

Vulnerable Adult Justice Project

February 11, 2011 – 2:00 – 4:00 p.m.

Meeting Minutes

Attending: Iris Freeman (CEJP), Kevin Hansen (OMBMHDD), Phoebe Burns (St. Kate's), Chris Bjorkman (WMCL), Andrea Domaskin (WMCL, Ombudsman), Candace Ballstadt (Faith in Action), Douglas Beardsley (Care Providers of MN), Megan Stowers (Alzheimer's Association), Elizabeth Lamin (Ramsey County Attorney's Office), Jennifer Kirchen (DHS-Adult Protection), Carmen Castaneda (Hennepin County Adult Protection), Jane Ochrymowycz (CEJP Advisory Board WMCL) Megan Kravik (University of St. Catherine), Maura McNellis-Kubat (DHS-Licensing), Deb Tulloch (Washington Co. Adult Protection), Lynda Olson (Ramsey County), Suzanne Elwell (MN Dept. Public Safety), Nate Swanson (WMCL) Amy Sweasy (Hennepin County Attorney's Office), Carmen Castaneda (Hennepin County APS), Ellen Longfellow (ECRA), Laura Garbe (attorney) Caileen Kromhout (Augsburg), Janet Golden (ECRA), Pam Zimmerman (Metro AAA), Anita Raymond (Volunteers of America Minnesota) Greg Marita (Legal Aid Society of Minneapolis) Laura Orr (St. Thomas School of Law), Jim Koepfer (Ramsey Co. APS), Amy Ebbesen (Ramsey County APS) Sherilyn Moe (Ombudsman for Long-Term Care); Jonathan Canaday, U of MN

2:00 Welcome, Introductions & General Updates

Carmen and Doug reported that the Commissioner of Human Services has prioritized programs at St. Peter in her budget. Forensic nursing home open, with 48 beds, however, there are only 17 residents because of staffing levels.

June 15 is Elder Abuse Awareness Day. The location will be announced

2:10 Vulnerable Adult Justice Project Legislative Initiative for 2011

VAJP legislative initiative has been introduced in both House (HF447) and Senate (SF195).

- Status report on SF195 (Chief Author, Limmer, Maple Grove) and HF447 (Chief Author, Kelly, Red Wing) . Senate Judiciary Committee hearing originally scheduled for Feb. 8, now to be held Tuesday, February 15, Room 15, ground floor Capitol. Lisa Godon , Minneapolis City Attorney, Senior Prosecutor and Sgt. Brian Reed of St. Paul PD will testify. Others are welcome to attend.
- Amendments.
 - Tighter language for when information about vulnerable adult should be released to health care agent.
 - Add county (as lead agency) to representatives on VA Maltreatment Review Panel.
 - Provide more opportunity for vulnerable adults to have presence during appeals before hearing officers. Vulnerable adult would be able to submit document similar to victim impact statement.
- Some provisions that appeared budget neutral may now have cost attached and so we are working to neutralize them.
- After Judiciary, Senate bill goes to Health and Human Services Committee.
- House bill introduced on Feb. 10 and referred initially to Health and Human Services Reform instead of Public Safety Committee as had been anticipated.

- Status report on the issue of felony neglect of a vulnerable adult:

Groups working on that issue will meet at 2:15 p.m., Monday, 2-14, Room 227, Mitchell.

2:30 Related Legislation

- HB 424 introduced by Rep. Scott, concerns protecting vulnerable adults. VAJP representatives will meet with the author on Feb. 15 to gather more information about bill's origin and intent. Language includes new definitions for abuse, neglect, and exploitation; new concepts related to substitute decision-making, and new civil remedies
- SF0098 (Higgins) <https://www.revisor.mn.gov/bin/bldbill.php?bill=S0098.0.html&session=ls87>
Greg Marita, Legal Aid, presented:
 - Bill would require someone to provide ID when making financial transaction with card.
 - Issues: retailers already have ability to ask for ID; some people don't have ID, including older people who no longer drive, some cards already have photo on them.
 - Other concerns cited in e-mail memo from John McCulloch, specialist in financial crimes.
 - No House companion bill has been introduced at this point.
 - Legal Aid will monitor and report as needed.
- Department of Human Services proposal to change categories of investigative findings – Maura McNellis-Kubat, DHS, presented:
 - Currently, there are four types of determination: substantiated, inconclusive, false and no determination.
 - There have been legal challenges to an inconclusive finding, alleging that it harms a person's reputation or business.
 - Now moving forward with language that says the dispositions made by health and human services will result in substantiated, unsubstantiated, inconclusive, or no determination. Is consistent with what health is doing now. Keeps inconclusive as an option.
 - Difference between inconclusive and no determination: used differently by different lead agencies.
 - Lead agencies other than health and human services (i.e. counties) may have different terminology.
 - The amendments will be part of DHS Policy bill in 2011 session.

2:50 Goodhue County Elder Justice Coalition – Candace Ballstadt, LSW, Faith in Action Central Goodhue County

Nov 2010 startup grant for Goodhue County to create an Elder Justice Network. On Dec. 7, 43 professionals representing different agencies created strategic plan to deal with elder abuse. Now it has 55 active members. Group conducted a survey on elder justice: copies provided to VAJP.

Jennifer Kirchen, DHS, Re: Multidisciplinary APS activities around Minnesota: About half the counties have multidisciplinary adult protection teams.

3:00 Report of the Public Awareness Working Group

- Group has met twice. Working to define VAJP and its audience. Drafting brochure.
- Aiming to have information ready by Elder Abuse Awareness Day on June 15.
- Working on speaker's bureau.

3:20 Committee Meetings and Networking

VAJP Meeting Dates for the "Spring" 2011 Semester – Room 125 WMCL from 2:00 – 4:00 p.m.

March 11

April 8

May 13