



# Office of Health Facility Complaints

Project Description

August 2017

## BACKGROUND

State and federal laws require the Office of Health Facility Complaints (OHFC) in the Minnesota Department of Health (MDH) to investigate maltreatment allegations involving vulnerable adults who receive services regulated by the department. About 90,000 people receive home care services (including assisted living) from MDH-regulated providers, and another 35,000 people receive services in MDH-licensed facilities, such as nursing homes and hospitals.

In July 2015, the state opened the Minnesota Adult Abuse Reporting Center (MAARC), a statewide hotline in the Department of Human Services (DHS). The 24-hour hotline provides a central telephone number for individuals to report maltreatment allegations. MAARC staff refer each allegation they receive to an investigatory body—OHFC for MDH-regulated services, the Office of Inspector General for DHS-regulated services, and counties for unregulated services. In Fiscal Year 2016, MAARC received nearly 51,500 allegations and referred 43 percent to OHFC.

OHFC has seen a marked increase in its allegation caseload over the last several years. Since Fiscal Year 2010, the number of maltreatment allegations OHFC received grew from less than 4,000 a year to more than 24,000. In Fiscal Year 2016, OHFC was able to investigate only about 2 percent of the maltreatment allegations it received. In addition to caseload issues, a recent newspaper article questioned the adequacy of OHFC's investigations, citing problems with its methodology, timing, communication, and follow up.

## EVALUATION ISSUES

1. To what extent does OHFC effectively process and investigate allegations?
2. How often does OHFC impose sanctions or require providers to develop corrective action plans, what types of sanctions are imposed, and

to what extent does the office monitor compliance?

3. Does OHFC maintain appropriate levels of communication with complainants and other stakeholders? To what extent are OHFC's processes, reports, and website transparent and accessible?

## DISCUSSION

To answer these questions, OLA will analyze OHFC data regarding allegations and investigations, including their outcomes. We will examine trends, including numbers and types of allegations; timeliness of OHFC actions; and investigation determinations. We will also review a sample of allegation case files to examine OHFC actions and decisions in more detail. To get a better understanding of OHFC's investigation processes, OLA staff will observe a number of OHFC onsite investigations.

To gain additional perspectives, OLA will interview a variety of stakeholders, including OHFC staff, complainants, care providers, ombudspersons, elder advocates, and others. To determine the extent to which OHFC provides transparent and accessible information to the public, we will review OHFC's reports and website, and compare them to information provided by DHS for similar types of investigations.

Finally, we will review state and federal laws and regulations and examine the extent to which OHFC is meeting applicable legal requirements. We will also evaluate the extent to which these requirements differ among various types of licensed facilities and allegations.

The evaluation is expected to be completed in February 2018. For additional information, contact Judy Randall, evaluation manager, at [judy.randall@state.mn.us](mailto:judy.randall@state.mn.us) or 651-296-1227.