

MR-04

Your Agency's Procedure and Your Protections

Participant Guide

72-Hour Maltreatment Reporting · Audience: DSPs · PCAs · CNAs · HHAs · 245D Direct Support Staff · CE Hours: 0.25

Your Agency's Procedure and Your Protections

The law tells you to report. Your agency's policy tells you how it wants to know, what it does next, and who to speak to when you are unsure. Minn. Stat. 245D.09 requires orientation on the program's own policies, not only on the statutes behind them.

This guide covers how internal reporting works alongside the external report, what happens after a report is made, the protections you have when you report in good faith, and the consequences of failing to report — and it closes with the 72-hour rule itself: what it requires, when the clock starts, and what your agency has to be able to show a licensor.

Learning Objectives — by the end of this module you will be able to:

- Explain how internal reporting relates to the external report
- Describe what happens after a report is made
- State the protections available to a good-faith reporter
- Describe the consequences of failing to report
- State when the 72-hour clock starts, and distinguish it from the requirement before unsupervised contact

Section 1: How Internal Reporting Works

Where your agency has a qualifying internal reporting procedure, Minn. Stat. 626.557, subd. 4a, says reporting internally can satisfy your legal duty. Your agency then carries the responsibility to make the immediate report to the common entry point, and it must give you written notice within 2 working days telling you whether it did.

The policy must allow internal reporting — it cannot require it

Minn. Stat. 245A.65 adds an important limit: your agency's policy must allow internal reporting, but it cannot require it. You may always go straight to MAARC instead, or as well. The choice is yours, and it is protected.

Section 2: If the Internal Route Doesn't Work

If you do not get written notice within 2 working days, or you get it and are not satisfied with what your agency decided, report externally yourself. The statute anticipates exactly this situation and protects you in it — retaliation against you for making that report is prohibited by law. Your duty is to the person who may be being harmed, not to your agency's preference about how it hears things.

Section 3: What Happens After a Report

After a report, the common entry point screens it and routes it to the agency responsible for investigating — which may be the county, the Department of Human Services, the Department of Health, or law enforcement. Your agency's job is to keep the person safe in the meantime and to cooperate. You may be asked to give a statement. You will not usually be told the outcome, and that is not a sign that nothing happened — confidentiality runs in both directions.

Section 4: Your Protections

Retaliation against someone who reports in good faith is prohibited by law. You cannot be disciplined, demoted, reassigned, or dismissed for it, and your identity as a reporter is protected.

Good faith means you believed there was reason to report

It does not mean you have to turn out to be right. A report that is investigated and unsubstantiated is not a mistake — it is the system working as designed.

Section 5: The Consequences of Not Reporting

A mandated reporter who knows of maltreatment and fails to report as the law requires can face criminal liability. It can also cost you your job, and it can affect your background study clearance — your ability to work in this field at all. Those consequences are real. The one that should decide it for you is simpler: if you do not report, the harm continues, to someone who could not protect themselves.

Section 6: The 72-Hour Rule

Minn. Stat. 245D.09, subd. 4(5), requires this orientation within 72 hours of first providing direct contact services — and again every year after that. Direct contact means face-to-face care, training, supervision, counseling, consultation, or medication assistance.

There is no 'unsupervised' qualifier on this deadline

The clock starts at your first direct contact, supervised or not. If you have already worked with someone face to face, this training is due now.

Section 7: A Different Requirement, Often Confused

One distinction worth holding onto, because it is commonly muddled. Minn. Stat. 245D.09, subd. 4, is this training — maltreatment orientation, within 72 hours of first direct contact, annually thereafter. Minn. Stat. 245D.09, subd. 4a, is something else: before you have unsupervised direct contact with a particular person, you must be oriented to that person's specific needs, including their individual abuse prevention plan. Two separate requirements, two different triggers, and both apply to you.

Section 8: What Your Agency Must Show

Your agency has to be able to show a licenser that you completed this training, on what date, that it was within 72 hours of your first direct contact, and that you repeat it every year. Your completion record is that evidence — which is why the date matters, and why finishing this promptly protects your agency as well as the people you support.

Key Terms

Term	What it means
Internal reporting	Reporting suspected maltreatment through your agency's own qualifying procedure; may satisfy your legal duty under Minn. Stat. 626.557, subd. 4a.

Term	What it means
Common entry point	The state agency (MAARC for adults) that screens a report and routes it to the agency responsible for investigating.
Good faith	Honestly believing there was reason to report — not requiring certainty or a substantiated outcome.
Direct contact	Face-to-face care, training, supervision, counseling, consultation, or medication assistance — the trigger for the 72-hour clock.
245D.09 subd. 4a	A separate, person-specific orientation required before unsupervised direct contact with a particular person.

Check Your Understanding

1. Your agency has a qualifying internal reporting procedure. You report suspected maltreatment through it. Have you met your legal duty?
2. Can your agency's policy require you to report internally rather than externally?
3. When does the 72-hour clock for this training start?
4. What does Minn. Stat. 245D.09, subd. 4a, separately require?

What's Next

Course complete

This completes the 72-Hour Maltreatment Reporting series (MR-01 through MR-04). This training must be repeated annually, and remember: Minn. Stat. 245D.09, subd. 4a, still requires person-specific orientation — including a client's individual abuse prevention plan — before any unsupervised direct contact with that person.

Legal References

Minn. Stat. 626.557 subd. 4a, 14, 17; Minn. Stat. 245A.65; Minn. Stat. 245D.09 subd. 4 and 4a.

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