

**Vulnerable Adult
Due Process Appeal Rights**

NOTICE OF FINDINGS

Send to VA AND guardian, OR
healthcare proxy

RECONSIDERATION REQUEST

1st Level Appeal through
County Lead Agency

VA Appeal Rights*: 15 calendar days
from receipt of findings notice

COUNTY RESPONSE

15 working days following
receipt of request

**DHS MALTREATMENT REVIEW
PANEL REQUEST**

2nd Level Appeal

VA Appeal Rights: 30 calendar days from
date of reconsideration denial

PANEL RESPONSE

30 days following panel review
meeting

* VA Appeal Rights: VA, designee OR interested party;
guardian, family proxy (245A.02) with findings
determination of Substantiated, False, and
Inconclusive. No rights to appeal when findings results
in "No Determination" due to investigation not
possible/victim not a VA.

*All findings changes made by county as a result of an
appeal must be noted in SSIS*

**ADULT PROTECTION
FINAL INVESTIGATIVE DISPOSITION
DUE PROCESS APPEALS RIGHTS**

SSIS RETENTION PERIODS

Substantiated- 7 years
False- 3 years
Inconclusive- 4 years
No Determination- 3 years

**Alleged Perpetrator
Due Process Appeal Rights**

NOTICE OF FINDINGS

Send to alleged perpetrator

RECONSIDERATION REQUEST

1st Level Appeal through
County Lead Agency

AP Appeal Rights*: 15 calendar days from
receipt of findings notice

COUNTY RESPONSE

15 working days following
receipt of request

DHS APPEALS & REGULATIONS

2nd Level Appeal

AP Appeal Rights: 30 calendar days from
date of reconsideration denial or DHS
background study disqualification

DISTRICT COURT

2nd Level Appeal Option

AP Appeal Rights:

Petition on maltreatment determination, or for
consolidated hearing to combine DHS disqualification
appeal and maltreatment determination.

APPEALS RESPONSE

90 days following DHS appeals hearing
District court order for petitions and
consolidated hearings

* AP Appeal Rights: only for "Substantiated" disposition
determinations

*All findings changes made by county as a result of an appeal
must be noted in SSIS*