

MDH and Minnesota's Maltreatment of Minors Act

The Minnesota Department of Health (MDH), Office of Health Facility Complaints, conducts investigations under Minnesota's Maltreatment of Minors Act if the child resides in one of MDH's licensed facilities. If OHFC receives a complaint related to a facility that MDH does not license, we forward the complaint to the DHS licensing division if it is licensed by DHS, or the Child Protection Services in the county where the child resides.

MDH places a high priority on allegations of maltreatment involving children. When a complaint/allegation of possible child maltreatment is received by the OHFC intake unit, it is immediately triaged and discussed with a supervisor.

Jurisdiction:

If the facility falls under MDH jurisdiction, the allegation is triaged by the intake unit. Depending on the severity of the allegation OHFC will notify the Child Protection Services (CPS) to discuss any possible agency history with CPS and to make CPS aware of the complaint. When information is sent to another agency, a phone call is made to ensure the agency receives the information.

If the facility is not under MDH's jurisdiction, CPS is notified of allegation, and the information is sent to the state entity (CPS or DHS) with jurisdiction.

Triage:

Based on the severity of the allegation and the possible risk of harm to other children receiving care through the provider, OHFC will initiate a site investigation that same day or within 2 or 10 days. The majority of the maltreatment of minor investigations are initiated within 2 days. All triage is based on the health and safety risk to the child or other children receiving care from that particular provider.

If there is suspicious criminal activity involved, OHFC intake staff and or the investigator will contact police to ensure their awareness.

Investigation:

During the investigation interviews are conducted with the child's guardian and/or family members. If the child is attending a school program, attempts are made to interview the school staff. Also if appropriate, interviews are conducted with the child.

At the conclusion of the investigation, a copy of the report with the maltreatment determination is sent to CPS and ombudsman office.