



COMMONWEALTH OF VIRGINIA
DEPARTMENT FOR AGING AND REHABILITATIVE SERVICES

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Commissioner

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Manual - Adult Protective Services Division Manual

Transmittal # - DARS-APSD-3

The following acronyms are used in this transmittal:

APS-Adult Protective Services

DARS-Department for Aging and Rehabilitative Services

LDSS-Local Department of Social Services

The purpose of this transmittal is to provide revised guidance on the APS Division (APSD) Manual, Chapter 8, Right to Review. Unless otherwise stated, the provisions included in this transmittal are effective upon receipt.

This transmittal and manual are available on SPARK at
<http://www.localagency.dss.state.va.us/divisions/dfs/as/manual.cgi>.

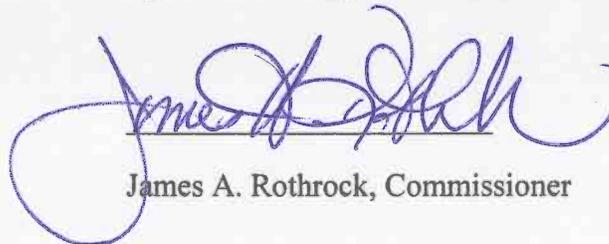
Significant changes to the manual are as follows:

Chapter 8, "Right to Review"	
Section	Significant Changes
8.1.1	Clarified that perpetrator notification is required only in certain instances. Added definition of a disposition.
8.1.2	Clarified who is can be identified as an alleged perpetrator.
8.1.3	Clarified when an LDSS is required to provide notification to an alleged perpetrator. Refers to Chapter 2 for additional information.

8.1.4	Clarified when notification to the alleged perpetrator may be provided at the discretion of the LDSS.
8.1.5.2	Clarified guidance when the alleged perpetrator is not able to be identified.
8.1.6	Clarified guidance on the notification letter.
8.1.7	Adds guidance on LDSS consultation with law enforcement prior to sending notification to the alleged perpetrator.
8.1.11	Corrected location of sample letters in Appendix. Adds guidance on information to include in acknowledgment letter to perpetrator.
8.1.14.1	Clarified what case record information can be shared with the perpetrator and the need to communicate to perpetrator whether or not case record information was withheld.
8.1.15	Clarified section heading. Bulleted guidance to make the content easier to read. Clarified guidance on sharing medical documentation. Clarified need to provide mitigating information to the alleged perpetrator.
8.1.16	Clarified guidance on LDSS actions if the alleged perpetrator fails to appear for the hearing. Corrected location of sample letters in Appendix.
8.1.21	Added statement about burden of proof.
8.1.23	Clarified local director's or designee's authority.
8.1.24	Corrected location of sample letters in Appendix.
8.1.25.1	Clarified actions if the alleged perpetrator was incorrectly identified as such.
8.1.26	Clarified heading.
8.1.27	Clarified guidance as to how an alleged perpetrator can make a request to amend other information in the case record.

	Described purpose of right to review hearing.
Appendices	<p>Removed sample letters that would only be used at the discretion of the LDSS.</p> <p>Revised initial notification to perpetrator letter, timely request letter, reverse findings letter and sustain findings letter. There are two versions of the reverse and sustain letters. The appropriate letter to use depends on whether the disposition was made due to risk of abuse, neglect or exploitation or whether the abuse, neglect or exploitation had occurred.</p> <p>Added failure to appear letter.</p> <p>Removed amend findings letter.</p> <p>Added reference to ASAPS ID on all correspondences with alleged perpetrator to ensure the correct records are provided when requested.</p>

Questions about this transmittal should be directed to your APSD Regional Consultant.



James A. Rothrock, Commissioner