Policy #: DHHS-03-17

I. SUBJECT

Storage of Client Property

II. POLICY STATEMENT

It is the policy of the Department of Health and Human Services (DHHS) that it shall not store property for any person at a DHHS building or storage facility except that, as a last resort, client property may be stored at a DHHS building or storage facility but generally for a time-period of no more than three to six months.

III. PROCEDURE STATEMENT

In some instances, the Department is legally obliged to take reasonable steps to preserve and protect a client's property. This may happen when DHHS is appointed by a court to be the public guardian or conservator of an incapacitated adult, when a court orders DHHS to be the custodian of a patient with mental health issues for the purpose of providing inpatient treatment, or in a child protective case when a court orders DHHS to take temporary or permanent custody of a child. In such instances, DHHS is required to preserve the client's property but is generally not obliged to spend State funds doing so. If the client cannot afford or is otherwise unable to store personal property then DHHS should endeavor to find an appropriate storage solution that does not subject DHHS to risks associated with physical storage of the property.

In the event that client property must be stored in a DHHS building or storage facility, the following protocol will be followed:

1. All items will be placed in lidded, plastic storage totes.
2. All storage totes will be labeled.
3. All labels must include the following information:
   A. Client's name
   B. Date possessions stored
   C. Department employee name and Office, for example: Jane Doe, OCFS, Portland
   D. Storage tote number, which indicates number of totes per person, for example: Box 1 of 3
   E. Expected date of removal from storage (not to exceed three months from the date of storage)

4. The above information will be provided to District Operations to be entered into a spreadsheet/database.
No perishables, liquids or creams, flammable/explosive substances, batteries, etc. should be put in storage. Hard goods should have batteries removed. An effort should be made not to store clothing or soft goods, as these items may mildew.

If the property remains in storage after the expected date of removal or three months, whichever occurs first, then District Operations will send a notice to the Department employee reminding them that this storage was intended as a last resort for a short term basis and that they should immediately make other arrangements for the client's property. If the property remains in storage at the end of six months then District Operations will send a notice to the Office Director requesting that the client property be immediately removed from the DHHS building or storage facility unless the Office Director provides written approval for the property to be stored for an additional period of time not to exceed six months (subject to further approval by the Office Director). Before granting such approval, the Office Director shall consider whether the property is subject to the Unclaimed Property Act, 33 M.R.S. § 1951 et seq.

IV. DEFINITIONS

Client: A person receiving services from the Department for whom the Department has some legal obligation to preserve and protect their property.

Storage: Placing property in a location for safekeeping for a time-period in excess of one business day.

V. DISTRIBUTION

All Department employees via e-mail and posting on the DHHS intranet.

November 29, 2017

Date

Ricker Hamilton
Commissioner