



Iowa Department of Human Services

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September 25, 2015

GENERAL LETTER NO. 16-G-30

ISSUED BY: Bureau of Child Welfare and Community Services,
Division of Adult, Children and Family Services

SUBJECT: Employees' Manual, Title 16, Chapter G, **DEPENDENT ADULT
PROTECTIVE SERVICES**, pages 2, 14, 15, and 38, revised; and page
14a, new.

Summary

Chapter 16-G is revised to:

- ◆ Update policy to reflect changes to form 470-2328, *Multidisciplinary Team (MDT) Agreement*.
- ◆ Remove references to the closed mental health institutes.
- ◆ Update links due to the Department's new website.

Effective Date

Immediately.

Material Superseded

This material replaces the following pages from Employees' Manual, Title 16, Chapter G:

<u>Page</u>	<u>Date</u>
2, 14	September 25, 2009
15	July 9, 2010
38	September 25, 2009

Additional Information

Refer questions about this general letter to your area service administrator.

Because protective service staff and supervisors take turns being “on-call” (after 4:30 P.M., Monday through Friday; weekends and holidays), all protective service staff need access to intake and case assignment policy. On-call staff respond to emergency calls when a dependent adult is suspected to be in immediate danger and must be seen within one hour. On-call workers and supervisors provide intake, case assignment, and emergency home visits after hours.

Dependent adult abuse that occurs in the community is evaluated or assessed by the Department of Human Services (referred to in this chapter as “the Department” or “DHS”). The Department evaluates and assesses reports of dependent adult abuse in the community under the authority of Iowa Code Chapter 235B, “Adult Abuse.”

Dependent adult abuse that occurs in health care facilities, hospitals, adult day programs, assisted living programs, or elder group homes is investigated by the Department of Inspections and Appeals (DIA). DIA investigates reports of dependent adult abuse in the following health care facilities and programs under the authority of Iowa Code Chapter 235E, “Dependent Adult Abuse in Certain Facilities and Programs”:

- ◆ Health care facilities as defined in Iowa Code section 135C.1
- ◆ Hospitals as defined in Iowa Code section 135B.1
- ◆ Elder group home as defined in Iowa Code section 231B.1
- ◆ Assisted living program certified under section 231C.3
- ◆ Adult day services program as defined in Iowa Code section 231D.1

This includes the following Department-operated facilities:

- ◆ Cherokee Mental Health Institute
- ◆ Independence Mental Health Institute
- ◆ Glenwood Resource Center
- ◆ Woodward Resource Center

Multidisciplinary Team Agreements

Legal reference: Iowa Code section 235B.11; 441 IAC 176.15(2)

When the team is established, the service area manager or designee and all team members shall write and sign an agreement on form 470-2328, *Multidisciplinary Team (MDT) Agreement*. The agreement specifies that:

- ◆ The team is composed of Department representatives and persons in the community with:
 - Experience and skills in the protection of children and dependent adults from abuse, and
 - Who are authorized by law to serve on the team as defined in Iowa code sections 235A.13 and 235B.1.

Members serve on a voluntary basis at the request of the Department. The Department has sole responsibility for selection of the team members.

- ◆ The purpose of the team's activities is to solely assist the Department in the assessment, diagnosis, and disposition of child or dependent adult abuse cases.
- ◆ The team selects the time and place for meetings at the convenience of the members.
- ◆ If the Department determines consultation is necessary during the course of the assessment or evaluation of alleged abuse, the team will review and provide recommendations.
- ◆ The Department may consider the recommendation of the team in a specific abuse case but is not in any way bound by the recommendations.
- ◆ Any written report or document produced by the team is:
 - Part of the Department's case assessment file, and
 - Subject to all confidentiality provisions of Iowa Code sections 217.30, 235A, and 235B, and 441 Iowa Administrative Code Chapters 175 and 176.

Any written records maintained by the team will be destroyed when the agreement lapses.

- ◆ No team member will disseminate child or dependent adult abuse information obtained through the multidisciplinary team. This does not preclude dissemination of information as authorized by Iowa Code.
- ◆ Team members receive no compensation from the Department. Department representatives receive no additional compensation for serving as team members.
- ◆ The Department provides office supplies necessary to the operation of the team. The team will not acquire other real or personal property.
- ◆ Team members must obtain Department authorization before any professional work, including treatment, research or publication is undertaken using information obtained from team meetings. Use regular procedures to obtain Department authorization.
- ◆ Any party to the agreement may withdraw with or without cause upon 30 days' notice. The agreement expires annually on July 1 unless extended by mutual agreement of the parties. Agreements must be renewed annually on or before July 1 of each year.
- ◆ Individuals added to the team on an ad hoc basis for a specific case review need the approval of the Department. Individuals, who are not a part of the regular team makeup and are not identified on the current signed agreement, shall sign and date page five of the agreement for each meeting attended during the term of the agreement.

Make copies of page five as needed. Keep these pages with the original signed team agreement. By signing, the ad hoc member agrees to the same terms and conditions as regular team members.

Whenever a team is created, the Department representative on the team files a copy of form 470-2328, *Multidisciplinary Team (MDT) Agreement*, with central office.

All parties must resign each agreement at least annually, on or before July 1 of each year.

Central office will approve team requests for dependent adult abuse information only when it has a current *Dependent Adult Abuse Multidisciplinary Team Agreement* on file. See [Persons Involved in an Evaluation](#) for policy on releasing information to a multidisciplinary team.

Observation and Ensuring Safety

Legal reference: Iowa Code section 235B.3 & 6; 441 IAC 176.6(2); 441 IAC 176.7(2)

The second stage of the evaluation or assessment process is the prompt commencement of an appropriate evaluation or assessment. The primary purpose of the evaluation or assessment is to provide protection of the dependent adult named in the report.

See [16-G\(1\)](#), [Case Assignment](#), for more information on how a case is assigned.

When you are assigned a case to evaluate or assess, determine the following:

- ◆ Are there collateral contacts that should be made before you observe and interview the subjects of the report?
- ◆ If the allegation is true, is there an immediate threat of serious harm, injury, or death?
- ◆ If the allegation does not include an immediate threat of serious harm, injury, or death, what reasonable efforts should you make to observe and interview the dependent adult?

If, at any time during the evaluation or assessment, you believe that there is an immediate threat of serious harm, injury, or death as a result of abuse, contact the proper authorities immediately and communicate these concerns. This may include law enforcement or emergency medical units. Document the date and time of this communication in your written report.

You may inform a subject of a dependent adult abuse evaluation or assessment that a person is listed on the child or dependent adult abuse registry or is required to register with the sex offender registry. You may do this only if it is determined necessary for the protection of the dependent adult.

- ◆ Someone must sign the Crime Victim Assistance application papers. This may be the dependent adult, that person's guardian, or a relative or friend of that person who is willing to sign the application. (DHS employees may **not** sign applications, which might ultimately result in Department fiscal or other liability, with no legal recourse.)
- ◆ A claim for the cost of a medical examination in a sexual abuse case or other victim expenses must be submitted within 45 days of the examination date or expense.

Crime Victim Assistance can reimburse for emergency care in a health care facility, but there must be someone to sign the health care facility admission application and the Crime Victim Assistance application.

The address of the Crime Victim Assistance Program is:

Crime Victim Assistance Compensation Program
Lucas Building, Ground Floor Room 018
321 E 12th Street
Des Moines, Iowa 50319-0114
Phone: (515) 281-5044 or 1-800-373-5044
<http://www.iowaattorneygeneral.gov/for-crime-victims/crime-victim-compensation-program/>

Financial Records

Legal reference: Iowa Code Section 235B.3(6); 441 IAC 176.6(3)

When you are evaluating an allegation of financial exploitation against a dependent adult, you may petition the court to order access to the dependent adult's financial records. Consult with your supervisor before requesting this court action through the county attorney's office.

If you are authorized by the Department and can show probable cause that a dependent adult has been financially exploited, a court may authorize you, to make an evaluation and to gain access to the financial records of the dependent adult.