinations.** Requires the agencies responsible for investigating maltreatment to notify affected persons of their right to seek a review by the panel.
- 4 **Administrative reconsideration of final disposition; review panel.** Clarifies the role and

standing of a person acting on a vulnerable adult's behalf. Permits a vulnerable adult or someone acting on a vulnerable's behalf to request a review by the panel. Requires that the request be made within 30 days of receipt of the agency decision. Requires the request to be in writing and to specifically identify the reasons the person was dissatisfied. Defines "interested person acting on behalf of the vulnerable adult."

5 **Exchange of information.** Requires agencies responsible for investigating maltreatment to share "not public data" with the panel as necessary for a review. Requires return of the data when the review is completed.

6 **Southern Cities Community Health Clinic.** Requires DHS to offer psychiatric and dental services to developmentally disabled clients in the Faribault area through the Southern Cities Community Health Clinic. Requires DHS to consult with certain interested parties and legislators before making changes to the Southern Cities Community Health Clinic or the services it provides. Requires DHS to guarantee services through the Southern Cities Community Health Clinic until other appropriate arrangements have been made and DHS has notified certain legislators of its plans prior to a regular legislative session.