

## Rule 26 Vulnerable Adult Determination

Minnesota Statutes, section 245A.65, subdivision 1a. requires that a license holder providing services to adults who are excluded from the definition of vulnerable adult under section 626.5572, subd. 21, clause (2), must determine whether the person is a vulnerable adult within 24 hours of admission to the licensed treatment center; and within 24 hours of any incident that was reported under section [626.557](#); or would have been required to be reported under section [626.557](#), if one or more of the adults involved in the incident had been vulnerable adults. A person receiving services in a Rule 26 program *who has not been committed* as a sexual psychopathic personality or a sexually dangerous person under chapter 253B is considered vulnerable under clause (1).

All three of the following items must be answered "Yes" for a client to be determined to be functionally vulnerable.

1. Does the client possess a physical or mental infirmity or other physical, mental, or emotional dysfunction?
  - No. Client is not a vulnerable adult.
  - Yes. Proceed to next question.
2. Does the client's physical or mental infirmity or other physical, mental, or emotional dysfunction, impair the client's ability to provide adequately for the client's own care without assistance, including the provision of food, shelter, clothing, health care, or supervision?
  - No. Client is not a vulnerable adult.
  - Yes. Proceed to next question.
3. Does the client's dysfunction or infirmity and the need for assistance, impair the client's ability to protect the client from maltreatment?
  - No. Client is not a vulnerable adult.
  - Yes. Client is a vulnerable adult

**Determined to be a Vulnerable Adult**

Must develop an **Individual Abuse Prevention Plan**. An individual abuse prevention plan must be developed for each person determined to be a vulnerable adult as part of the initial individual program plan or service plan required under the applicable licensing rule. The review and evaluation of the individual abuse prevention plan shall be done as part of the review of the program plan or service plan. See Minnesota Statutes, section 245A.65, subdivision 2, (b), clauses (1) and (2).

**Determined not to be a Vulnerable Adult**

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Staff Signature

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Date

11/2008