

RESOLUTION 2015-50

A RESOLUTION AUTHORIZING MINERVA PARK POLICE CHIEF KIM NUESSE TO SIGN THE FRANKLIN COUNTY MEMORANDUM OF UNDERSTANDING AND THE FRANKLIN COUNTY APS PLAN OF COOPERATION AS A COMMUNITY PARTNER TO ADDRESS ELDER ABUSE, NEGLECT AND EXPLOITATION IN FRANKLIN COUNTY AND TO DECLARE AN EMERGENCY.

WHEREAS, under the Ohio Revised Code, the local County Department of Job and Family is the governmental entity responsible for the provision of adult protective services (aps) for the county, and

WHEREAS, in Franklin County the Franklin County Department of Job and Family Services (FCDJFS) designates the Franklin County Office on Aging (FCOA) through a contractual relationship, to fulfill this requirement, and

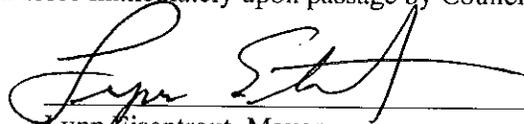
WHEREAS, the Franklin County Plan of Cooperation (Plan) is a formal agreement between Franklin County Office on Aging, Franklin County Department of Job and Family Services and community partners to establish the collaborative strategies to serve vulnerable elders who are subject to abuse, neglect and/or exploitation;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF MINERVA PARK, OHIO THAT:

- Section 1.** Council hereby authorizes Chief Nuesse, as the chief municipal peace officer in the Village of Minerva Park, to sign the Franklin County Memorandum of Understanding to Address Elder Abuse, Neglect and Exploitation (Exhibit A) and the Franklin County APS Plan of Cooperation (Exhibit B) to address issues of elder abuse, neglect, and exploitation in Franklin County.
- Section 2.** The Mayor, Fiscal Officer, and Law Director of the Village of Minerva Park are hereby authorized to take further actions consistent with this resolution that are needed to carry out the intentions of this resolution.
- Section 3.** It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements of the laws of the State of Ohio.
- Section 4.** All prior legislation, or any parts thereof, which is/are inconsistent with this Resolution is/are hereby repealed as to the inconsistent parts thereof.

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Section 5. This Council declares this to be an emergency measure necessary for the health, safety and welfare of the elderly residents of Minerva Park and Franklin County. Wherefore, this Resolution shall take effect and shall be in force immediately upon passage by Council.



Lynn Eisentrout, Mayor

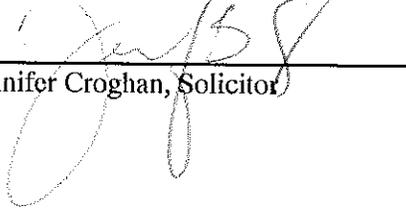
First Reading: December 14, 2014
Second Reading: Waived.
Third Reading: Waived.
Passed: December 14, 2014

ATTEST



Jeffrey Wilcheck, Fiscal Officer

APPROVED AS TO FORM



Jennifer Croghan, Solicitor

Franklin County Memorandum of Understanding to Address Elder Abuse, Neglect and Exploitation

I. STATEMENT OF PURPOSE

Under the Ohio Revised Code, the local County Department of Job and Family is the governmental entity responsible for the provision of adult protective services (APS) for the county. In Franklin County, the Franklin County Department of Job and Family Services (FCDJFS), designates, through a contractual agreement, the Franklin County Office on Aging to fulfill this requirement.

In accordance with 2014 Mid-Biennium Review, the Adult Protective Services (APS) Funding Workgroup was established to investigate programmatic and/or financial gaps in the APS system. The workgroup was tasked with identifying best practices currently employed at the county level, as well as those that can be integrated into the system and discerning areas of overlap and linkages across all human services programs. As a result of the workgroup, several statewide initiatives were undertaken by ODJFS. They are as follows:

- The development of a statewide APS data collection and reporting system;
- The activation of a statewide hotline system;
- The development of a competency-based core curriculum for county departments of job and family services (CDJFS) APS staff; and
- The development of a statewide assessment tool.

The final task of the Workgroup was to make recommendations to ODJFS for a method to distribute time-limited funding of approximately \$10 million to CDJFS'. The purpose of the funding is two-fold: (1) to test new approaches and models that encourage multidisciplinary collaboration; and (2) to enhance current system capacity to meet core APS requirements through the following:

- APS Capacity Building Grants;
- APS Innovation Grants; and
- APS Process Planning Tasks (four components).

This memorandum of understanding (MOU) fulfills one of the requirements under the APS Process Planning Tasks – an MOU to address Elder abuse, neglect and exploitation.

II. SCOPE OF WORK

This MOU is an agreement among the Franklin County Department of Job and Family Services, The Franklin County Office on Aging and community partners to delineate roles and responsibilities for preventing, reporting, investigating, and prosecuting elder abuse cases. This Plan is used as a foundational platform for participating agencies to develop procedures for integrating and coordinating services, and sharing information in the interests of providing APS in a cooperative and collective manner to ensure the safety and well-being of elders in Franklin County.

Section IV. *ROLES AND RESPONSIBILITIES OF EACH PARTICIPATING AGENCY* details the specific roles and expectations of each participating agency. In general the scope of work of this MOU is to do the following:

- Identify the entities responsible for the provision of APS service;
- Assure compliance with the core minimum requirements of APS;
- Establish and maintain a Franklin County Interdisciplinary Team (I-Team) to address the issues of elder abuse, neglect and exploitation;
- Develop and maintain cooperative protocols and processes to report, investigate, and prosecute cases of elder abuse, neglect and exploitation;
- Develop and maintain collective, collaborative, and cooperative system of care for elders who are vulnerable to or who have suffered abuse, neglect or exploitation;
- Increase awareness, education and training of issues of elder abuse and how to report it; and
- Work collectively with the Ohio Department of Job and Family Services on the implementation of additional APS Initiatives.

III. PARTICIPATING AGENCIES

Franklin County recognizes it takes a collaborative approach to address and rectify the issues of elder abuse, neglect and exploitation. To that point, this MOU includes both required and optional partners to participate in a collective and collaborative manner. At a minimum, the MOU must be signed by an authorized representative of the following entities:

- The director of the county department of job and family services;
- The director of the agency designated by the CDJFS to perform specified duties prescribed by the Ohio Administrative Code, if applicable;
- The county sheriff;
- All chief municipal peace officers within the county;
- Other law enforcement officers handling adult abuse, neglect or exploitation in the county;
- The county prosecuting attorney; and
- The county coroner.

Other partners that may be recruited or choose to participate and sign the MOU are as follows:

- A representative of the area agency on aging that serves the region in which the county is located;
- The regional long-term care ombudsperson designated for the area;
- A representative of the alcohol, drug addiction and mental health services board that serves the county;
- A representative of the county health department;
- A representative of the county board of developmental disabilities;
- A representative of a victim assistance program that serves the county;
- A representative of the housing authority that serves the county;
- A representative of the entity responsible for investigating substandard housing; and
- Any other person or entity representative whose participation assists with planning.

IV. ROLES AND RESPONSIBILITIES OF EACH PARTICIPATING AGENCY

Under this section, the function of each participating entity is defined and the contributions of each delineated.

All Partners:

- Provide protection, treatment and continuity of care for persons age 60 and older who have been abused, neglected or exploited;
- Establish/Maintain processes for reporting elder abuse;
- Establish/Maintain processes for accepting and making service requests for cases involving suspected or confirmed elder abuse, neglect or exploitation;
- Ensure crimes and misdeeds against person aged 60 and older are promptly reported and effectively reported, investigated and prosecuted, when necessary;
- Enhance communication and cooperation between law enforcement professionals and community agencies providing services to persons aged 60 and older;
- Increase awareness of the issues of, and how to report elder abuse, neglect and exploitation;
- Provide protection and support for victims and their families;
- Promote training for community agencies, particularly those entities who participate on the Franklin County I-Team;
- Establish/Maintain protocols for making cross-system case referrals and joint service provision to assure timely and effective services and reduce duplication of effort;
- Recruit additional partners to the MOU as deemed necessary; and
- Participate in the on-going implementation of the Franklin County Elder Abuse I-Team, and this MOU.

Franklin County Department of Job and Family Services (FCDJFS):

- Designate, through a contractual relationship, the Franklin County Office on Aging (FCOA) to implement 5101.62 of the Ohio Revised Code and to perform the investigation of reported abuse, neglect, and exploitation of adults currently served by FCOA and to perform all other related duties described in Sections 5101.60 through Section 5101.71 of the Ohio Revised Code related to these adults;
- Provide staff and resources necessary to the Franklin County I-Team; and
- Contract with the Franklin County Probate Court to fund APS guardianships for individuals referred to the court from FCOA.

Franklin County Office on Aging (FCOA):

- Implement 5101.62 of the Ohio Revised Code and perform the investigation of reported abuse, neglect, and exploitation of adults currently served by FCOA and perform all other related duties described in Sections 5101.60 through Section 5101.71 of the Ohio Revised Code related to these adults;
- Assure that the core requirements of APS are fully implemented and met;
- Notify FCDJFS of any reports of abuse, neglect, or exploitation it receives. FCDJFS will have staff available for receiving initial reports from FCOA and other entities or individuals. FCOA will proceed to provide the appropriate APS services. FCOA, on behalf of FCDJFS, will make cross referrals to appropriate agencies, as set forth in Ohio Administrative Code (O.A.C.) section 5101:2-20-02(A)(1)(c). FCOA will also develop and maintain a case record for each adult who is the subject of a report of abuse, neglect or exploitation. These case records will comply with all of the requirements of O.A.C. 5101:2-20-04 and will be for the benefit of both FCOA and FCDJFS;

- Provide or arrange for the provision of ongoing services to those clients determined to be in need of such services up to the limits of the grant award;
- Serve as the coordinator for the Franklin County Elder Abuse Interdisciplinary Team (I-Team); and
- Work closely with FCDJFS to assure implementation of the Franklin County this MOU.

Franklin County Probate Court:

- Through a contract with FCDJFS, provide for guardianships for individuals referred from FCOA who meet APS guidelines; and
- Have representation and participate on the Franklin County I-Team.

Franklin County Sheriff, Chief Municipal Peace Officers, Other Law Enforcement Entities, Franklin County Coroner and Franklin County Prosecutors Office:

- Establish protocols for conducting joint investigations and guidelines for forensic evidence collection (to the extent that it exists) needed to prosecute cases of elder abuse, neglect and exploitation by:
 - Conducting initial investigations and reports at the scene;
 - Making referrals to APS when suspecting abuse, neglect or exploitation of an individual aged 60 and older;
 - Reporting suspicious deaths that may be related to abuse or neglect; and
 - Prosecuting perpetrators of elder abuse, neglect and exploitation. Advocate for victims; and
- Have representation and participate on the Franklin County Elder Abuse I-Team

Other Community Partners (Various agencies and community entities):

- Report suspected cases of elder abuse, neglect and exploitation;
- Provide timely and effective services to elders;
- Participate in the continual process of maintaining a collective and collaboration system of care for elders age 60 and older;
- Have representation and participate on the Franklin County I-Team; and
- Participate in available training and education opportunities related to elder abuse, neglect and exploitation.

V. TRAINING/ORIENTATION

Cross-systems training will be provided to MOU parties to ensure all members understand the partnership's mission, the role of each participating organization, as well as related procedures and protocols. At a minimum trainings and joint planning sessions will be conducted through the Franklin County I-Team.

VI. CONFLICT RESOLUTION

Partners to this MOU agree to resolve conflicts amongst the member agencies in an open and productive manner. The I-Team will utilize commonly accepted meeting rules and principles of collaboration. When conflict arises the first step efforts should be address the party with whom there is conflict. When appropriate, the manner of the conflict should be brought to the I-Team for possible group consensus or vote if the conflict involves the roles, expectations or processes of the I-Team. If resolution is not reached the involved parties should seek the advice and guidance from the lead entity over the I-Team which is the Franklin County Office on Aging.

VII. CONFIDENTIALY STATEMENT

Development of a comprehensive plan to address elder abuse, neglect and exploitation requires the sharing of sensitive, often confidential, information among members of the I-Team, Plan of Cooperation and this MOU. Each signing agency agrees to the following for the person who signs the document as well as any of their designees assigned to participate in this MOU, the Plan of Cooperation and/or the Franklin County Elder Abuse Interdisciplinary Team (I-Team) and its activities:

- I understand and fully acknowledge the high degree of importance of exercising discretion and maintaining confidentiality regarding all information to which I am exposed as a result of being affiliated with the Plan of Cooperation, the I-Team and this MOU.
- I am fully aware that I am strictly forbidden from discussing, transmitting or narrating such confidential information in any form, except in the routine procedures of case discussion within and between other I-Team, Plan of Cooperation or MOU members, our meetings, or as otherwise permitted by federal and state law.
- I will immediately notify the I-Team coordinator of any suspected or actual violations of confidentiality. Further, I understand if I knowingly and intentionally violate any confidentiality provisions, the Agreement will terminate and I no longer will be a member of the I-Team, the Plan of Cooperation or this MOU.
- The confidentiality provisions of this agreement will survive the termination or expiration of this agreement. I also understand that if I serve on the I-Team or any committee related to the Plan of Cooperation or this MOU as designee for an agency or organization, this agreement will terminate at the time I am no longer associated with the agency or organization I represent.

VIII. TERMS AND CONDITIONS

The terms and conditions of this agreement become effective upon the date of signature and shall remain in effect until modified, terminated or amended in writing. As deemed necessary and when appropriate, additional partners may be added to the MOU to address identified needs, address gaps in services or to enhance the collaboration system of elder care.

Any member of this agreement may terminate its participation upon written submission of a 30-day termination notice. Notices should be submitted to the Franklin County Office on Aging – APS Supervisors.

It is further understood that your involvement with this MOU, the Plan of Cooperation and/or the I-Team will terminate if/when you are no longer associated with the agency or organization that you currently represent.

Signature Page Below

In signing this document you are stating you have read and agree to the overall objective of the work and your role and expectations as set forth in the agreement to address issues of elder abuse, neglect and exploitation in Franklin County.

Agency Affiliation:	MINERVA PARK Police DEPARTMENT
Print Name:	Kimberly Nuesse
Signature:	<i>Kimberly Nuesse</i>
Title:	Police Chief
Date of Signature:	12-21-2015
Contact Number:	614-882-1408
Email Address:	Chief@minervapark.org

Franklin County APS Plan of Cooperation

The Ohio Revised Code states that the local County Department of Job and Family is the governmental entity responsible for the provision of adult protective services (APS) for the county. In Franklin County the Franklin County Department of Job and Family Services (FCDJFS) designates the Franklin County Office on Aging (FCOA), through a contractual relationship, to fulfill this requirement.

The Franklin County Plan of Cooperation (Plan) is a formal agreement between Franklin County Office on Aging, Franklin County Department of Job and Family Services and community partners to establish the collaborative strategies to serve vulnerable elders who are subject to abuse, neglect and/or exploitation. This Plan is used as a foundational platform for participating agencies to develop procedures for integrating and coordinating services, and sharing information in the interests of providing adult protective services (APS).

This Plan affirms that serving the APS population includes the active participation of community partners. Per the APS Funding Workgroup, a county plan of cooperation must include, by way of signature, the following entities:

- The director of the county department of job and family services;
- The director of the agency designated by the CDJFS to perform specified duties prescribed by the Ohio Administrative Code, if applicable;
- The county sheriff;
- The chief municipal peace officer within the county;
- Other law enforcement officers handling adult abuse, neglect or exploitation in the county;
- The county prosecuting attorney; and
- The county coroner.

Other partners that the county agency may choose to include the Plan include:

- A representative of the area agency on aging that serves the region in which the county is located;
- The regional long-term care ombudsperson designated for the area;
- A representative of the alcohol, drug addiction and mental health services board that serves the county;
- A representative of the county health department;
- A representative of the county board of developmental disabilities;
- A representative of a victim assistance program that serves the county;
- A representative of the housing authority that serves the county;
- A representative of the entity responsible for investigating substandard housing; and
- Any other person or entity representative whose participation assists with planning.

The following are statements that the signors of this Plan agree to through their signatures:

- Understand the purpose of the planning process and are committed to participate to the fullest extent possible, including the development of a comprehensive plan to meet core requirements for Ohio's APS programs by July 1, 2016.
- Agree to begin the planning process with an inventory of available services and programs in order to avoid duplication, fully utilize community assets and build upon existing resources.
- Assist, when appropriate, in the development of a memorandum of understanding that defines the responsibilities and relationships among the local participants involved in the prevention, reporting, investigation, treatment and prosecution of cases of elder abuse or neglect.

Signature Page Below

In signing this document you are stating you have read and agree to the overall objective of the work and your role and expectations as set forth in the agreement to address issues of elder abuse, neglect and exploitation in Franklin County.

Agency Affiliation:	MINERVA PARK Police DEPARTMENT
Print Name:	Kimberly Nuesse
Signature:	Kimberly Nuesse
Title:	Police Chief
Date of Signature:	12-21-2015
Contact Number:	614-882-1408
Email Address:	Chief@minervapark.org