



ABUSE STOPS WITH US.

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MALTREATMENT: A TECHNICAL DEFINITION

Maltreatment is defined within Minnesota Statutes, section 626.5572 as the abuse, neglect or financial exploitation of a vulnerable adult.

ABUSE ENCOMPASSES THE FOLLOWING:

Assault

Use of drugs to injure or facilitate crime

Solicitation, inducement, and promotion of prostitution

Criminal sexual conduct

Conduct that is not an accident or therapeutic, which produces or would be expected to produce physical pain, injury, or emotional distress including, but not limited to:

- Hitting, slapping, kicking, pinching, biting, or corporal punishment of a vulnerable adult
- Repeated or malicious oral, written, or gestured language toward a vulnerable adult, or disparaging, derogatory, humiliating, harassing or threatening treatment of a vulnerable adult
- Aversive or deprivation procedures for persons with developmental disabilities or related conditions not authorized under statute
- Aversive or deprivation procedure, unreasonable confinement or involuntary seclusion, including the forced separation of the vulnerable adult from other persons against the will of the vulnerable adult or the vulnerable adult's legal representative

Any sexual contact or penetration between a facility staff person or service provider and a resident, patient, or client of that facility

Forcing, compelling, coercing, or enticing a vulnerable adult against the vulnerable adult's will to perform services for the advantage of another

NEGLECT INCLUDES THE FOLLOWING:

Failure or omission by a caregiver to supply a vulnerable adult with care or services that are reasonable and necessary to the vulnerable adult’s physical or mental health or safety

Absence or likelihood of absence of care or services necessary to maintain the physical and mental health of the vulnerable adult

FINANCIAL EXPLOITATION INCLUDES THE FOLLOWING, IN A BREACH OF A FIDUCIARY OBLIGATION:

Unauthorized spending of funds entrusted to a person by the vulnerable adult that results or is likely to result in detriment to the vulnerable adult

Failure to use the vulnerable adult’s financial resources to provide for the vulnerable adult’s needs, to the detriment of the vulnerable adult

Willful use, withholding, or disposal of a vulnerable adult’s funds or property without legal authority

Obtaining the performance of services for the wrongful profit or advantage of the actor or another, to the detriment of the vulnerable adult

Acquiring possession or control of, or an interest in, a vulnerable adult’s funds or property through the use of undue influence, harassment, duress, deception, or fraud

Forcing, compelling, coercing, or enticing a vulnerable adult, against the vulnerable adult’s will, to perform services for the profit or advantage of another.

SOURCE: house.leg.state.mn.us/hrd/pubs/vuladult.pdf