



CARLTON COUNTY PUBLIC HEALTH & HUMAN SERVICES
GUIDELINES/CRITERIA FOR SCREENING AND PRIORITIZING ADULT PROTECTIVE SERVICE RESPONSE
(Effective 8/1/2023; Revised 8/23/2024; Reviewed 8/19/2025)

GUIDING VALUES

Carlton County Adult Protective Services (APS) respects cultural values and treats people with care, honesty and respect while promoting safety, independence, and quality of life. As such, all actions taken by APS balance the duty to protect the safety of an adult who is vulnerable while honoring the adult's self-determination rights.

REPORTING SUSPECTED MALTREATMENT OF VULNERABLE ADULTS

Adult Protection reports are made through the Minnesota Adult Abuse Reporting Center (MAARC). MAARC provides a toll-free number, 1-844-880-1574, for the public to report suspected maltreatment of vulnerable adults. MAARC operates 24 hours per day, seven days a week. Call 911 first if you are reporting an emergency that requires immediate assistance from law enforcement, fire department or an ambulance.

Information contained in reports of suspected maltreatment of a vulnerable adult made to MAARC is confidential under Minnesota law. MAARC cannot provide information about a report to anyone, including the reporter, once a report is completed. Once a report is referred to the agency responsible, different parts of the law cover how information in the report can be shared, but the identity of the reporter remains protected. Contact the county or state agency responsible for the report for questions about a completed report.

Adult Protective Services are provided by the county social services agency in which the Vulnerable Adult resides at the time of the incident. The primary goal of APS is to assess the concerns of the report and offer supportive services to mitigate the concerns. The County is also responsible to Emergency Protective Services (EPS), where they are responsible to ensure immediate protection of the vulnerable adult living in their community. Carlton County has an on-call system for after-hours, weekends, and holidays where the Carlton County after-hours on-call team receives, reviews, and responds to EPS reports falling outside of the established work week.

SCREENING REPORTS FOR RESPONSE

When an Adult Protection report is received, human services staff must verify that Carlton County is the Lead Investigative Agency (LIA) and if Carlton County has a role in addressing immediate safety concerns. Staff then assess the following:

1. The adult meets the definition of a Vulnerable Adult as described in MN Statutes 626.5572.
 - **Categorial Vulnerable Adult:** is a resident or inpatient of a facility; or receives services from licensed services, or who receives home and community-based services licensed by the Minnesota Department of Health or the Minnesota Department of Human Services, or who receives personal care assistance from a person or organization that exclusively offers, provides, or arranges for personal care assistance services under the medical assistance program. This does not include individuals receiving services for the treatment of chemical dependency or mental illness and inpatient services provided through the

Minnesota sex offender program on a court-hold for commitment, or to persons committed as sexual psychopathic personalities or as sexually dangerous persons under chapter 253B.

- **Functional Vulnerable Adult:** has impaired ability (mental, physical, emotional); cannot adequately provide for their care (e.g. ADLs and IADLs) or direct his/her own care (food, clothing, shelter, health care, supervision) without assistance; AND is unable to protect self from maltreatment because of the impairment or need for assistance.

AND

2. Maltreatment is being alleged as defined in MN Statutes 626.5572:

- **Physical Abuse:** Use of physical force that is non-accidental or non-therapeutic which produces or could reasonably be expected to produce physical pain or injury to the adult who is vulnerable. Include also assault in the first through fifth degrees as defined in sections 609.221 to 609.224.
- **Emotional Abuse:** The misuse of power, authority, or both; verbal harassment; unreasonable confinement; or behavior that is not accidental or therapeutic which produces or could reasonably be expected to produce mental anguish or emotional distress of an adult who is vulnerable. MN has a “reasonable person” standard which means a reasonable person would have to consider it emotional abuse.
- **Sexual Abuse:** Contact or interaction of a sexual nature involving an adult who is vulnerable and a licensed provider; OR contact or interaction of a sexual nature involving an adult who is vulnerable without his/her informed consent. If the adult who is vulnerable is mentally incapacitated or physically helpless, he/she cannot give informed consent. Consent does not mean the existence of a prior or current social relationship or that the adult who is vulnerable failed to resist (MN Statute 609.341, Subd. 4a-b). Incidents where a sexual relationship existed prior to impaired capacity, or when the adult who is vulnerable engages in sexual activity with persons other than licensed facility or service providers, may not be sexual abuse.
- **Neglect by a Caregiver:** A failure or omission by a caregiver that results in the deprivation of care or services including but not limited to food, shelter, clothing, health care or supervision which are reasonable and necessary to obtain or maintain the mental, emotional, or physical health and safety of the adult who is vulnerable. Failing or omitting to provide services or supports outside of those required by the caregiver’s regulation, licensure, certification, or registry may not be neglect. *A caregiver is an individual or facility who has responsibility for care or services including but not limited to food, shelter, clothing, health care or supervision by regulation, licensure, certification, or registration, or who has assumed responsibility for all or a portion of the care of an adult who is vulnerable by contract, or by agreement. Caregiver does not include an unpaid caregiver who provides care to an adult who is vulnerable related to an allegation of caregiver neglect that did not result in harm.
- **Self-Neglect:** Neglect by an adult who is vulnerable of their own food, clothing, shelter, health care, or other services that are not the responsibility of a caregiver which is reasonable and necessary to obtain or maintain the health, safety, or comfort of the adult who is vulnerable.
- **Financial Exploitation:** The use of person or property of the adult who is vulnerable by another for that person’s profit or advantage, or by a fiduciary in breach or violation of fiduciary’s obligation, regulation or duty owed the adult who is vulnerable. Financial exploitation includes but is not limited to situations where a person obtains money, property, or services from an adult who is vulnerable using undue influence, harassment, duress, deception, or fraud.

3. Carlton County obtains additional information and/or seeks clarifications from involved parties as allowed by statute. This includes collaboration with Fond du Lac Tribal Human Service in accordance with the current Tribal/County Human Services Agreement.

4. The report is assessed to determine if it will be opened or not using Minnesota's Adult Protection Structured Decision Making (SDM) Tools. Carlton County's screening team consists of no less than two Adult Protection Team members or otherwise designated personnel within Carlton County Public Health & Human Services.

REQUIRED RESPONSE TIMELINES

In accordance with the MN Department of Human Services (DHS) guidelines, the SDM tool will be used to determine times in cases that will be opened for assessment.

Highest Priority: Emergency Protective Services (EPS) = immediate response but no later than 24 hours. Such report details infer that a VA is in life-threatening situation or likely to experience physical injury due to abuse or abandonment such as:

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 and/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/sexual abuse with observable injury(ies) requiring immediate medical attention and continues to be in the presence of the person alleged responsible.
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.

EPS are also offered to vulnerable adults alleged to have been sexually assaulted and who have not received a sexual assault examination.

Medium Priority (Level 1) = to be screened and have response activity within 24 hours (Level 1 reports that do not meet Level 1 criteria may also be evaluated for Level 2 response if criteria is met). Such reports allege an adult who meet the definition of vulnerable adult and needs for services protection due to potential danger or risk of serious harm, includes but is 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) = to be screened within 5 days to determine if the report will be assigned. If report is screened in, the County is required to have response activity within 72 hours. Such reports alleging a vulnerable adult need 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 has all needs met.

CARLTON COUNTY SCREENING CONSIDERATIONS

Carlton County has the discrepancy to override the screening in of maltreatment reports in the following situations (not an exhaustive list):

1. Reports alleging self-neglect when there is an assigned case manager or care coordinator.
2. Reports alleging financial exploitation of an amount totaling \$500 or less with consideration for residential status, ability to meet needs, regardless of detrimental impact.
3. Reports where the vulnerable adult to maltreatment is deceased at the time the report was received.
4. Duplicate reports received: duplicate, no new content of a report previously screened using the SDM tool.

- 5 Duplicate of report already investigated: Report received from MAARC with content similar to a report previously screened and investigated.
- 6 Reports in correctional facilities, including the Carlton County Jail.
- 7 Reports for the purpose of recovering unpaid debts where the adult vulnerable to maltreatment is not maltreated.
- 8 An adult protection response is of no benefit to the alleged vulnerable adult, or an assessment may cause further harm. (Additional information indicates concern is being addressed by the individual or a formal or informal support. Or its determined involvement of APS may result in further harm.)
- 9 Reports of sexual abuse, emotional abuse, or caregiver neglect alleged against staff in public and charter schools when such allegations are under the investigative jurisdiction of the Minnesota Department of Education.
- 10 Report regarding an alleged vulnerable adult who no longer resides in Minnesota.
- 11 Report regarding an alleged frailty of age vulnerable adult as sole condition who is under 65 years of age and without medical documentation of said condition.
- 12 Decision to conduct welfare check versus screening out a report will be based on the following considerations:
 - Does the VA have formal or informal support?
 - Does the VA have emotional or physical impairment?
 - Does the VA have stable housing?
 - Is the cognitive status of VA known?
- If it cannot be determined that the individual is a vulnerable adult at the time of the intake, but there is an allegation of maltreatment, the report will be assigned to determine if the individual meets the definition of a vulnerable adult. If it is determined that the individual is not a vulnerable adult after contact has been made, the assessment will be closed with determination not possible as not a vulnerable adult.
- In the event of a death of a vulnerable adult either prior to a report being received or during an assessment, the following factors will be considered in determining whether to continue or discontinue the assessment:
 - a. Maltreatment allegation
 - b. Cause and time of death
 - c. Person alleged responsible and law enforcement involvement

These prioritization guidelines are pursuant to MN Statute 626.557 Subd. 9b. **Response to reports. Each lead investigative agency shall develop guidelines for prioritizing reports for APS Response.