

# HOUSE RESEARCH

## Bill Summary

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**Version:** First engrossment

**Authors:** Abeler and others

**Subject:** Standards for reporting maltreatment in licensed programs serving persons with mental retardation or related services

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### Overview

This bill modifies the licensing standards for programs serving persons with mental retardation or related conditions. The bill modifies the requirements for license holders to report and maintain certain information about incidents involving consumers at the licensed program. It also requires licensed programs to develop individualized assessments of a consumer's susceptibility to abuse by other individuals, including other vulnerable adults.

### Section

- 1 **Incident.** Amends § 245B.02, subd. 10. Modifies the definition of incident.
- 2 **Reporting incidents.** Amends § 245B.05, subd. 7. (a) Requires the license holder to maintain information about and report within 24 hours certain incidents involving a consumer to a consumer's legal representative, licensed caregiver, if any, and case manager. Provides that the report need not be made if the incident has been reported by another license holder.  
(b) When the incident involves more than one consumer, prohibits the license holder from disclosing personally identifiable information about a consumer to other consumers' legal representatives, other licensed caregivers, if any, and case managers unless a consumer consents to the disclosure.  
(c) Within 24 hours of reporting child or vulnerable adult maltreatment under section 626.556 or 626.557, requires the license holder to inform a consumer's legal representative or case manager of the report unless the suspected maltreatment involves the legal representative or case manager. Specifies the information the license holder must disclose regarding the maltreatment.
- 3 **Consumer data file.** Amends section § 245B.07, subd. 1. Specifies additional information that a license holder must maintain for each consumer, including information about incidents; reports; and verbal aggression directed at a consumer by another consumer.

- 4 **Abuse prevention plans.** Amends § 626.557, subd. 14. Requires a facility's individual abuse prevention plan for each vulnerable adult residing in or receiving services from the facility to include an individualized assessment of the person's susceptibility to abuse by other individuals, including other vulnerable adults.