

Just a Simple Unpaid Bill.....

St. Louis County APS Multidisciplinary Team

The Report

- Nursing home resident's bill is unpaid (>14K).
- Son is POA; he was reported to say he pays enough every month; and that bill would put them in the poor house; he stated he would pay \$500 but otherwise contested the bill.
- Son acknowledged VA had money but waiting to settle on a modular home on some property.
- Reporter expressed concern about son's oversight and competency as POA.

Initial Considerations

- Verifying Fiduciary Relationship and Unpaid Bill
 - Copies of Unpaid Bills
 - Copy of Power of Attorney
 - Copy of Resident's Agreement
 - Facility notes of Collection Attempts
 - Review Agency's Internal Records for any other reports of concern
- Contact POA to problem solve Unpaid Bill
- Determine functionality of VA and their ability to help resolve Unpaid Bill

Profile of Vulnerable Adult

- 94 year old female in a nursing home for rehabilitation
- Had significant health conditions that required hands on assistance with ADL's and medication management
- Diagnosed with:
 - cerebrovascular accident
 - Degenerative disease of the nervous system
- Assessed by PT, OT, Speech as requiring 24/7 care and supervision
- Presented in interviews with Investigator as cognitively impaired.

Concerns Increase

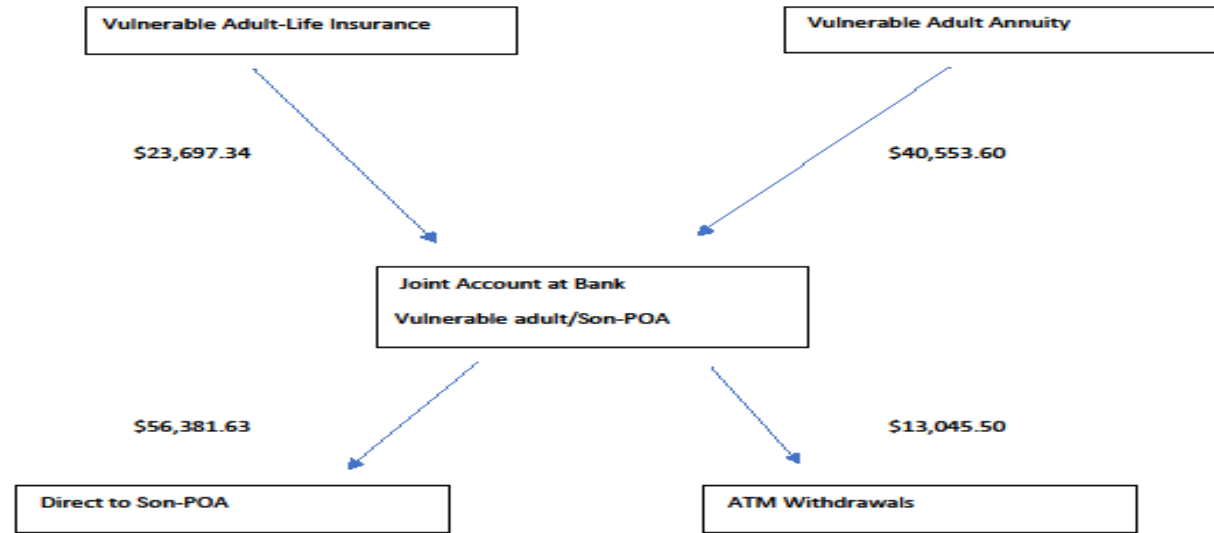
- Phone Contact with AP
 - Difficulty staying on topic
 - Questioning how was he going to live; noted his own disability
 - Meeting arranged the following day to 1) arrange a solid payment plan and 2) determine any social services assistance that AP needed for their own needs
 - Next day, AP got a lawyer and declined further interview/contact
- Facility Shares Additional Concerns
 - Son's behavior towards VA at facility
 - Son took VA out of facility with no safe discharge plan, resulting in facility contacting police to secure her return
 - Son makes a \$500.00 payment after contact with APS
- Bank records reveal worrisome transactions

Concerns Increase, cont.

(Review of Financial Records)

- Bank Records Show Numerous, Frequent Transactions all while VA in nursing home
 - Checks written by POA to POA
 - Multiple ATM transactions in Varying Locations in one day
 - Bank Account being depleted and replenished
 - Transfers into bank account from other accounts
 - Social Security Income deposited into Bank account
- Example of Transactions
 - 9/2021: \$2,000 to self
 - 1/14/2022: \$7,000 to self
 - Purchased plane ticket to New York
 - Aggregate total \$69,427.13

Illustrative Representation of Financial Transactions



Informal
Preventative
Measures
Attempted
and/or
Considered

Family

Requests to Freeze Accounts

Contact with AP's lawyer

Request to Desist

Collaboration During Investigation

- Law Enforcement
- Department of Commerce
- Financial Institutions
- Multidisciplinary Team
- Ombudsman
- Supervisor
- County Attorney's Office

MN Department of Commerce's Authority

MN Statutes Chapter 45A

- Gives FIs, Commerce, LE and prosecuting attorney ability to restrict funds
- Holds on transactions and delays on disbursements
- After initial hold or delay, lead investigative agency can also extend
- Notice has to be provided and FI must make a MAARC report
- Appeals are sent to Commissioner of Commerce
- Statute allows Trusted Persons to be contacted

Commerce's Collaboration During Investigation

- Discussed the case with the APS investigator
- Received a financial exploitation case referral
- Contacted bank representatives and financial advisor
- Contacted POA
- Discussions with POA's attorney
- Extended holds on accounts

Formal
Preventative
Measures
Taken

Emergency
Guardianship and
Conservatorship

Representative
Payee for Social
Security

Presenter's Contact Information

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