

256.021 VULNERABLE ADULT MALTREATMENT REVIEW PANEL.

Subdivision 1. **Creation.** (a) The commissioner of human services shall establish a review panel for purposes of reviewing lead agency determinations regarding maltreatment of a vulnerable adult in response to requests received under section 626.557, subdivision 9d, paragraph (b). The panel shall hold quarterly meetings for purposes of conducting reviews under this section.

(b) The review panel consists of:

- (1) the commissioners of health and human services or their designees;
- (2) the ombudsperson for older Minnesotans and ombudsperson for mental health and developmental disabilities, or their designees; and
- (3) a member of the board on aging, appointed by the board.

Subd. 2. **Review procedure.** (a) If a vulnerable adult or an interested person acting on behalf of the vulnerable adult requests a review under this section, the panel shall review the request at its next quarterly meeting. If the next quarterly meeting is within ten days of the panel's receipt of the request for review, the review may be delayed until the next subsequent meeting. The panel shall review the request and the investigation memorandum and may review any other data on the investigation maintained by the lead agency that are pertinent and necessary to its review of the final disposition. If more than one person requests a review under this section with respect to the same final disposition, the review panel shall combine the requests into one review.

(b) Within 30 days of the review under this section, the panel shall notify the lead agency and the vulnerable adult or interested person who requested the review as to whether the panel agrees with the final disposition or whether the lead agency must reconsider the final disposition. If the panel determines that the lead agency must reconsider the final disposition, the panel must make specific investigative recommendations to the agency. Within 30 days the lead agency shall conduct a review and report back to the panel with its determination and the specific rationale for its final disposition.

Subd. 3. **Report.** By January 15 of each year, the panel shall submit a report to the committees of the legislature with jurisdiction over section 626.557 regarding the number of requests for review it receives under this section, the number of cases where the panel requires the lead agency to reconsider its final disposition, and the number of cases where the final disposition is changed, and any recommendations to improve the review or investigative process.

Subd. 4. **Data.** Data of the review panel created as part of a review under this section are private data on individuals as defined in section 13.02.

History: *2000 c 465 s 2; 2005 c 56 s 1*