



HEALTH AND HUMAN SERVICES POLICY

Department: Quality and Compliance

Policy Number: 3260

Policy Title: Mandated Reporting of Vulnerable Adults

Revision History: New Policy

Revised by/Date: Holly Hunter 4/2022

Commissioner Initials: *HH* **Director Initials:** *HH*

Approved by: *Jan Manary*
Jan Manary, Executive Director of Health Services

Date:
4/25/2022

POLICY: All employees of Mille Lacs Band Health and Human Services (HHS) who are mandated reporters are required to report any knowledge of abuse or neglect of a vulnerable adult. This includes any reasonable cause to believe that abuse or neglect has taken place.

AUTHORITY: Minnesota Statute 626.557

DEFINITIONS:

Mandated Reporter (MN) – A professional or professional's delegate who is required by law to make a report if they have reason to believe that abuse, neglect or financial exploitation of a vulnerable adult has occurred.

Mandated reporter means a professional or professional's delegate while engaged in:

- Social service,
- Law enforcement,
- Education
- Direct care
- Licensed health and human services professionals
- Employment in a licensed facility
- Medical examiner or coroner activities

Vulnerable Adult (MN) – A person over the age of 18 who meets one of the following criteria:

- Has physical, mental or emotional disorder that makes it difficult for the person to care for themselves without help and to protect themselves from maltreatment.
- Is in a hospital, nursing home, transitional care unit, assisted living, housing with services, board and care, foster care or other licensed care facility.
- Receives services such as home care, day services, personal care assistance or other licensed services.

POLICY DETAILS:

Who should report and where to report

- Any person may voluntarily report abuse or neglect by notifying the Minnesota Adult Abuse Reporting Center (MAARC).
 - Call MAARC at 1-844-800-1574



HEALTH AND HUMAN SERVICES POLICY

- Any mandated reporter who suspects maltreatment of a vulnerable adult should immediately file a report with MAARC.
 - Call MAARC at 1-844-800-1574 or via the online portal.
- Any mandated reporter who suspects maltreatment of a vulnerable adult must also cross report to Mille Lacs Band Family Services.
 - Prior to submitting the MAARC report, a user is able to print the report. These reports may be emailed to mlbo.fsintake@hhs.millelacsband-nsn.gov

What to report

- Abuse, including physical, emotional and sexual abuse, use of restraints, involuntary seclusion or punishment.
- Neglect, including failure to provide the food, shelter, clothing, health care or supervision necessary to maintain the person's health, safety or comfort. Neglect may be by a caregiver or service provider, 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.

Report not required

A report is not required in a circumstance where federal law specifically prohibits a person from disclosing patient identifying information in connection with a report of suspected maltreatment, unless the vulnerable adult, or the vulnerable adult's guardian, conservator, or legal representative has consented to disclosure.

- Facilities/programs whose patients or residents are covered by such a federal law include: "Part 2 programs" such as substance abuse treatment programs.

Failure to report or Falsified reports

A mandated reporter who negligently or intentionally fails to report is liable for damages caused by the failure. A mandated reporter who intentionally makes a false report under this policy could be held liable for any actual damages suffered by the organization.

Staff training

Mille Lacs Band Health and Human Services will provide training to all mandated reporters upon hire and annually thereafter.

Replaces Policy #	HHS-ADM-HRM 3109 Mandated Reporting
Compliance - Posting Date	4/25/2022 (HHS)
Next Review - Due Date	