

## SOCIAL SERVICES DEPARTMENT

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### CLAY COUNTY ADULT PROTECTION PRIORITIZATION GUIDELINES

Clay County Social Services developed the following Adult Protection Prioritization Guidelines as required per [MN Statute 626.557 Subd 10b](#) for use when Clay County Social Services is the Lead Investigative Agency for Adult Protective Services and/or Emergency Protective Services in adult maltreatment reports received by Minnesota Adult Abuse Reporting Center (MAARC). The response will be with the intent to prevent further maltreatment and for safeguarding the welfare of the maltreated vulnerable adult, per [MN Statute 626.557 Subd 10](#).

Reports will be screened using the current Department of Human Services [Structured Decision Making and Standardized Tools – Guidelines and Procedures Manual](#) and the SSIS Adult Protection Intake Assessment and Response Priority and Adult Protection EPS Intake Assessment Screening decision tools. The Vulnerable Adult in the report must meet the criteria of a Vulnerable Adult per [MN Statute 626.5572, Subd 21](#) and at least one allegation must meet criteria per [MN Statute 626.5572, Subd 2, 9, and 17](#) for a report to be screened in for investigation. The Lead Agency will respond to MAARC reports received per the outcome of the SSIS Adult Protection Intake Assessment and Response Priority decision tool and/or the Adult Protection EPS Intake Assessment Screening decision tool with the exceptions of the following screening override options:

- If Malreatment did not occur in the state of MN and is likely not to continue in MN – screen out.
- Vulnerable Adult is incarcerated at the time of the report. Clay County Social Services will inform the Clay County Sheriff’s Department on any reports of neglect or maltreatment involving vulnerable adult inmates while in jail.
- Reports involving abuse/neglect of one VA to another VA may be screened out if there is no benefit to the VA for adult protective services or investigation. If the Vulnerable Adult(s) have case managers, this will be referred to case management to address through risk mitigation, education and care planning.
- If presenting issues are already resolved with minimal risk of repeat maltreatment, will not likely continue, and no protections are needed for the VA from the Person Alleged Responsible (PAR); screen out.
- Reports of Suspected Maltreatment in public-school settings, including charter schools for students age 18-21, that are under the jurisdiction of MN Department of Education (MDE) and when APS would not benefit the VA student or a determination will not protect other vulnerable students through background study disqualification. Screen out report and refer to MDE.
- If named VA is deceased at the time of the MAARC report, consider the following factors:
  - a) Are there other potential victims? If no other victims, screen out APS report.
  - b) Is the death a result of maltreatment (abuse/neglect)? If no, screen out.
- If maltreatment is financial exploitation, investigation will occur when:
  - a) Loss of funds for someone low income/on public assistance is \$100.00 or more OR
  - b) Loss of funds for someone private pay/not on public assistance is \$500.00 or more AND
  - c) Financial exploitation results in deprivation of necessary food, clothing, shelter or healthcare for the VA.

- d) If the VA is using informed decision making to give away assets, property or money, APS will not investigate.
- Clay County may screen out vulnerable adult reports with an allegation of financial exploitation by a scam when a prior investigation with the vulnerable adult occurred in which it was determined that the vulnerable adult does not lack capacity to make their own decisions and has been provided education and resources on how to avoid future incidents and no additional information is given that indicates the vulnerable adult's mental capacity has changed.
  - If maltreatment is emotional abuse, investigation will not occur when:
    - a) VA is not the subject of behavior, ie bystander.
    - b) VA is not aware of social media postings.
    - c) If behavior is a one-time or isolated incident.
  - If maltreatment is Self-Neglect, investigation will not occur when:
    - a) VA has capacity to make life choices and refuse care or services.
    - b) Neglect had no impact on VA's health, safety or comfort.
    - c) Self-neglect can be resolved through case management or current services.
  - When the allegation is significantly similar in nature to one investigated within the past year, and the Vulnerable Adult meets categorical criteria and not functional criteria, and that investigation determined the VA is making an informed decision the report may be screened out.
  - EPS (Emergency Protective Services) screening criteria:
    - a) Screen out EPS if VA has agreed to accept services or supports that will meet their necessary needs for protection from imminent harm and will address the immediate safety need.
    - b) Screen out EPS if Person Alleged Responsible agrees to have no contact with the VA or no longer can have contact with the VA and this will be effective in meeting the VA's immediate safety need.

When the status as a VA is unclear, but there is evidence of need for investigation/protective services, Clay County may choose to screen in the report for investigation to determine VA status/vulnerability. If in the investigation, it is determined that the person does not meet vulnerable adult criteria, the investigation will be closed.

In cases involving the potential need for Emergency Guardianship/Conservatorship, the report may be opened for investigation **only if maltreatment is involved**. Case Managers will petition on behalf of their own clients if the need arises. APS can only pursue Guardianship/Conservatorship if there is a substantiation of maltreatment, received a physician's statement in support of guardianship/conservatorship **and** it is the least restrictive service.

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