



BENTON COUNTY HUMAN SERVICES

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Benton County Prioritization Guidelines Adult Protection/Maltreatment Reports (Effective: 8/1/2022)

Adult Protection reports are made through the Minnesota Adult Abuse Reporting Center (MAARC). MAARC is the centralized intake/common entry point for all adult protection reports. MAARC determines the Lead Investigative Agency (LIA) and sends the reports accordingly. Adult Protective Services (APS) are provided by the county social service agency in which the Vulnerable Adult resides at the time of the incident. The primary goal of Adult Protection is to assess the concerns of the report and offer supportive services to mitigate the concerns. The County is also responsible for Emergency Protective Services (EPS), where they are responsible to ensure immediate protection of the vulnerable adult living in their community. Benton County has an on-call system for afterhours, weekends, and holidays where the Benton County after-hours on-call team receives, reviews, and responds to EPS reports falling outside of the established work week.

When an Adult Protection report is received, human service staff must verify that Benton County is the Lead Investigative Agency (LIA) and if we have a role in addressing immediate safety concerns. Staff then need to assess if the alleged victim is a vulnerable adult based on statutory definition in [MN Statute 626.5572 Subd. 21 \(Attachment A\)](#), and does the allegation fit the abuse criteria as outlined in [MN Statute 626.5572, Subd. 2 \(Attachment B\)](#). Benton County Adult Protection staff will use the Structured Decision Making (SDM) tool to aide in the screening of the report received.

Response Time:

In accordance with the MN Department of Human Services (DHS) Guidelines, the SDM tool will be used to determine response times in cases that will be opened for investigation:

EPS = Immediate response but no later than 24 hours – notwithstanding - if Benton County is the LIA.
Such report details infer that a VA is in a life-threatening situation or likely to experience physical injury due to abuse or abandonment.

Level 1 = Initiate within 24 hours from assignment for investigation. Substantial evidence in the report that infers that the VA is not in need of immediate care or protection but has allegedly been abused.

Level 2 = Initiate within 72 hours from assignment for investigation. The report indicates that there is not a need for immediate response or protection but alleges neglect or financial exploitation.

Highest Priority: EPS

Vulnerable Adult reports alleging an adult who meets the definition of vulnerable adult as defined in MN Statute [MN Statute 626.5572 Subd. 21](#)

1. No food and without access or resources to obtain.
2. Dangerous level of exposure to extreme temperatures.
3. Dehydration or other need for immediate medical care without access or resources to obtain.
4. Vulnerable adult who is putting oneself at risk for imminent danger, such as wandering, starting fires or otherwise harming self or others.
5. Dependent adult who suddenly is without a caregiver and inability to provide for one's own care.
6. A report of physical abuse/sexual abuse with observable injuries/injuries requiring immediate medical attention and continues to be in the presence of the alleged abuser.
7. Financial exploitation that is resulting in immediate loss of housing/placement and/or other services and resources needed by the vulnerable adult for safety reasons.

Medium Priority (Level 1)

Vulnerable Adult reports alleging an adult who meets the definition of vulnerable adult as defined in [MN Statute 626.5572, Subd. 21](#) needs services for protection due to potential danger or risk of serious harm, included but not limited to:

1. Physical abuse/sexual abuse with observed injuries.
2. Allegations of abuse, neglect, or self-neglect with no report of imminent danger.
3. Will be without essential resources such as food, heat, medical care, or housing within 30 days without intervention.
4. Financial exploitation that is currently occurring and alleged loss of funds will adversely deprive the vulnerable adult.

Lowest Priority: Level 2

Vulnerable Adult reports alleging an adult who meets the definition of vulnerable adult as defined in [MN Statute 626.5572 Subd. 21](#) needs services for protection due to abuse, neglect or financial exploitation that is alleged to have happened in the past, but not likely happening at the present time. The vulnerable adult is having all needs met.

Screening considerations that Benton County uses:

1. Clarify unclear MAARC reports by making calls to initial reporter or internal agency contacts.
2. When VA status is unknown from the initial reporter's information and maltreatment exists, opening for investigation to determine VA status.
3. APS worker will include the reason for screening out a maltreatment report in the SDM Intake tool.
4. Decision to conduct welfare check versus screening out a report will be based on the following considerations:
 - Are there previous reports of maltreatment or past investigations of the same allegation?
 - Will an investigation improve the situation?
 - Does the VA have formal or informal support?
 - Does the VA have emotional or physical impairment?
 - Does the VA have stable housing?
 - Is cognitive status of VA known?

- What is the potential risk/harm if nothing is done?
- Anticipated impact of Adult Protective Services involvement?
- Is there a role for APS?
- Is there risk of harm to VA if investigation occurs?
- Can the VA protect self from harm?
- Can the VA engage in safety planning?
- If receive request for guardian or conservator, have all least restrictive options been attempted?

Policy Override(s):

1. Intake Screening Decisions – Benton County will utilize the following overrides in these instances:
 - a. Duplicate or report already screened: Duplicate report that has already been screened. The report from MAARC describes an incident already reported to and previously screened by APS using the SDM. The duplicate report includes no new information that was previously known to APS regarding this incident at the time the previous report was screened.
 - b. Duplicate of report already investigated: Duplicate report that has already been investigated. The report received from MAARC describes an incident already reported to and investigated by APS. The report includes no new information that was not previously known to APS regarding this incident.
2. Limitations of Investigations/ Discretionary Overrides:
 - a. Individuals receiving case management services where self-neglect can be addressed/ resolved through case management and/or current avenues of services.
 - b. Financial Exploitation – loss to the individual through financial exploitation is less than \$1,000 and there is no visible impact on the care/well-being of the individual.
 - c. Reports alleging financial exploitation that occurred more than 3 years prior will not be investigated by APS and will be deferred to law enforcement to make an independent decision on whether to pursue a criminal investigation.
 - d. If multiple reports are received at the same time, reports of abuse and/or neglect will generally take priority over financial exploitations reports due to the nature of the report involving health/safety of the individual.
 - e. Deceased Individuals – Reports made regarding alleged maltreatment of a vulnerable adult who is deceased at the time of the report will be responded to on an individual case basis in consultation with Benton County Law Enforcement and County Attorney's Office.
 - f. Incarceration – Benton County will not conduct Maltreatment Investigations on individuals who are incarcerated at the time of the report. These reports will be referred to the law enforcement entity/internal review process.
 - g. In the situations where there is no benefit to the VA from adult protection services or investigation because the maltreatment is resolved with minimal risk of repeat

maltreatment and/or no protection to the VA or other VA from investigation or alleged perpetrator.

- h. If the vulnerable adult no longer resides in the State of Minnesota.

7/14/22 drr