

Vulnerable Adult Justice Project

January 14, 2011 – 2:00 – 4:00 p.m.

Meeting Minutes

AGENDA

Attendees: Iris Freeman (WMCL CEJP), Kevin Hansen (MH/DD Ombudsman Office), Jane Ochrymowycz (WMCL CEJP), Mary Prudhomme (St. Louis County Public Health and Human Services), Mike Wortman (St. Paul Police Department), Barb Doherty & Kristen Mick (Little Brothers, Friends of the Elderly), Gary Smith, Andrea Domaskin, Chris Bjorkman (WMCL), Doug Beardsley (Care Providers), Janet Golden & Ellen Longfellow (ECRA), Megan Kravik (St. Catherine's School of Social Work) Nate Swanson (Voigt, Klegon & Rode), Deb Siebenaler (DHS-Adult Protection), Suzanne Elwell (Department of Public Safety), Maura McNellis-Kubat (DHS-Licensing), Heidi Holste & Michael Cackoski (AARP), Darrell Shreve (Aging Services), Jennifer Hasbargen (Attorney General's Office) Stephanie Zugschwert (MN Alliance on Crime), Greg Marita (Legal Aid Society of MN), Kimberly Ziegler (Ramsey County Adult Protection)

2:00 Welcome, Introductions & General Updates

Legal Aid Society of MN has grant from Equal Justice to hire an attorney to work on financial exploitation for two years. Position to start this fall.

MSSA has conference March 22nd through 24th. Contact Kevin or Stephanie Kibler with MSSA to register.

World Elder Abuse Awareness Day (WEAAD) is June 15, 2011.

MN Alliance on Crime will be coordinating national crime victim's week in April. They are willing to help publicize World Elder Abuse Awareness Day.

There is a holding pattern on federal requirements for reporting suspected crimes against vulnerable adults in facilities to local law enforcement. The provision was enacted in the federal health care reform bill in March, 2010. Questions arose about how would this affect MN reporting requirements, but at this point, according to Stella French from OHFC, there are no implementation plans at the federal level, no appropriations, and no certainty that CMS would be writing the rules. Bottom line: Minnesota law governs mandated reports.

2:15 Vulnerable Adult Justice Project Legislative Initiative for 2011

Handout of 2011 Minnesota Legislative Initiative. Members of VAJP met with legislators to discuss proposed provisions. Track team is meeting with legislators.

- Status report on draft bill with provisions previously adopted.

Bill has been drafted by Senate Counsel to include eight of the nine VAJP committee recommendations. Meetings have been held with Reps. Cornish & Westrom as well as Sen. Limmer. On Tuesday we expect to find out whether Sen. Limmer, who is the chair of the Senate Judiciary, will be our chief author.

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

Not included in proposed provisions because no consensus yet on felony neglect proposal. Meeting 1.13.10 at Aging Services with representatives of providers, VAJP members and prosecutors to discuss language of felony neglect statute. Draft language from that meeting is being circulated to providers and the VAJP Criminal Code Committee for review. Discussion at

the meeting highlighted concerns with “intent to harm” language in latest proposal because of the difficulty in proving the intent to harm in neglect, as compared with intent to harm in abuse.

- Strategic considerations for work in the 2011 legislative session

We are receiving this message from legislators: They will look carefully at new felonies because of the costs associated with them. Additionally, a high percentage of legislators are new and may not be educated about vulnerable adult issues. We need to keep expectations reasonable this year.

2:30 FAST Teams (alternately known as “Fiduciary Abuse” and “Financial Abuse” Specialist Teams)

(powerpoint presentation to be sent with minutes)

3:00 Break

3:10 Committee Meetings and Networking

- Legislative Track Team – held its weekly meeting
- Public Awareness Working Group – will meet January 26, at 3:00 at ECRA.

4:00 End of meeting

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

February 11

March 11

April 8

May 13