

Vulnerable Adult Protective Services Program



What is the Vulnerable Adult Protective Services Program?

- The program addresses the safety of vulnerable adults who are at-risk of harm due to the presence or threat of **abuse, neglect, or exploitation**.
- The program is offered statewide through the North Dakota Department of Human Services' regional human service centers or through local partner agencies.

What is abuse and neglect of a vulnerable adult?

- **Abuse** means any willful act or omission by a caregiver or other person, which results in physical injury, mental anguish, unreasonable confinement, sexual abuse or exploitation, or financial exploitation to or of a vulnerable adult.
- **Neglect** means the failure of a caregiver to provide services necessary to maintain the physical and mental health of a vulnerable adult, or the inability or lack of desire of the vulnerable adult to maintain and safeguard his or her own physical and mental health.
- **Vulnerable adult** means an adult who has a substantial mental or functional impairment.
 - "**Substantial functional impairment**" means a substantial inability, because of physical limitations, of living independently or providing self-care as determined through observation, diagnosis, evaluation, or assessment.
 - "**Substantial mental impairment**" means a substantial disorder of thought, mood, perception, orientation, or memory that grossly impairs judgment, behavior, or ability to live independently or provide self-care as determined by observation, diagnosis, evaluation, or assessment.

Additional definitions are found in North Dakota Century Code section 50-25.2-01 available at www.legis.nd.gov/cencode/t50c25-2.pdf?20130702181453.

Who does the program serve?

- The program is offered to vulnerable adults age 18 and older or to a minors emancipated by marriage with substantial mental or functional impairments affecting their health, safety, or independence.

Who can call with a concern about possible abuse, neglect, or exploitation?

- A medical or mental health professional providing care or services to a vulnerable adult who knows that a vulnerable adult has been subjected to abuse or neglect **is required to report**.
- Anyone can call with a concern including a friend, relative, neighbor, banker, or other concerned community member.

Who do I contact to report a concern?

- **URGENT:** If a vulnerable adult is in immediate danger, call law enforcement now and afterwards report concerns to Vulnerable Adult Protective Services by:
 - Filing a report **online** at: <https://fw2.harmonyis.net/NDLiveIntake/>.
 - Contacting Vulnerable Adult Protective Services Central Intake Line at **1-855-462-5465 Option 2**. Messages can be left after hours.
 - Complete and submit the reporting form: <http://www.nd.gov/eforms/doc/sfn01607.pdf>
 - Email to carechoice@nd.gov
 - Fax to 701-328-8744

What happens after I make a call?

When a call about possible abuse or neglect is received, adult protective services central intake staff members:

- Review your concern by asking screening questions to determine if the adult is in serious danger and needs immediate intervention (such as law enforcement).
- When appropriate, provide assistance to help individuals gain access to services by providing information and referring people to appropriate services.
- If a report meets the criteria for further evaluation, information is sent to regional staff who conduct a home visit to do a full assessment and make appropriate referrals or provide follow-up as needed.

What else should I know after I call with a concern?

- A person, including a vulnerable adult, has the right to make his or her own decisions unless the person gives up that right or the court system gives that responsibility to someone else.
- A person, including a vulnerable adult, has the right to live how he or she wants if it does not harm others or involve a crime.
- If a vulnerable adult who is subject to abuse or neglect is unable to consent to and accept adult protective services, or if that vulnerable adult's caregiver refuses adult protective services, the department can independently pursue legal action necessary to protect the vulnerable adult from further abuse or neglect. (NDCC 50-25.2-07)