

**TO: AIN Representatives of DOH, OASAS, OCFS, OMH, OPWDD, and SED**  
**FROM: Jeff Wise, Executive Director**  
**DATE: July 17, 2013**  
**SUBJECT: Required Notifications to Vulnerable Persons and/or Personal Representatives**

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As you may know, under the Justice Center's legislative authorization the vulnerable person or their personal representative must be notified when an allegation of abuse/neglect is reported to the Justice Center. Upon further consideration of this legislative requirement and the practical needs of the persons receiving services within our systems, the Justice Center is requiring that your Agency or its providers make these notifications to vulnerable persons or their personal representatives when abuse or neglect allegations are reported to the Justice Center. We believe this solution will more adequately serve the needs of the persons receiving services because the direct service providers are in the best position to identify the communication needs and channels most suited to your service recipients based on their individual care plans, and to answer critical questions related to the care and protections put in place for vulnerable persons related to the reported abuse or neglect.

Effective immediately, this approach will require two actions on the part of your State Oversight Agency:

- 1) Notifying vulnerable persons or their appropriate family members/personal representatives for any new abuse/neglect cases initiated moving forward using your existing protocols/practices for such communications; and,
- 2) Notifying vulnerable persons or their appropriate family members/personal representatives in cases that have been initiated to date since June 30, 2013, if you have not done so already. To facilitate this action, we have compiled the attached list of cases initiated to date specific to your State Oversight Agency.

Please note that the Justice Center is required by law to protect the confidentiality of the reporter of abuse/neglect allegations, therefore please do not disclose this information in your communications to the vulnerable person or their personal representative. Also, please ensure that a record of these communications is maintained for reporting purposes related to this requirement. Please contact us with any questions or concerns.

We recognize that this is a newly communicated requirement for you to implement. However, we believe this process will have the best results for the individuals that are

being served and their families, and is consistent with your practices pre-June 30<sup>th</sup>. Thank you for your continued support and cooperation.

Cc: Jay Kiyonaga, Justice Center