

**TO BE GIVEN TO RESIDENT/LEGAL GUARDIAN**

**HOMES PLUS RESIDENT RIGHTS AND  
VULNERABLE ADULT LAW INFORMATION**

**INFORMATION ABOUT RIGHTS.** At the time of admission, a resident and the resident's legal representative will be given:

- \* an explanation and copy of the resident's rights as listed below;
- \* a written summary of the Vulnerable Adults Act (Attached)
- \* the name address, and telephone number of the local agency to which a participant or resident's legal representative may submit an oral or written complaint (Attached).

**RIGHT TO USE THE TELEPHONE.** A resident has the right to daily, private access to and use of a non coin operated telephone for local calls and long-distance calls made collect or paid for by the resident.

**RIGHT TO RECEIVE AND SEND MAIL.** A resident has the right to receive and send uncensored, unopened mail.

**RIGHT TO PRIVACY.** A resident has the right to personal privacy and privacy for visits from others, and the respect of individuality and cultural identity. Privacy must be respected by operators, providers, household members and volunteers. For example: knock on the door of a resident's rest area and seek consent before entering, except in an emergency. Ensure privacy during toileting, bathing, and other activities of personal hygiene, except as needed for resident's safety or assistance as noted in the resident's service agreement.

**RIGHT TO USE PERSONAL PROPERTY.** A resident has the right to keep and use personal clothing and possessions as space permits, unless doing so would infringe on the health, safety, or rights of other residents or household members.

**RIGHT TO ASSOCIATE.** A resident has the right to meet with or refuse to meet with visitors and participate in activities of commercial, religious, political, and community groups without interference if the activities do not infringe on the rights of other residents or household members.

**MARRIED RESIDENTS.** Married residents have the right to privacy for visits by their spouses, and if both spouses are residents of the adult foster home, they have the right to share a bedroom and a bed.

**DATA PRIVACY.** The information contained in a resident's record shall not be disclosed without the informed written consent of the resident or the resident's legal guardian, except information shall be provided: (a) to the resident, to the resident's legal guardian, or to a person known to the provider as the resident's care giver; and (b) to the Commissioner for the purpose of investigation of complaints involving the Homes Plus Service provider or resident.

If I have questions regarding the law, or if I wish to submit an oral or written complaint regarding my arrangement, I will contact:

Otter Tail County Human Services Foster Care Licensing 530 Fir Ave W Fergus Falls MN 56537  
218-998-8150

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## Vulnerable Adults Act

### Who:

The Act creates Mandated Reporters, including licensed service providers of adult foster homes. It defines Vulnerable Adults as including those receiving services there.

### What:

The Act specifies what must be recorded, including:

- **ABUSE:** committing, attempting, or aiding in an assault; using drugs to injure or facilitate crime; solicitation, inducement, or promotion of prostitution; criminal sexual conduct; non-accidental, non-therapeutic conduct that produces physical pain or injury or emotional distress or could reasonably be expected to, such as hitting, slapping, kicking, biting, corporal punishment, repeated or malicious oral, written, or gestured language that would be considered disparaging, derogatory, humiliating, harassing, or threatening by a reasonable person; aversive or deprivation procedures, unreasonable confinement, or involuntary seclusion including forced separation from other persons against the will of the vulnerable adult or their legal representative; any sexual contact or penetration; forcing, compelling, coercing, or enticing to perform services for another person's advantage
- **NEGLECT:** failure or omission by a caregiver to supply with care or services, such as food, clothing, shelter, health care, or supervision reasonable and necessary to obtain or maintain physical or mental health or safety considering the vulnerable adult's physical and mental capacity or dysfunction, and which is not the result of an accident or therapeutic conduct; or the absence or likelihood of absence of such care or services
- **FINANCIAL EXPLOITATION:** unauthorized expenditure of funds entrusted by the vulnerable adult; or failure to use the financial resources of the vulnerable adult to provide food, clothing, shelter, health care, therapeutic conduct, or supervision for them; in the absence of legal authority, willful use, withholding, or disposal of funds or property, obtaining services by a third person for wrongful profit or advantage; use of undue influence, harassment, duress, deception, or fraud to acquire possession or control of or an interest in funds or property of a vulnerable adult; or forcing, compelling, coercing, or enticing them against their will to perform services for the profit or advantage of another

**PHYSICAL INJURIES** that are not reasonably explained

### When:

The Act requires immediate reporting when a mandated reporter has reason to believe that a vulnerable adult is being or has been maltreated, or who has knowledge of them sustaining a physical injury that is not reasonably explained.

### Where:

The Act assigns a common entry point for all reporting. For Otter Tail County, it is:

**218-998-8166**