

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 let us know if you have any questions about this request. 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 30th practices. We will raise this topic for discussion at our next Steering Committee meeting as well. Thank you for your continued support and cooperation.

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