

### Background:

In 1989, the North Dakota Legislature passed the law authorizing the Department of Human Services to develop, administer, and implement a protective services program for vulnerable adults. The program works to prevent further abuse, neglect, or exploitation and promotes self-care and independence. Each regional human service center has an Elder Services Unit that provides vulnerable adult protective services and other services.

ND Century Code 50-25.2-03 says that any person who reasonably believes that a vulnerable adult has been subjected to abuse or neglect or observes conditions or circumstances that reasonably would result in abuse or neglect, may report the information to the N.D. Department of Human Services or to an appropriate law enforcement agency.

The law gives the Department the right to assess and provide or arrange for adult protective services if the vulnerable adult consents to and accepts services. The Department may pursue administrative, legal, or other remedies authorized by law, which are necessary and appropriate under the circumstances to protect a vulnerable adult who cannot give consent, and to prevent further abuse or neglect.

*The legal definition of a vulnerable adult is "any person older than age 18 or emancipated by marriage who has a substantial mental or functional impairment."*

Federal Fiscal Year Data:	FFY 09	FFY 08	FFY 07
New Cases*	530	486	444
Information and Referrals	395	360	392
Brief Services (Two hours or less to resolve)	231	257	223
Cases Closed	456	468	404
Hours spent on services	5,689	6,839	7,008
<b>Referral Reasons</b>			
Self-Neglect	64%	66%	66%
Neglect	15%	17%	16%
Financial Exploitation	14%	9%	10%
Abuse	7%	8%	8%
<b>Nature of Request</b>			
Non-Emergency	87%	80%	79%
Imminent Danger	5%	10%	12%
Emergency	8%	10%	9%

\* **Note:** A new case does not mean a person has not been served before. Recidivism is common. Abilities change over time, and neglect or abuse concerns may resurface.

# Vulnerable Adult Protective Services Demographic Data

Oct. 2008 – Sept. 2009

General	
72%	Age 60 and older
56%	Female
91%	Non-minority
5%	American Indian
4%	Other Ethnicity
Marital Status	
59%	Single/Widow/Widower
18%	Married
16%	Divorced/Separated
7%	Unknown
Alzheimer's and Other Dementia	
69%	Did not have dementia
31%	Do have some sort of dementia
Reasons for Case Closure	
20%	Referred to another agency
10%	Received protective arrangements, or died
18%	Client refused services
12%	Placed in long-term care facility
40%	Other

## Adult Protection in Practice:

- A **vulnerable adult has the right** to make decisions on his or her own behalf until he or she delegates responsibility voluntarily to another or the court grants responsibility to another.
- **When interests compete**, a competent individual's decision supersedes community concerns about safety, landlord concerns about property, or family concerns about health or finances.
- **A person can choose** to live "in harm" or even self-destructively, if she or he is competent to choose, does not harm others, and commits no crimes.

## How Are Calls Handled?

When a Regional Human Service Center receives a call about suspected abuse or neglect of a vulnerable adult, staff members:

- **Assess the situation** via phone to determine if an emergency exists.
- **Work with law enforcement, if appropriate.**
- If it is not an emergency, but requires more than providing information and referral, **staff may conduct a site visit** to assess the situation and assure appropriate services are offered.
- **May offer services** to the vulnerable person such as home-delivered meals, personal care assistance, respite care, or other services, if appropriate.

## Human Service Center Contact Information:

<b>Bismarck</b>	701-328-8888	888-328-2662
<b>Devils Lake</b>	701-665-2200	888-607-8610
<b>Dickinson</b>	701-227-7500	888-227-7525
<b>Fargo</b>	701-298-4500	888-342-4900
<b>Grand Forks</b>	701-795-3000	888-256-6742
<b>Jamestown</b>	701-253-6300	800-260-1310
<b>Minot</b>	701-857-8500	888-470-6968
<b>Williston</b>	701-774-4600	800-231-7724

## Another Resource:

**ND Aging and Disability Resource Link**  
**1-800-451-8693**  
**[www.carechoice.nd.gov](http://www.carechoice.nd.gov)**

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**N.D. Department of Human Services  
Aging Services Division**

1237 W Divide Ave, Suite 6  
Bismarck ND 58501

Phone: 701-328-4601

N.D. Relay: 1-800-366-6888 or 711: TTY

E-mail: [dhsaging@nd.gov](mailto:dhsaging@nd.gov)

[www.nd.gov/dhs](http://www.nd.gov/dhs)