

**Who Should I Call?
Navigating the
Alphabet Soup of
Elder Justice Service
Options in Minnesota**

Minnesota World Elder Abuse
Awareness Day Conference 2024
June 13, 2024

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MAARC

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Minnesota Adult Abuse Reporting Center (MAARC)



- MN Vulnerable Adult Act (VAA)
- MAARC Reports & Referrals
- Data

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DHS Adult Protection Unit

 Mary McGurran Unit Manager	 Angelo Flowers Unit Supervisor	 Melissa Vongsy Policy Program Consultant	 Margie Aranda MAARC Operations Manager	 Lindsay Brekke Quality Assurance
 Donae Sturdivant Contract Administrator	 Joe Woyee Research Analyst	 Peter Larson Training & Communications	 Kelli Klein APRS	 TBD APRS

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MN Vulnerable Adult Act

Maltreatment Reporting:
State Administered



MN DHS Role ([§256.01](#), [§626.557](#))

- MAARC Operation and Compliance
- Supporting APS compliance with statutes, rules, and policies
- Training, Standard Tools, Data System
- Performance and Outcomes Monitoring
- Tracking critical steps for the adult from report through appeal
- Serving as a resource for prevention, remediation and planning
- Management of State and Federal APS Grants

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Who Does Adult Protective Services (APS) Serve?


Adult client must meet a statutory definition of "Vulnerable Adult" and have experienced statutorily defined maltreatment

Categorical Vulnerable Adult <i>MN Statute 626.5572 Subd. 21 (1)–(3)</i>	Abuse <i>Subd. 2</i>
Functional Vulnerable Adult <i>MN Statute 626.5572 Subd. 21 (4)</i>	Neglect <i>Subd. 17</i>
	Financial Exploitation <i>Subd. 9</i>

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APS Starts with a Report & Referral Minnesota Adult Abuse Reporting Center (MAARC)


- 24/7/365 reporting and processing
- [Web reporting for Mandated Reporters](#) (preferred)
- Telephone reporting for Voluntary or Mandated Reporters: 1-844-880-1574



Call 911 before making a MAARC report if emergency response is needed from police, fire, or medical personnel

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MAARC Mandated Reporter Form



Minnesota Adult Abuse Reporting Center (MAARC)
DISCLOSURE: Prior to any disclosure refer to MN Stat. sec. 13.02 and MN Stat. sec. 626.557, Subd. 12b
 Refer to the [MAARC Mandated Reporter Guide](#) for information on using the web-based reporting system.

Instructions - Do not save a copy of this form for future use. Successful submissions must be created directly from this site.
(Last updated: 05/2022)

This reporting form may be unavailable occasionally for system maintenance. To meet mandated reporter duties, an oral report may be made 24 hours a day, seven days a week, by calling the Minnesota Adult Abuse Reporting Center at 1-844-880-1574.

If you are reporting an emergency that requires immediate assistance from law enforcement, the fire department, or an ambulance, first call 911.

911 should be called before making a MAARC report when reporting abuse, which is also a suspected crime, such as physical or sexual assault, or caregiver neglect that results in injury or death, so police can protect the victim, gather evidence and talk to those involved in a timely manner.

This form is only for use by mandated reporters. Mandated reporters, designated facility reporters, law enforcement, counties, and lead investigative agencies must complete all required fields and successfully submit the report to meet a duty as a mandated reporter.

Helpful Hints

- Do not use the browser buttons. If you use the browser button, you could lose all of the information that has been entered.
- Do not use the Internet Explorer browser as it is no longer supported.
- Partially completed reports cannot be submitted or saved for later completion.
- Clicks entered on each page is saved as you navigate between pages. Navigating to pages in the report can be completed by selecting the page from the dropdown menu or by clicking on Go Back Button or Continue Button.
- The final report number is the combination number that will appear after successful submission of the report.
- A copy of the completed report may be printed or saved after successful submission of the report.

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Mandated Reporters 626.5572 Subd. 16

Report Immediately
 As soon as possible, but no longer than 24 hours from the time initial knowledge that the incident occurred has been received (626.5572, Subd. 10)

Protections for good faith reporters

- Identity may not be disclosed
- Ability to disclose not public data (626.557 Subd. 4)
- Immunity from civil or criminal liability resulting from reporting or participating in the investigation if acting in good faith
- Protection from employer retaliation for good faith reporting

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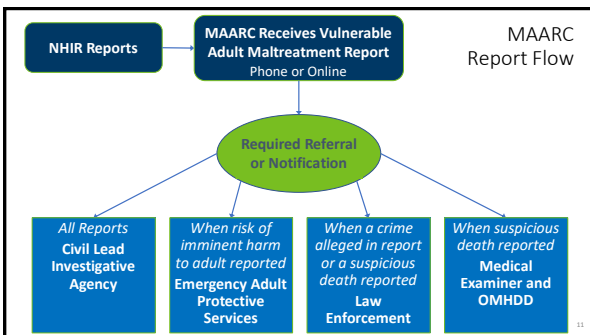
What Does MAARC Do?

Accepts

Refers

Notifies

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What Does MAARC Not Do?

MAARC does **NOT**

- Screen reports
- Perform investigations or make determinations
- Answer questions related to a prior MAARC report
- Provide copies of reports
- Replace or substitute for 911


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MAARC Report Information

MAARC reports capture the **Who, What, When, Where, & How** regarding alleged adult maltreatment

- Reporter-Information Source
- Vulnerable Adult
- Alleged Perpetrator
- Maltreatment Allegation Detail
- Impact/Effects on Vulnerable Adult
- Additional Sources of Information and Vulnerable Adult Support Persons
- Safety

Continue >> | Instructions



Minnesota Adult Abuse Reporting Center (MAARC)
Mandated Reporter Form
DISCLOSURE: Prior to any disclosure refer to MN Stat. sec. 13.02 and MN Stat. sec. 62B.557, Subd. 12b. Refer to the MAARC Mandated Reporter Guide for information on using the web-based reporting system.

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Lead Investigative Agency (LIA) *MN Statute 62B.5572*

Adult Protective Services (APS)
PCA
Self-Neglect
Family, Friends, Scam or Unlicensed Service provider

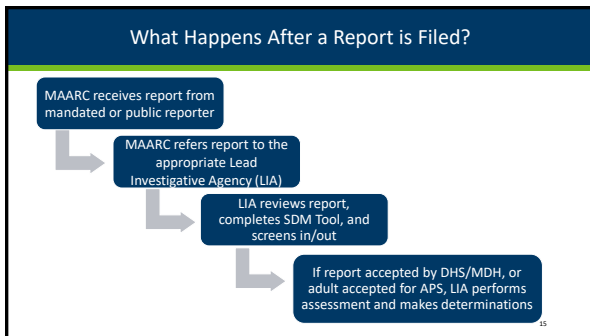
MN Dept. of Health (MDH)
Nursing Home
Hospital
Home Care
Assisted Living

DHS-OIG
HCBS Licensed Services – Residential mental health, Adult foster care, community programs

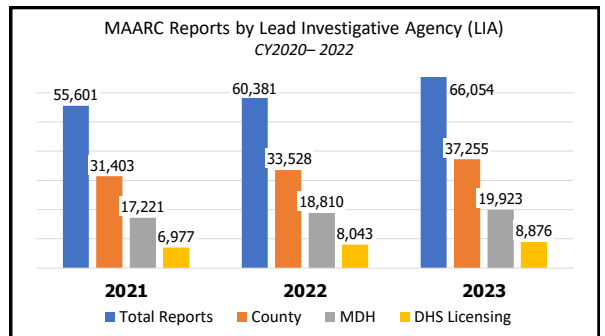
LIA is the primary administrative agency responsible for:

1. Responding to reports (reports are made to MAARC)
2. Making initial and final decisions in response to MAARC reports

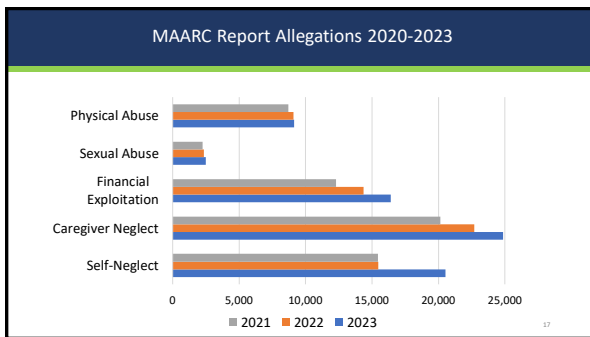
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Maltreatment Reports by Age of the Adult CY20-23

AGE GROUP	2023		2022		2021		2020	
	#	%	#	%	#	%	#	%
18 to 22	1,634	2.5%	1,564	2.6%	1,568	2.8%	1,505	3.0%
23 to 39	7,214	11.0%	6,924	11.6%	6,593	12.0%	6,179	12.1%
40 to 64	15,063	23.1%	14,558	24.3%	13,883	25.2%	12,836	25.2%
65 to 74	11,770	18.0%	10,364	17.3%	9,547	17.3%	8,374	16.5%
75 to 84	11,314	17.3%	10,058	16.8%	9,002	16.3%	7,799	15.3%
85 to 100	9,274	14.2%	8,823	14.7%	8,340	15.1%	8,445	16.6%
Unknown	9,053	13.9%	7,616	12.7%	6,238	11.3%	5,739	11.3%
TOTAL REPORTS	65,322	100%	59,907	100%	55,171	100%	50,877	100%

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Guardianship and Conservatorship Complaint Process


MINNESOTA JUDICIAL BRANCH

Mark Mestad
CAAP Examiner – Minnesota Judicial Branch

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Complaint Process – Guardianship / Conservatorships


- Complainant downloads form or Examiner provides form by email or mail
- Complainant provides completed Complaint form to Examiner
- Complaint is reviewed by Examiner for an alleged violation of statutory duty. Complainant is typically contacted for background information. Other intake information may be required under the circumstances of the allegation.
- Complaint must allege a Guardian or Conservator is in violation of a statutory duty or is violating a Person’s Rights under the Bill of Rights for Persons Subject to Guardianship or Conservatorship
- If, assuming the allegations are true and a violation is alleged, Complaint is shared with Guardian/Conservator for an opportunity to review and provide written response.
- Investigation will include interviews of any person with knowledge of the allegations the complaint, review of case documents, MMC, and any other pertinent information provided to the Examiner.



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Complaint Process - Examples


- the Person’s residence is unsafe
- the Person is not receiving adequate and appropriate shelter, proper health care, or medications
- the Guardian or Conservator is physically, mentally, or sexually abusing the Person or failing to prevent or report abuse by another person
- family or friends are not permitted to visit or communicate with the Person or the Person is under other restriction without proper notice to the court – notice required by statute.
- uses the Person’s money or property for the conservator’s own benefit
- sells or otherwise disposes of property belonging to the Person without legal basis or court permission
- fails to pay the Person’s bills or other financial obligation to the Person’s detriment – eviction risk
- fails to communicate or respond to inquiries from the Person’s care group/team to the detriment of the Person



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Concerns Not Addressed By Complaint Process

- Potential, future harm without other reviewable concerns
- Rep Payee Expenditures
- Trust Accounts
- Basis for the Guardianship/Conservatorship
- Requests for a new guardian or termination of guardianship
- Family disputes relating a guardianship/conservatorship
- Decisions made by the court or attorneys on the case



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Questions?

Judicial Branch Website: mncourts.gov

Contact Info:
Mark Mestad -Examiner
Mark.Mestad@courts.state.mn.us
651-215-0032

Maddie Preppernau - Professional Intern
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651-294-1697



MINNESOTA JUDICIAL BRANCH

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GUARDIANSHIP INFORMATION LINE



952-945-4174
1-844-333-1748
cesdm@voamn.org
www.voamn.org/cesdm

- Phone Consultation, Advice, I&R
- Assessments
- Facilitation of Supported Decision Making & Surrogate Decision-Making Legal Tools
- Petitioning for G/C, Terminations, Modifications


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Explainer Videos

Understanding Guardianship

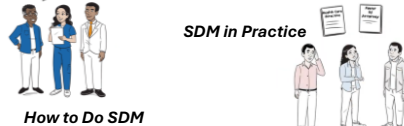
Guardianship is a legal arrangement in which a court removes certain rights from a person and gives those rights to a guardian.

The guardianship process



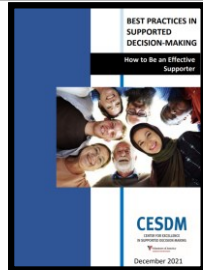


SDM in Practice



How to Do SDM

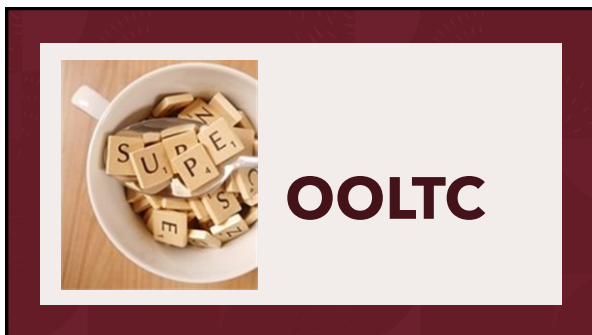
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www.voamnwi.org/center-excellence-supported-decision-making


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Office of Ombudsman for Long-Term Care

Genevieve Gaboriault Deputy Ombudsman



Office of
Ombudsman for
Long-Term Care

mn.gov/ooltc

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Who we serve



mn.gov/ooltc

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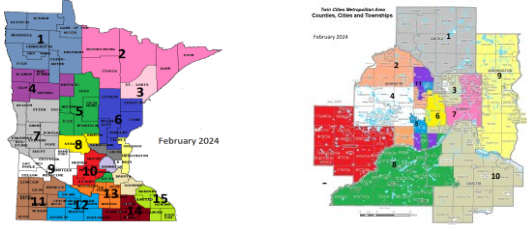
Contact Us:

- OOLTIC is a confidential in-person service for adults receiving long-term care services and supports regardless of income, payor source, immigration status etc.
- Not an emergency service – open regular business hours
- Complainants: A complainant is an individual (i.e., resident, resident representative/friend/family, facility staff) who requests Ombudsman program complaint investigation services regarding one or more complaints made by, or on behalf of, residents.
- Call 651-431-2555 or toll free 1-800-657-3591 or website www.mn.gov/ooltc

mn.gov/ooltc

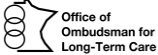
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2024 Regional Ombudsman Map



mn.gov/ooltc


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Thank You

Genevieve Gaboriault
Deputy Ombudsman
Genevieve.Gaboriault@state.mn.us

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OOMHDD

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m MINNESOTA
OFFICE OF OMBUDSMAN
FOR MENTAL HEALTH AND
DEVELOPMENTAL DISABILITIES

Andrea Strobel-Ayres
Regional Ombudsman Supervisor

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What is an Ombudsman?

- Ombudsman is defined by the United States Ombudsman Association as: “an independent, impartial public official with authority and responsibility to receive, investigate or informally address complaints about government (or government regulated agencies’) actions, and, when appropriate, make findings and recommendations, and publish reports.”

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Mission Statement

...promote the highest attainable standards of treatment, competence, efficiency and justice for persons receiving services for mental health, developmental disabilities, chemical dependency or emotional disturbance.

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MEJC

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The Minnesota Elder Justice Center

Mission: Mobilizing communities to prevent and alleviate abuse, neglect and financial exploitation of older and vulnerable adults.

Focus on:

- Public Awareness
- Professional Education
- Public Policy
- Direct Service

If we can support your work, or if you or someone you're concerned about needs support: call us at **651-440-9300**

MINNESOTA
ELDER JUSTICE
CENTER

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The Minnesota Elder Justice Center Contact Info

www.elderjusticemn.org

651-440-9300

All our direct services are provided
pro bono

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CENTER

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The Minnesota Elder Justice Center

To access a Victim Services advocate:

- Call 651-440-9312
- "Victim Services" form on website-
<https://elderjusticemn.org/our-services/victim-services/>

Betsy M., Victim Services Manager
betsy@elderjusticemn.org

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