

## Stronger protections and oversight for vulnerable adults

### Issue:

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- Older and vulnerable adults have the right to live in dignity, free from harm, and to receive high-quality care.
- Despite multiple laws designed to safeguard older and vulnerable adults from abuse and to protect their rights as consumers, there are gaps in these laws.
- More resources are needed to protect the rights of older and vulnerable adults.
- Governor Mark Dayton's comprehensive proposal is based on the report, *Addressing Elder Abuse in Minnesota Long-Term Care Settings*, developed by an independent consumer workgroup.

### Proposals:

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- Increased staffing for the Office of the Ombudsman for Long-Term Care will help meet consumer demand for services as an independent advocate for people receiving health care and supportive services. At no cost to consumers, ombudsman staff investigate complaints concerning long-term care consumers; work to resolve concerns; identify problems; and advocate for changes.
- Greater capacity for the Minnesota Adult Abuse Reporting Center will allow it to serve as the single entry point for reports of abuse and neglect from nursing facilities and other federally licensed facilities.
- The Minnesota Adult Abuse Reporting Center's process for notifying law enforcement of apparent criminal behavior in suspected maltreatment reports will be automated and improved.
- Counties' capacity to respond to reports of suspected maltreatment will be strengthened.
- A new appeal process will create a new option if a vulnerable adult or other interested person disagrees with an investigation's finding. Currently they can request reconsideration by the investigative agency and, as a next step, review by a Vulnerable Adult Maltreatment Review Panel. Under the proposal, they could ask for a fair hearing, a more formal process involving a DHS human services judge.
- The DHS Licensing Division will expand its capacity to meet an anticipated increase in reports and to allow for increased communication between investigators, family members and other interested parties.
- Staffing will be provided to support a stakeholder process to develop an assisted living licensure framework.

### Benefits:

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- The rights of older and vulnerable adults will be protected.
- Allegations will be investigated in a timely manner.

- The system for reporting and investigating allegations of abuse will be responsive to the needs of older vulnerable adults and their families.

## Fiscal impact:

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- Office of the Ombudsman for Long Term Care: \$1.28 million in FY 2018-19; \$2.92 million in FY 2020-21.
- Minnesota Adult Abuse Reporting Center: \$2.2million in FY 2018-19; \$3.9 million in FY 2020-21.
- Minnesota Adult Abuse Reporting Center, law enforcement notification: \$411,000 in FY 2018-19; \$575,000 in FY 2020-21.
- County adult protection grants: \$3 million in FY 2018-19; \$7.5 million in FY 2020-21.
- New appeals process: \$679,000 in FY 2018-19; \$1.42 million in FY 2020-21.
- DHS Licensing Division: \$519,000 in FY 2018-19; \$1.07 million in FY 2020-21.
- Assisted living stakeholder process: \$120,000 in FY 2018-19; \$264,000 in FY 2020-21.
- Enforcement enhancements: \$114,000 in FY 2018-19; \$103,000 in FY 2020-21.
- Federal financial participation offsets costs: (\$1.44 million) in FY 2018-19 and (\$3.1 million) in FY 2020-21.
- Total net cost of the proposal is \$6.872 million in FY 2018-19 and \$14.672 million in FY 2020-21.

## Related information:

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- Office of the Ombudsman for Long-Term Care webpage: <https://mn.gov/dhs/people-we-serve/seniors/services/ombudsman/>
- Minnesota Adult Abuse Reporting Center webpage: <https://mn.gov/dhs/people-we-serve/adults/services/adult-protection/>
- Minnesota Department of Human Services Office of the Inspector General webpage: <https://mn.gov/dhs/general-public/office-of-inspector-general/>

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