

# Swift County Adult Protection Services Prioritization Guidelines

Adult Maltreatment Reports received by the Lead Investigative Agency (LIA) will be reviewed by the Swift County Human Services Adult Protection (AP) supervisor and/or AP Screening Team. The LIA will contact the Reporter for clarifying details as needed. All reports will be subsequently screened for investigation by the LIA.

Reports containing allegations of maltreatment against a minor child will be cross-reported to Child Protective Services.

The Screening Team will utilize the Minnesota Adult Protection Structured Decision Making and Standardized Tools Guidelines and Procedures Manual and the following Swift County Prioritization Guidelines in making screening decisions:

## Emergency Protective Services Criteria:

1. Recent sexual assault and has not received a sexual assault examination.
2. Immediate risk of physical assault or sexual assault or abuse.
3. Believed to be at risk of serious injury or loss of health, or death due to:
  - Illness or condition with no way to obtain necessary medical care,
  - Physical or sexual assault,
  - No food or water and no way to obtain food or water,
  - Does not meet own needs for necessary care or supervision and there is no way to obtain necessary care,
  - Dependent on a caregiver who does not meet the vulnerable adult's needs for necessary care or supervision, or Exposure to extreme heat, cold or other environmental hazard.

In the course of providing emergency protective services, Adult Protection will attempt to coordinate a response with law enforcement, Minnesota Department of Health or Minnesota Department of Human Services Licensing Division when applicable. Emergency protective services will be provided for the purposes of preventing further maltreatment and for safeguarding the welfare of the maltreated vulnerable adult as described in Minnesota Statutes 626.557 Subd. 10.

## Investigation Criteria:

1. Does the person meet the definition of a Vulnerable Adult as described in Minnesota Statutes 626.5572.
  - **Categorical Vulnerable Adult:** The person is a resident of a facility or receives licensed services.
  - **Functional Vulnerable Adult:** The person has a physical or mental infirmity that impairs his/her ability to provide food, clothing, shelter, healthcare or supervision without assistance, and because of the dysfunction is unable to protect self from maltreatment.
2. Does the report allege maltreatment as described in Minnesota Statutes 626.5572?
  - **Abuse:**
    - Physical: Hitting, slapping, kicking, punching, biting, corporal punishment
    - Emotional: Oral, written, or gestured repeated and/or malicious remarks that a reasonable person would consider derogatory, humiliating, harassing or threatening
    - Mental: Unauthorized aversive or deprivation procedures, unreasonable confinement, seclusion or isolation
    - Sexual: Contact or penetration, consensual or nonconsensual
    - Involuntary Servitude: Forced to perform service for the advantage of another
  - **Financial Exploitation:**
    - Fiduciary relationship:

- Unauthorized expenditure of funds likely to result in detriment to VA, or
- Failure to use funds for the VA and the failure results in/likely to result in detriment to the VA.
- Non-fiduciary relationship:
  - Willfully uses, withholds, disposes of funds or property of VA, or
  - Obtains for self/another services to detriment of VA, or
  - Acquires possession/control/interest in VA's property or funds through undue harassment, influence, duress, deception or fraud, or
  - Forces, compels, coerces or entices VA to perform service for another's advantage.
- **Neglect:**
  - Caregiver: Fails to supply care/services reasonable and necessary to maintain the person (i.e. food, clothing, shelter, healthcare and supervision)
  - Self: Absence of food, clothing, shelter, healthcare, supervision, services essential to the welfare or safety of the person

3. Does the report describe harm or detriment to the person?

4. Does the person's formal and/or informal support system lack the ability to resolve the presenting problems or crisis?

- If the Vulnerable Adult receives ongoing case management services:
  - Self-neglect reports will be referred to a case manager for follow-up and resolution
  - All other maltreatment allegations will be considered for adult protective services and investigation via this screening protocol
  - Investigations will be coordinated with the current case manager
- If the Vulnerable Adult does not receive ongoing case management or other formal supports, can the presenting problem be resolved at intake through a referral for a MnChoices assessment or other service?

5. Is there a role for adult protective services or investigation? Consider whether involvement will have an impact or resolve the presenting problem.

- Human Services does not have the resources to pursue financial exploitation allegations where the alleged perpetrator/unknown perpetrator is located out of state/out of country. These cases will be screened based on whether or not the alleged victim has the resources to provide for himself or herself and this may result in self-neglect.

### **Additional Considerations:**

If Adult Protection will provide VA/DD Targeted Case Management services as needed. VA/DD TCM services are intended to coordinate, link and help Vulnerable Adults gain access to needed protective services, social, health care, mental health, habilitative, educational, vocational, recreational, advocacy, legal, chemical health and other related services. Recipients must be eighteen years of age or older, receiving Medical Assistance, and in need of service coordination to attain or maintain living in an integrated community setting.

Adult Protection cannot provide the following:

- Services to Vulnerable Adults who have capacity and refuse further intervention
- Ongoing monitoring of medications, treatment plans and finances
- Long-term support with Activities of Daily Living such as cleaning, transportation, personal cares and grocery shopping

In considering requests for guardianship and conservatorship, Adult Protection will follow its internal guardianship checklist established. Guardianship is the option of last resort, as it is the most restrictive option available. If a family member is willing and able to act appropriately on behalf of a Vulnerable Adult, Adult

Protection will provide information, referral and limited assistance to the family member with the court process. Legal advice cannot be provided.

In the event of the death of a Vulnerable Adult either prior to a report being received or during the course of an investigation, Adult Protection will consult with Supervisor, Director, Assistant County Attorney where case is located and that Counties APS Multi-Disciplinary Team. The following factors will be considered in determining whether to continue or discontinue the investigation: maltreatment allegation, cause and time of death, alleged perpetrator and law enforcement involvement.

Adult Protection will follow the most current edition of the Minnesota Department of Human Services Adult Protection Manual in providing adult protective services and investigation.

Developed as required by Minnesota Statutes 626.557  
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