
OVERVIEW

An overview of the adult protective services (APS) program is provided in this manual item.

Mandatory Reporters to APS

A referral from any source must be documented and reviewed to determine if it meets requirements for investigation. Certain persons, however, are required by statute to make an **oral report** regarding suspected abuse, neglect, or exploitation of adults to the Michigan Department of Health and Human Services (MDHHS), Centralized Intake for Abuse and Neglect (CI) toll-free at **855-444-3911**. Those required persons are:

- Individuals employed, licensed, registered, certified to provide **or** an employee of an agency licensed to provide:
 - Health care.
 - Education services.
 - Social welfare services.
 - Mental health services.
 - Other human services.
- Law enforcement officers.
- Employees of a county medical examiner.
- Physicians.
- Bank and credit unions with a physical location within Michigan.
- Broker-dealers and investment advisors.

Note: Attorneys, members of the clergy and long-term care ombudsmen **are not** mandatory reporters to APS.

Mandatory Reporters to Other Departments

Certain individuals are required to report to the Department of Licensing and Regulatory Affairs (LARA) when there are allegations

of abuse, neglect or exploitation of vulnerable adults residing in facilities licensed by LARA ; see [ASM 210](#) for a list of these facilities). As provided in the Public Health Code, P.A. 368 of 1978 (MCL 333.21771), those individuals are:

- Nursing home employee, nursing home administrator, nursing director.
- Physician or other licensed health care personnel of a health care facility to which a patient is transferred.

These individuals are not required to also make a report to adult protective services however LARA may make a referral to APS if appropriate

Exception: If the alleged perpetrator is not an employee of the facility, a report to adult protective services is required in addition to a report to LARA.

REFERRALS

All referrals, requests and complaints that allege an adult is vulnerable and is being or is at risk of being abused, neglected, or exploited must be documented accurately on the Michigan Adult Integrated Management System (MiAIMS) by CI. A CI manager then reviews each referral for assignment decision. See [ASM 207](#) for CI processes.

During Regular Business Hours

All APS referrals received during normal business hours, that meet criteria for investigation, are assigned to and addressed by an APS worker.

After Business Hours/On Call

Local office on-call staff must promptly address all APS referrals received after business hours that meet criteria for investigation. Local offices must take necessary steps to ensure that prompt response and follow-up to complaints made after normal working hours are made. These steps include:

- Imminent threat of danger requires face-to-face with client as soon as possible.

- No imminent threat of danger requires:
 - 24-hour contact with the client or collateral person by phone or face-to face.
 - 72-hour face-to-face with client.

Note: Adult services staff, who have received APS training, provide on-call coverage for state holidays and weekends.

Children's Protective Services (CPS) staff continue on-call coverage Monday through Thursday (excluding state holidays that fall on a Monday-Thursday). On-call coverage begins at 5:00 p.m. and ends at 8:00 a.m. the next business day.

After Hour Emergencies in LARA Licensed Facilities/Nursing Homes

MDHHS on-call staff must help with LARA licensed facilities for emergency and life threatening situations that occur after business hours. MDHHS staff must provide services to resolve the immediate emergency and inform LARA of the referral the next working day.

Example: If a licensed nursing home requires immediate evacuation due to a natural disaster, such as a flood or fire, MDHHS is responsible to ensure the safe relocation of each resident as provided in the Public Health Code, P.A. 368 of 1978 (MCL 333.21786).

Required Information for APS Referral

The reporting person is required to give the following information:

- Name of the adult.
- Description of the abuse, neglect, or exploitation.
- Other information available to the reporting person on the cause and manner of the abuse, neglect, or exploitation.

If available:

- The adult's age.
- The identity and the address of the next of kin or guardian.
- The identity, the address, and the relationship of those with whom the adult resides.

CI utilizes a standard intake format to gather as much information as possible, such as dates, names, addresses and phone numbers of involved or knowledgeable persons. Special effort is made to gather information which can be used to determine if the adult is vulnerable and in need of protective services.

Confidentiality

The identity of the referral source (RS) **must** be kept confidential unless MDHHS is given written permission by the RS or is ordered by a court to release the RS identity.

Note: To further protect the RS identity, workers must not read the referral allegations word-for-word to any individual outside of the department.

Substance Abuse Treatment Agencies

There are special confidentiality guidelines that apply when working with adults who have been referred to MDHHS by substance abuse treatment agencies. The federal regulations for confidentiality of alcohol and drug abuse are found in 42 CFR Part 2. Use the following guidelines:

- Information regarding the client's involvement in the substance abuse treatment program must be held confidential. It can be shared only if the adult is willing to sign a release. The DHS-27-A, Authorization to Release Information, is to be used. Other case information may be shared with other agencies when it is in the best interest of the client; see [Services General Requirements Manual \(SRM\) 131, Confidentiality](#).
- Prior to involving these adults with the prosecuting attorney or in judicial proceedings contact either area below for additional guidance:

MDHHS
Economic Stability
Administration Supportive
Adult Services Section
[MDHHS-Adult-Services-
Policy@michigan.gov](mailto:MDHHS-Adult-Services-Policy@michigan.gov)

MDHHS
Behavioral Health and
Developmental Disabilities
Administration
Office of Recovery Oriented
Systems of Care
517-373-4700

Social Media

MDHHS employees must comply with all confidentiality laws and policy. When using social media sites; see [SRM 131](#), Confidentiality, and [Administrative Policy Manual Communications \(APC\) 110](#), Social Media Policy, for additional guidance.

MIAIMS

The Michigan Adult Integrated Management System (MiAIMS) is the automated workload management tool for APS. Documentation for all the APS functions must be completed on MiAIMS, including all collateral and face to face contacts.

INTAKE/ REGISTRATION

- Each local office must have a designated APS complaint coordinator who reviews all referral decisions made by the CI managers. The complaint coordinator is responsible for ensuring that all assigned APS referrals are assigned to an APS worker and responded to timely, according to statutory and policy requirements. The APS complaint coordinator will review cases assigned by CI through a MiAIMS command button labeled *Assignments from CI*.
- The APS complaint coordinator will review cases denied by CI through a MiAIMS command button labeled *CI Dispositions*.

Note: The APS complaint coordinator must follow the reconsideration process for any assigned or denied decisions they disagree with. The reconsideration process can be found in [ASM 207, Centralized Intake for Reports of Abuse and Neglect](#).

Notification to the Complainant

The complainant **must be** notified in writing that the referral has been received and is being investigated, or that the complaint is not appropriate for an APS investigation. The APS referral acknowledgement letter and APS referral denial letter are generated on MiAIMS and MiAIMS will auto-populate a contact into the case record when printed.

The local office APS complaint coordinator or supervisor must print and mail the APS referral acknowledgement letter for all

APS referrals assigned by CI for investigation. The letter must include the name and contact information of the assigned APS worker and must be mailed within ten business days.

Note: The APS referral denial letter is printed and mailed by CI.

**Notification to
Complainant for
FEPA or Uniform
Securities Act
Referrals**

If the referral is covered under the Financial Exploitation Prevention Act (FEPA) or Uniform Securities Act an email notification will be completed and sent to the referral source upon decision by Adult Protective Services (APS) in the county where a referral is assigned.

Utilize the following format when sending the email for either FEPA or Uniform Securities Act referral:

Subject:

FEPA or Uniform Securities Act Referral Assignment
Notification

Narrative:

This email is to notify you that Referral ID XXXXXX-X concerning financial exploitation has been assigned for investigation and has been referred to XXXXXXXX law enforcement agency. The assigned worker is XXXXXXXX and may be contacted by phone (XXX) XXX-XXXX or email xxxxxxxx@michigan.gov.

As a follow up, you will receive a letter informing you of the screening decision and contact information for the DHHS County Office. This letter will be mailed through US postal mail and should be received within 10 business days.

APS complaint coordinator or supervisor will enter a case contact with the contact type FEPA – Assignment Notification and copy and paste the narrative from the email sent to the referral source.

APS complaint coordinator or supervisor will enter a case contact using the contact type Other and description of Uniform Securities

Act-Assignment Notification and copy and paste the narrative from the email sent to the referral source.

LEGAL BASE

Staff who investigate APS referrals must become familiar with the following laws and rules in relation to the provision of adult protective services:

- Social Welfare Act, MCL 400.11to MCL 400.11f.
- Public Health Code, MCL 333.21771.
- Estates and Protected Individuals Code, MCL 700.5101 et seq.
- Code of Federal Regulations; Confidentiality of Alcohol and Drug Abuse Patient Records, 42 CFR Part 2.
- Financial Exploitation Prevention Act, MCL 487.2081to MCL 487.2091.
- Uniform Securities Act, MCL 451.2351 to MCL 451.2543