

WHAT REPORTERS NEED TO KNOW

There may be times when a report is made to Vulnerable Adult Protective Services (VAPS) and it appears no changes occurred for the vulnerable adult. Every action taken by VAPS must balance the duty to protect the safety of the vulnerable adult with the adult's right to self-determination.

All competent adults have the right to self-determine...choose their own values, principles, and lifestyles. And, all adults are presumed to have competency unless determined by supporting medical evidence. Adults retain all their civil and constitutional rights unless a court determines otherwise.

In instances where it appears NO CHANGE has occurred after a report was made; it may be the result of a competent adult choosing to:

- **Remain in an unsafe, unhealthy, or unclean environment. Adults have the right to make decisions that do not conform with societal norms as long as these decisions do not harm others.**
- **Refuse services, including services & recommendations made by VAPS.**

Please note: After a report to VAPS has been made, if there is a substantial negative change to an adult's situation, a second report may be made to ensure VAPS is aware of a harmful or adverse change in the adult's circumstances.

Responsibilities of VAPS are:

- Examine all aspects of reported maltreatment while not revealing identity of the reporter. Confidentiality laws may prevent the release of the vulnerable adult's personal information or investigations outcome.
- VAPS objective is NOT to "fix" a situation, but to investigate & offer assistance when possible.
- When resources are available, VAPS has the duty to inform and assist a vulnerable adult in obtaining needed services, however, cannot force a competent adult to accept services. Outcomes for a competent adult is driven by the adult...not VAPS, family or others.
- The goal of VAPS are to help adults maintain their independence and cannot involuntarily remove someone from their home or interfere with a competent adult's chosen lifestyle.
- When a report is received on a vulnerable adult where supporting medical evidence questions competency, VAPS will take appropriate steps to ensure the reported adult's safety.
- VAPS focuses on the least restrictive intervention possible in order to preserve an adult's independence. Whenever possible, services are provided in an adult's home to help them avoid placement in a skilled nursing facility.

**For North Dakota's Vulnerable Adult Protective Service's laws and policies,
please visit: www.hhs.nd.gov**