



Reviewed: October 2023

## MALTREATMENT OF VULNERABLE ADULTS MANDATED REPORTING

### MANDATED REPORTERS

All employees of MSS or persons providing services to an individual enrolled in an MSS program while that person served is under the supervision or care of MSS are mandated reporters and *must* report any suspected maltreatment immediately (within 24 hours).

### REPORTING PROCEDURE

- You may report internally to the Program Supervisor or Director of your center. If the Program Supervisor or Director is involved in the alleged or suspected maltreatment, you must report to the Vice President of Program Services. *When possible, internal reporting is preferred in order to ensure that all required steps are completed.*
- Or, you may report directly to the state-wide common entry point, the Minnesota Adult Abuse Reporting Center (MAARC) – contact information is below.
- Regardless of the method of reporting (internal or external), a report must be made to MAARC **within 24 hours** of the initial reporter becoming aware of the suspected maltreatment. The person receiving the initial report will maintain primary responsibility for ensuring that the MAARC is contacted and that the information provided is accurate, complete, and turned in within 24 hours of the initial report.
- If you have reported internally, you should receive, within two working days, a written notice that tells you whether or not your report has been forwarded to MAARC. You should receive this notice in a manner that protects your identity. It will inform you that, if you are not satisfied with MSS' decision on whether or not to report externally, you may still contact the reporting center and be protected against retaliation.

### INTERNAL REVIEW & CORRECTIVE ACTION

For each instance of maltreatment reporting, MSS will conduct an internal review within 30 days. 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 adults or the services involved; and
- There is a need for corrective action by MSS to protect the health and safety of vulnerable adults.

Submit reports to MAARC via phone by calling:

1-844-880-1574

Submit reports to MAARC's online reporting system by visiting:

[mn.gov/dhs/reportadultabuse/](https://mn.gov/dhs/reportadultabuse/)



## Maltreatment Reporting and Response Policy

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### POLICY

MSS is committed to protecting adults who, because of a disability, are vulnerable to maltreatment.

All employees of MSS or persons providing services to an individual enrolled in an MSS program while that person served is under the supervision or care of MSS are considered **mandated reporters** and *must* report any suspected maltreatment immediately (within 24 hours).

**Maltreatment** includes:

- Abuse, including physical, emotional and sexual abuse, use of restraints, involuntary seclusion or punishment
- Neglect, including 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
- Financial exploitation, including theft or withholding of money or property and/or use of money or property not for the vulnerable adult's benefit.

### PROCEDURE

#### How and Where to Report

- You may report internally to the Program Supervisor or Director of your center. If the Program Supervisor or Director is involved in the alleged or suspected maltreatment, you must report to the Vice President of Program Services. *When possible, internal reporting is preferred in order to ensure that all steps in this policy are completed.*
- Or, you may report directly to the state-wide common entry point, the Minnesota Adult Abuse Reporting Center (MAARC), verbally at 844-880-1574 or online at [mn.gov/dhs/reportadultabuse](https://mn.gov/dhs/reportadultabuse).
- Regardless of the method of reporting (internal or external), a report must be made to MAARC **within 24 hours** of the initial reporter becoming aware of the suspected maltreatment.

#### Internal Reports

When an internal report is received, the Program Supervisor or Director who received it is responsible for deciding if the report must be forwarded to the MAARC. This responsibility may be delegated to another staff member; however, the Supervisor or Director receiving the report will maintain primary responsibility for ensuring the report is made to MAARC accurately, completely, and in compliance with all applicable laws and standards within 24 hrs. If the Supervisor or Director is involved in the suspected maltreatment, the Vice President of Program Services will assume responsibility for forwarding the report to the MAARC.

If you have reported internally, you will receive, **within two working days**, a written notice that tells you whether or not your report has been forwarded to the MAARC. The notice will be given to you in a manner that protects your identity. It will inform you that, if you are not satisfied with the decision on whether or not to report externally, you may still make the external report to the MAARC yourself. It will also inform

you that you are protected against any retaliation if you decide to make a good faith report to the MAARC.

In addition, the Supervisor or Director receiving the report will ensure that:

- The person served, their guardian and residence (if applicable), and their county case manager are informed of the suspected maltreatment **within 24hrs of making the report**. Notification is not required if there is reason to believe that any of these people are involved in the suspected maltreatment.
- When an incident or accident involves more than one person enrolled in an MSS program, MSS will not disclose personally identifiable information about any other person served when making the report to each person's legal representative, other licensed caregiver, if any, and case manager, unless MSS has the consent of that person served or his or her legal representative.
- An MSS Accident/Incident and Emergency Report is completed (if applicable) and routed per standard procedures.
- Other required agencies are notified as appropriate:
  - Ombudsman and Department of Human Services Licensing Division, if serious injury or death occurred.
  - OSHA, if a work-related death or injury such as inpatient hospitalization, amputation, or loss of an eye occurred.
- A dated Case Note is written and included in the individual's file stating that they a report of suspected maltreatment was made to MAARC on their behalf. The Case Note should contain only general information about the incident.
- The Vulnerable Adult Maltreatment Reporting Checklist is completed. Compile all the documents and forward to the Vice President of Program Services in preparation for the Internal Review.

### **Internal Review**

When MSS has reason to know that an internal or external report of alleged or suspected maltreatment has been made, it must complete an internal review **within 30 calendar days** and take corrective action, if necessary, to protect the health and safety of vulnerable adults.

The internal review must include an evaluation of whether:

- a. Related policies and procedures were followed
- b. The policies and procedures were adequate
- c. There is a need for additional staff training
- d. The reported event is similar to past events with the vulnerable adults or the services involved; and
- e. There is a need for corrective action by the license holder to protect the health and safety of vulnerable adults.

The internal review will be initiated and coordinated by the Vice President of Program Services. If this

individual is involved in the alleged or suspected maltreatment, The President/CEO will be responsible for initiating and coordinating the internal review. The review may be delegated to another staff member to complete.

**Documentation of the Internal Review**

MSS will document completion of the internal review and make internal reviews accessible to the commissioner immediately upon the commissioner's request.

**Corrective Action Plan**

Based on the results of the internal review, the MSS will develop, document, and implement a corrective action plan designed to correct current lapses and prevent future lapses in performance by individuals or the organization, if any.

**Annual Review**

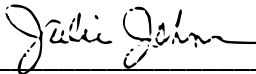
An annual review of all reports of suspected maltreatment, subsequent corrective action, if applicable, and DHS disposition will be conducted by the Director of Quality Assurance. The purpose of this review is to identify trends at the agency level and recommend further corrective action to practices and policies if warranted. This review will be included in MSS' annual Compliance Report.

**Staff Training**

The license holder shall ensure that each new mandated reporter receives an orientation within 72 hours of first providing direct contact services to a vulnerable adult and annually thereafter. The orientation and annual review shall inform the mandated reporters of the reporting requirements and definitions specified under Minnesota Statutes, sections [626.557](#) and [626.5572](#), the requirements of Minnesota Statutes, section [245A.65](#), the license holder's program abuse prevention plan, and all internal policies and procedures related to the prevention and reporting of maltreatment of individuals receiving services.

The license holder must 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](#).

**THIS REPORTING POLICY MUST BE POSTED IN A PROMINENT LOCATION, AND BE MADE AVAILABLE UPON REQUEST.**

  
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Julie Johnson, President/CEO

10/3/23  
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Date

**Related Forms:**

- Maltreatment Reporting and Response Checklist*
- Maltreatment Reporting Form*
- Maltreatment Case Note for Individual's Master File*
- Written Notice to Mandated Reporters*