

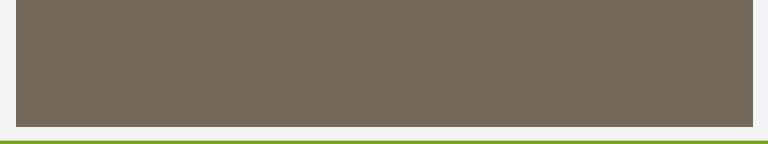


Connections

Abuse Prevention Plan 2017

Abuse Prevention Plan

- To understand the purpose of the Abuse Prevention Plan
- To gain a general understanding of the Abuse Prevention Plan
- To understand what the expectations of staff are in relation to the Abuse Prevention Plan



The Minnesota Legislature has stated a clear public policy of protection of adults, who because of physical or mental impairment are particularly vulnerable to abuse or neglect. The law requires that certain professional and occupational groups report suspected abuse or neglect. As a provider of services to people with disabilities, we have an obligation to protect these individuals from abuse or neglect and to report suspected abuse or neglect.

Internal Reporting

- All suspected incidents must be submitted on the vulnerable adult incident form.
- The report must be submitted to your direct supervisor within 24 hours of the nearest working day to the incident. On non-working days, the common entry point should be notified.
- Mandated Reporters may, instead of reporting to their direct Supervisor, report directly to the “*common entry point*” at 844-880-1574 within 24 hours of the suspected abuse or neglect.

Internal Reporting

- Failure to report suspected abuse or neglect is a misdemeanor, punishable by 90 days in jail and possibly assessed civil damages determined by the extent of damages caused by the individual's failure to report.
- Internal abuse or neglect of a vulnerable adult by a Mandated Reporter is a gross misdemeanor, punishable by a \$3000.00 fine and 1 year in jail.
- Abuse or neglect that falls under criminal conduct will be persecuted in the judicial system.
- Purposely filing a false report by a mandated reporter may result in punitive damages being assessed by a court of law.

Internal Reporting

- The Supervisor, upon filing a suspected abuse or neglect form, will notify in writing the individual that made the initial vulnerable adult report, that the report was filed within two working days.
- The agency or person shall not retaliate against any person who reports in good faith suspected abuse or neglect or against a vulnerable adult with respect to whom a report is made, because of the report.

Internal Investigation Review Process

- The Supervisor will be responsible to determine whether or not the report will be internally investigated before submitting the report to the “*common entry point*”.
- The Supervisor will complete an internal investigation report, interviewing individuals involved or having knowledge of the incident.
- Upon completing the internal investigation, the Supervisor will determine what, if any internal action should be taken.

Internal Investigation Review Process

- When an incident involves the health or safety of a vulnerable adult and places the individual in imminent danger, the Supervisor is responsible to contact the office of Ombudsman at **1-800-657-3506**.
- When the Supervisor is suspected of committing the abuse or allowing the neglect, reports shall be submitted to the Supervisor's Supervisor.
- When the Executive Director is suspected of committing the abuse or allowing the neglect, reports shall be submitted to the Chairperson or the Board of Directors.

External Reporting

- Make an oral report to the Common Entry Point
 - Reports of suspected maltreatment of a vulnerable adult are made 24/7/365 to MAARC at 844-880-1574.
 - Inform them that you are making an adult protection report
 - Include as much detail as possible about the incident or situation. Full names of all persons involved, dates, time, specific actions or injuries

External Reporting

- After a report is received:
 - Discussion with reporter
 - Discussion with the facility's administrator or responsible designee
 - Discussion with a physician or other professionals or any corroborating contacts
 - Contact with the alleged victim
 - Discussion with the alleged perpetrator
 - Examination of the physical condition or psychological climate of the facility

External Reporting

- After a report is received:
 - Inspection of the alleged victim's records
 - Determination of whether the reported abuse or neglect places other vulnerable adults in jeopardy
 - Coordination of the investigation with law enforcement officials
 - You will be notified in writing that your report was forwarded to the Common Entry Point by your supervisor within two days.

Orientation

- Program participants will receive an orientation to the vulnerable adult internal reporting system within 24 hours of admission
- All Mandated Reporters will receive an orientation to Connections vulnerable adult policy and reporting system within 72 hours of beginning employment, with documentation kept in their personnel file.
- An annual in-service will be held for Mandated Reporters which will review Minnesota Statutes 626.557, Parts 955.800 to 955.8500 and Connections internal policies and procedures related to clients under the statute. This in-service will also include informing Mandated Reporters of their responsibility to ensure their report reaches the appropriate outside facility, the penalties regarding failure to report or filing a false report and to cooperate with individuals requesting procedures for contacting authorities.

Definitions

- Abuse:
 - Any act which constitutes a violation of the prostitution or criminal sexual conduct statutes of the state of Minnesota.
 - Non-therapeutic conduct which produces or could reasonably be expected to produce pain or injury and is not accidental or, any repeated conduct which produces or could reasonably be expected to produce mental or emotional distress.
 - Any sexual conduct between a facility staff person and a client of the facility.

Definitions

- Abuse:
 - The illegal use of a vulnerable adult's person or property for another person's profit or advantage or the breach of fiduciary relationship through the use of a person or a person's property for any purpose not in the proper and lawful execution of trust, including but not limited to situations where a person obtains money, property, or services from a vulnerable adult through the use of undue influence, harassment, duress deception, or fraud.

Definitions

- Neglect:
 - Failure by a caretaker to supply the vulnerable adult with necessary food, clothing, shelter, health care, or supervision.
 - The absence or likelihood of absence of necessary food, clothing, shelter, health care, or supervision of vulnerable adult.
 - The absence or likelihood of absence of necessary financial management to protect a vulnerable adult against abuse as abuse is defined above.

Definitions

- Single Mistake:

An individual makes an error in the provision of therapeutic conduct to a vulnerable adult which:

- does not result in injury or harm which reasonably requires medical or mental health care or, if it
- reasonably requires care, the care is sought and provided in a timely fashion as dictated by the condition of the vulnerable adult; and the injury or harm that required care does not result in substantial acute, or chronic injury or illness, or permanent disability above and beyond the vulnerable adult's pre-existing condition;

Definitions

- Single Mistake:
 - is immediately reported and recorded internally by the employee or person providing services in the facility in order to evaluate and identify corrective action;
 - is sufficiently documented for review and evaluation by the facility and any applicable licensing certification, and *OMBUDSMAN AGENCY*; and
 - is not part of a pattern or errors by the individual

Definitions

- Financial Exploitation:
 - The engagement in unauthorized expenditure of funds entrusted to the caretaker by the vulnerable adult which results or is likely to result in the detriment to the vulnerable adult.
 - The failure to use the financial resources of the vulnerable adult to provide food, clothing, shelter, health care, therapeutic conduct or supervision for the vulnerable adult and the failure results or is likely to result in detriment to the vulnerable adult.

Definitions

- Accident:

A sudden unforeseen and unexpected occurrence or event which:

- is not likely to occur and which could not have been prevented by exercise of due care.
- if occurring while a vulnerable adult is receiving services from a facility, happens when the facility and the employee or person providing the service in the facility are in compliance with the laws and rules relevant to the occurrence.

Definitions

- Therapeutic Conduct:
 - The provision of program services, health care, or other personal care services done in good faith in the interests of the vulnerable adult.
- Mandated Reporter:
 - Any professional or delegate who is engaged in the care of vulnerable adults, education, social services, or law enforcement
 - Any employee of a rehabilitation facility certified by the commissioner of jobs and training for vocational rehabilitation.

Definitions

- Mandated Reporter:
 - Any employee of a person providing services in a facility who has knowledge of abuse or neglect of a vulnerable adult.
 - Any employee who has reasonable cause to believe that a vulnerable adult is being or has been abused or neglected.
 - Any employee who has knowledge that a vulnerable adult has sustained a physical injury which is not reasonably explained by the history of the injuries provided by the caretaker or caretakers of the vulnerable adult.

Definitions

- Retaliation Prohibited:

A facility or person shall not retaliate against any person who reports in good faith suspected abuse or neglect pursuant to this section, or against a vulnerable adult with respect to who a report is made, because of the report.