

# INVESTIGATIVE PROTOCOL



Prepared By:



**ELDER ABUSE  
TASK FORCE**

# Table of Contents

<b>Purpose &amp; Goals</b>	<b>1</b>
<b>Introduction to Michigan Vulnerable Adult Teams</b>	<b>1</b>
<b>Team Member Selection</b>	<b>2</b>
<b>Ethical &amp; Legal Considerations</b>	<b>2</b>
<b>Team Coordinator</b>	<b>3</b>
<b>Case Review</b>	<b>4</b>
<b>Note Taking</b>	<b>4</b>
<b>Code of Conduct</b>	<b>5</b>
<b>Working with Other Multidisciplinary Teams</b>	<b>5</b>
<b>Case Tracking &amp; Data Management</b>	<b>6</b>
<b>Professional Development</b>	<b>6</b>
<b>Troubleshooting</b>	<b>7</b>
<b>Sample Memorandum of Understanding</b>	
<b>Sample Confidentiality Agreement</b>	
<b>Sample Guest Participant Confidentiality Statement</b>	
<b>Sample Meeting Sign-in</b>	

## PURPOSE & GOALS

This is a guide for establishing Michigan Vulnerable Adult Teams (Mi-VAT). This guide replaces the information and guidance previously set forth in the Michigan Model Vulnerable Adult Abuse Protocol (Mi-MVP). [See MCL 400.11b.](#)

In the years that have passed since the Mi-MVP was written, new developments in the fields of elder justice and vulnerable adult abuse investigation led to the current effort to provide an up-to-date guide with more clarity and applicability to local needs.

The primary focus of the Mi-VAT is to ensure coordination / collaboration of agencies to investigate, intervene, prosecute, and prevent abuse, neglect, and financial exploitation of older & vulnerable adults.

## INTRODUCTION TO MICHIGAN VULNERABLE ADULT TEAMS

Michigan Vulnerable Adult Teams are a type of Multidisciplinary Team (MDT) established at the county level to investigate and prosecute vulnerable adult abuse cases.

There are three core members in the Mi-VAT concept: the Prosecutor, Adult Protective Services (APS), and law enforcement (i.e. Sheriff, Michigan State Police, municipal police, etc.).

While it is envisioned Mi-VATs will also participate in community outreach, education, awareness, etc., this guide does not address any of those endeavors. Users should instead refer to the [Michigan model Enhanced Multidisciplinary Teams \(E-MDT\) protocol](#) for more information about local MDT teams. Ideally counties will adopt both team protocols, and Mi-VAT was written with that hope.

## TEAM MEMBER SELECTION

Mi-VAT teams only function if three core members participate: (1) the county prosecuting attorney, (2) local law enforcement, and (3) local Adult Protective Services (APS). Although Michigan has local MDTs that do not contain these agencies, those MDTs are best suited to community outreach, education, awareness, etc., and are not designed to investigate and prosecute vulnerable adult abuse cases.

Each member agency should sign a memorandum-of-understanding (MOU) that establishes the duties and responsibilities of each member, and these MOUs should be kept on file and updated on a regular basis. Each member agency should also assign an individual(s) to the Mi-VAT that is knowledgeable about vulnerable adult cases, prepared to participate in the meetings, and willing to work with team members to accomplish the goals of the team. Individuals that attend meetings on behalf of their respective agencies must be willing to sign a confidentiality agreement, be prepared to discuss the cases, and discuss the cases in a respectful and professional manner.

## ETHICAL & LEGAL CONSIDERATIONS

Once your Mi-VAT team has recruited member agencies, it needs to establish protocols for how the team should function. It is strongly recommended that Mi-VATs sign a MOU that outlines these protocols. The MOU should also include an explicit list of the duties and responsibilities for each member agency, and the expectations each member should have for one another. While the MOU needs to be flexible enough to be practically useful, it should contain enough detail to provide effective guidance for the day-to-day functioning of the Mi-VAT. Because different laws, regulations, and policies apply to the member agencies and create different limitations, these limitations need to be understood and respected by each member. For instance, state law forbids APS from sharing the confidential referral source, even with fellow Mi-VAT members. This is a frequent source of frustration in counties that lack a Mi-VAT because other agencies have expectations for APS that run afoul of state law. Mi-VATs only function effectively when members understand the powers and limitations each member brings to the table, and a well-written MOU that is understood by everyone on the team should alleviate most of these misunderstandings. Mi-VAT includes a sample recommended MOU.

## TEAM COORDINATOR

Once the Mi-VAT has agreed upon the protocols and signed an MOU, the members should appoint an individual to act as the team coordinator. It is recommended the MOU include a job description for the coordinator position that explicitly states the duties and responsibilities of the team coordinator, otherwise teams run the risk of fracturing because of disagreements over duties and responsibilities, e.g. criticism about infringing on “turf,” not staying in their lane, etc.

Recommended team coordinator duties include—but are not limited to—the following:

- Setting up the meeting room, including providing sign-in sheets (sample in Appendix) and spare copies of the confidentiality agreement.
- Printing out copies of necessary documents.
- Facilitating the meeting discussion.
- Reviewing the confidentiality agreement and MOU from time to time to ensure up-to-date relevancy and legality.
- Enforcing discussion rules, e.g. raising hands before speaking, speaking in turn, no shaming of members, etc.
- Ensuring all members participate and their voices are heard.
- Responding to previously raised issues and “old business” where follow-up was requested.
- Recording meeting minutes (if the MOU provides for meeting minutes).
- Accepting responsibility for enacting confidential procedures, e.g. collecting and shredding documents at the end of each meeting, reiterate note taking protocols, etc.
- Ensuring members honor their promises after the meeting ends.
- Managing the case follow-up calendar.
- Managing the Mi-VAT email list and providing email reminders of meetings.
- Representing the Mi-VAT to outside groups and agencies.

These duties may be delegated by the team coordinator in a manner that best promotes team productivity and collaboration.

## CASE REVIEW

The primary function of the Mi-VAT—a function which distinguishes them from other community MDTs—is to review suspected cases of vulnerable adult abuse, neglect, and exploitation then follow up the case review with investigation and prosecution where justified. It is anticipated each Mi-VAT will conduct its meetings according to local practice and preference, however it is recommended teams adhere to the basic format laid out in this guide to avoid member confusion and team inefficiency. Whichever case review format the team uses, it should be consistent, agreed upon by all members, and outlined in the MOU.

The basic suggested meeting format is as follows:

1. Meeting call-to-order.
2. Discussion of team business (if any).
3. Presentation of new cases.
4. Discussion of the case.
5. Recommendations from each team member.
6. Consensus decision(s) on the case.
7. Repeat steps 3-6 for each case.
8. Follow-up reports on outstanding issues from previous/pending cases.

## NOTE TAKING

Team members should be aware that their notes could become public through a subpoena or other legal process, such as a Freedom of Information Act request (FOIA).

Team members should avoid sharing notes and abide by their own agency policy regarding note taking and retention.

## CODE OF CONDUCT

All teams function best when team members conduct themselves in a productive, professional manner. Mi-VAT is no different. All Mi-VAT members should:

- Exhibit respectful behavior.
- Focus on the victim.
- Refrain from talking over one another or interrupting.
- Participate in open and constructive discussions.
- Model constructive rather than accusatory behavior.
- Value everyone's input.
- Demonstrate accountability to the team and to the victim.
- Attend regularly and notify the team coordinator when unable to attend, sending a substitute when possible.
- Ask questions, offer to help, and clarify when necessary.
- Come prepared to discuss, share ideas, and propose solutions.
- Avoid jargon others may be unfamiliar with.
- Establish a remote attendance platform for members unable to attend (e.g. video conferencing software), that ensures privacy and confidentiality.

## WORKING WITH OTHER MDTs

Mi-VATs may encounter other MDTs operating in the same region. A Mi-VAT is intended to operate in cooperation with the Michigan model MDT. Mi-VATs are encouraged to collaborate with other local MDTs, such as Financial Abuse Specialist Teams (FAST), Triads<sup>1</sup>, Coordinated Community Response Teams, etc.

Collaboration with other MDTs may include case referrals, cross-training, identification of subject matter experts, partner networking, best practices, community outreach, and identification of community resources.

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<sup>1</sup> The term Triad in this context refers generally to a partnership between law enforcement, seniors, and community groups.



### **Maintaining Momentum**

Hosting an annual team-building oriented exercise (working retreat, dinner, etc.) can provide a forum for the team to discuss problems and work together to find solutions. Focus, goals, mission, procedure, and other aspects of the Mi-VAT can be revisited and improved. Additionally, these exercises can provide a forum for cross-training for new members and for those agencies that have high turnover.

## **CASE TRACKING & DATA MANAGEMENT**

The primary focus of a Mi-VAT is not data collection. The decision to collect data should be discussed during the initial formation of a Mi-VAT. Teams should be aware that the collection of data could create obligations related to record retention and disposal, as well as compliance with the Michigan Freedom of Information Act (FOIA).

At a minimum, each agency should track Mi-VAT case outcomes and case volume over time. Basic statistics will assist in determining program efficacy and decisions regarding continuation, expansion, funding, etc.

## **PROFESSIONAL DEVELOPMENT**

Mi-VAT teams benefit from members receiving regular training. Training can include professional training unique to the member's specific position (e.g. MCOLES training for police, PAAM training for prosecutors, CE training for APS), but it should also include training unique to membership in a Mi-VAT team. Team members should also routinely attend multidisciplinary and cross-training opportunities to learn how to work together and broaden their understanding of vulnerable adult abuse, neglect, and financial exploitation cases. Mi-VAT team members, and particularly the team coordinator, should constantly work to identify weaknesses in the Mi-VAT team knowledge base and arrange for training that enhances team functioning.



# TROUBLESHOOTING

There is a way around all obstacles. The Mi-VAT source of strength comes from diversity and variety in the backgrounds of its members. This diversity can also create challenges, but these challenges can be overcome. Some of these challenges can include differences in organizational structure, differences among individual team members, and other challenges unique to the MDT model.

The following detail typical challenges and how to anticipate and overcome them.

## **Role Confusion**

Mi-VAT members may have dual identities, using the term “we” to refer to both members of their profession as well as members of the Mi-VAT. In addition, interaction between some Mi-VAT members could raise difficult ethical issues.

Information sharing is a critical aspect of a Mi-VAT, yet this raises concerns about confidentiality, informed consent, and privacy. For example, psychologists have an ethical obligation to their clients, but also an obligation to share information among Mi-VAT members. Likewise, mental health professionals on Mi-VATs can experience role confusion in that they participate in information gathering while also interpreting evidence. The Mi-VAT will need to determine appropriate boundaries for members that have conflicting duties and obligations to prevent role confusion.

## **Organizational Change**

Be prepared for organizational development and change over time. The structure of the Mi-VAT is not set in stone. The relationship between the Mi-VAT and the agencies represented on the Mi-VAT may change over time.

Mi-VATs are living entities that will require room for growth and development. The needs of your Mi-VAT will change, as will the needs of the community. Anticipate change and use it as an opportunity to strengthen the team.

## **Members Hesitancy to Present Cases**

You may be concerned that although you “built it – they did not come.” This is not an uncommon experience. You will need to establish trust among your Mi-VAT members before they feel comfortable bringing cases for Mi-VAT members to review. Getting to know one another more deeply, resisting the tendency to criticize, and having clear and agreed upon guidelines for all aspects of working together, are all great ways to build a foundation of trust. Be patient and persistent as your team grows. There is no such thing as a bad case or a case that is too small for consideration. However, cases that are not presented effectively cannot be investigated effectively. Team members should offer assistance and guidance in preparing case presentations, so that they are more informative and detailed.

## **Lack of Trust**

Building trusting relationships is challenging under any circumstance, but particularly when a diverse group of professionals are gathered for the purposes of integration and cohesion. Some team building can occur informally, such as conversations before the case review meeting. More concerted efforts include engaging in team building exercises, attending trainings as a group, to the extent possible engaging in social activities outside of work, and providing a safe zone for Mi-VAT members to express their opinions without fear of ridicule or reprisal.

## **Low Attendance**

Consistent attendance is critical to team success. Absenteeism is partly an issue of not having sufficient time to attend meetings, but it is also an issue of commitment. Team members may not attend if they feel the team meetings are unproductive. Determine the underlying reason for lack of attendance. For example, one study found that when the primary focus of an MDT shifted from prosecuting cases to providing services, participation by law enforcement officials declined. Consider videoconferencing (e.g., Skype) or other new technological advances if the appropriate security measures can be assured. Additionally, it may be useful to see if team representatives from local agencies can volunteer to participate in the Mi-VAT based on their interests rather than being assigned. Sometimes, team members may resent being assigned to a community meeting and resist attending. While this cannot always be avoided, there are often personnel within each agency that would enjoy participating in the Mi-VAT if the opportunity was presented. Having team members that value the work of the Mi-VAT is crucial to the effectiveness of the team.

### **Lack of Clerical Support**

The team coordinator has many tasks for which s/he is responsible. If possible, consider providing some clerical support. Perhaps an intern from a nearby university could enter data, send out email reminders about upcoming case review meetings, and provide other appropriate clerical support. Volunteers are another option, although considerations about confidentiality and conflict of interest will need to be addressed.

### **Unequal Status**

Teams can be hampered by inequality among the Mi-VAT members, stifling the voices of some while other voices remain dominant. When Mi-VAT members with lower status feel less confident, they are less likely to voice their opinion and knowledge, which may result in less advocacy for a victim.

If social workers are quiet in a room of physicians, the client's medical needs may be met but not their social needs. However, under most circumstances, medical problems are not more important than social problems so no one discipline should dominate care planning.

The express purpose of the Mi-VAT is to elicit all opinions to arrive at the best resolution for a victim. Ensure that all members are expressing their opinions and that Mi-VAT members feel their opinions are valued.

Periodically remind each team member that his or her unique knowledge and contribution to the team is invaluable. Adopting guidelines for how team members will interact and participate in meetings can be a useful tool to head-off potential conflict.

### **Turnover**

It may be frustrating to be always "training" new Mi-VAT members, but that is endemic to Mi-VAT teams and MDTs generally. Embrace turnover as an opportunity to broaden the understanding of Mi-VAT teams for a range of professionals within an agency as well as increasing the number of contacts the Mi-VAT has at each agency.

Even when a Mi-VAT member is rotated off the Mi-VAT, that person will have the experience of having served on a Mi-VAT, which may influence the way they function in their new position.

## **Sustainability**

Sustainability is one of the most vexing challenges associated with Mi-VATs. It is well-established that the Mi-VAT concept can be successful absent additional or outside funding. Agencies may contribute with staff time, in-kind contributions, or other support. However, sustainability can be enhanced when additional financial support can be secured. The Mi-VAT is encouraged to be creative and be open to funding from several sources, both private and public. It should be noted that generally funding becomes easier once the Mi-VAT has been operating for some time and has had an opportunity to “prove” (demonstrate) its value.

## **Information Sharing**

It is important that Mi-VAT members understand that information sharing is limited by statute and government policy. For instance, APS may not legally share the names of its referral sources, even with law enforcement or fellow Mi-VAT members, without a court order. While this may be frustrating for other Mi-VAT members, they need to respect the policy decisions made by the State of Michigan and statutory inability of APS to share this material (no matter how much they may wish to do so).

## **Stakeholder Resistance**

When a Mi-VAT is in the initial stages of development, you may encounter an agency official who declines the offer to participate in the Mi-VAT, or worse, prohibits an employee from joining the Mi-VAT. This can often be overcome by educating the agency official about the benefits of a Mi-VAT and the modest time commitment necessary. Team members committed to this process will be an important force in persuading these individuals of the benefits of an Mi-VAT. Be persistent.

## **Disturbing Cases**

Mi-VAT members unfamiliar with elder abuse may find these cases disturbing if not unbelievable. As mentioned, engage the entire team in elder abuse training. The advantages of a Mi-VAT are both educational, in affirming these cases really occur, and in providing emotional support when dealing with these disturbing cases becomes overwhelming. Members should be educated about secondary trauma, how to identify it, and how to connect resources to those who need them.

# **SAMPLE MEMORANDUM OF UNDERSTANDING**

## **Memorandum of Understanding**

### **Mission Statement**

*The Mission of the (Your Team name / County) Michigan Vulnerable Adult Team (Mi-VAT) is to, through coordinated efforts of our member agencies, conduct full reviews of suspected abuse, neglect and or financial exploitation of older and vulnerable adults, and assist in the provision of services to maintain the safety and wellbeing of this population. To promote victim centered restorative resolutions, which includes investigation and or prosecution of alleged abuse, neglect / financial exploitation, as well as providing referrals to necessary social and / or medical services and establishing education / prevention strategies within the communities served. To develop effective, efficient responses that fully address the exploitation of this population.*

### ***The Purpose and Scope:***

*Our primary focus is to ensure coordination / collaboration of agencies to investigate, intervene, prosecute, and prevent abuse, neglect, and financial exploitation of older & vulnerable adults. This agreement is not intended to affect nor extend any legal responsibility or rights of any party, to create, or change any pre-existing legal obligations or rights beyond those set forth by individual participating agencies.*

### ***Agreement:***

*As a Mi-VAT member, I agree that a representative of my agency will attend regular meetings to address:*

- coordination of services and referrals*
- communication issues*
- gaps in services*
- needed system changes*
- education regarding procedures and practices of partner agencies to ensure cases are effectively and efficiently investigated and or prosecuted.*

**I understand and agree the (Your Team Name/County) Mi-VAT will work toward:**

- *Collaborating to identify patterns & tactics of abuse, neglect & exploitation of older & vulnerable adults within my county / jurisdiction*
- *Improving coordination of and communication between services & systems within my county / jurisdiction*
- *Reducing / eliminating the victimization of older & vulnerable adults*
- *Sharing responsibility for identifying offenders and managing cases*
- *Encouraging communication between all parties to resolve difficulties that may arise during or as the result of an investigation.*
- *Urging consideration of the opinions / advice of all agencies involved before final decisions are made.*
- *Understanding and respecting the responsibilities and limitations of all members of the Mi-VAT.*
- *Promoting increased community awareness and professional training*
- *Evaluating and improving the Mi-VAT program and effectiveness of the team and processes*

*As a Mi-VAT member, my agency commits to providing relevant information regarding cases, perpetrators, complaints, historical information, circumstances surrounding allegations of abuse and / or victims to promote a collaborative multidisciplinary response to address abuse, neglect and or financial exploitation of the older / vulnerable adults in my county as permitted by law. Furthermore, my agency commits:*

- *To regularly communicate with the Team Coordinator and to follow-up as necessary to ensure appropriate resolution for victims as agreed upon in the Mi-VAT meetings.*
- *To notify the Team Coordinator if we wish or need to end our participation in the team.*
- *To require our agency team members to abide by applicable confidentiality agreements.*



## **Code of Conduct During Meetings**

*All teams function best when team members conduct themselves in a productive, professional manner. Accordingly, team members from my agency will:*

- Be respectful.*
- Focus on the victim.*
- Not talk over one another or interrupt.*
- Be open to constructive discussions.*
- Be constructive rather than accusatory.*
- Value everyone's input.*
- Be accountable to the team and to the victim.*
- Regularly attend meetings and will notify the team coordinator if unable to attend.*
- Ask questions, offer to help, and clarify if needed.*
- Come prepared to discuss, share ideas, and propose solutions.*
- Avoid jargon others may be unfamiliar with.*
- Establish a remote/alternate attendance platform for members unable to attend (e.g. video conferencing software), that ensures privacy and confidentiality.*

## **Conflict Resolution**

*A source of strength of the Mi-VAT comes from diversity and variety in the backgrounds of its members. This diversity can also create challenges, but these challenges can be overcome.*

- Focus on the victim and their goals for resolution of the case.*
- Encourage communication between all parties to resolve difficulties that may arise during or as the result of an investigation, look for opportunity, do not blame.*
- State your position clearly, avoid personalizing your position, clarify opposing points of view.*
- Work toward a mutually agreeable resolution based on consensus of group.*
- Urge consideration of the opinions / advice of all agencies involved before final decisions are made.*
- Understand and respect the responsibilities and limitations of all members of the Mi-VAT*
- Agree to disagree – not everyone will agree with every decision made, but if we focus on what is best for the victim and their wishes, we can resolve most conflicts.*



**Agency Commitment**

*I affirm that membership in the Mi-VAT has the full support and commitment of our agency / organization’s management.*

***I have read and agree to abide by the Memorandum of Understanding for the (Your Team Name /County) Mi-VAT as set forth in this document: If for any reason we are unable to uphold our commitment or find it necessary to terminate our partnership with the (Your Team Name /County) Mi-VAT we will notify the Team Coordinator in writing of this determination.***

**Name** \_\_\_\_\_ **Agency** \_\_\_\_\_

**Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

\_\_\_\_\_

# SAMPLE CONFIDENTIALITY AGREEMENT

## Confidentiality Agreement

The primary focus of the Mi-VAT is to ensure coordination / collaboration of agencies to investigate, intervene, and prevent abuse, neglect, and financial exploitation of older & vulnerable adults and provide assistance navigating the system to obtain services needed.

I promise that I shall hold in confidence all information relating to cases disclosed within the Mi-VAT. I will not violate the confidential relationship between Mi-VAT members. I accept responsibility for maintaining the confidential and private nature of all Mi-VAT records and information after leaving the Mi-VAT. I understand that I am personally responsible for any violation of this agreement.

I the undersigned, as a representative of the agency / organization listed below and a member of the **(Your Team Name / County)** Mi-VAT, agree to all the policies, conditions and confidentiality agreement as defined herein. I further attest and agree that all information discussed and or obtained in the case review meetings shall remain confidential and shall not be disclosed for any reasons other than for the purposes stated except as required by law. This agreement will be reviewed on an annual basis.

**Name** \_\_\_\_\_ **Date** \_\_\_\_\_

**Agency** \_\_\_\_\_

# **SAMPLE GUEST PARTICIPANT CONFIDENTIALITY STATEMENT**

## **Guest Participant Confidentiality Statement**

As a Guest participant in the (Your Team Name / County) Mi-VAT, I agree to all the stated conditions of confidentiality. I further acknowledge that I will be treated in the same manner as a team member and will be subject to this agreement in the same manner and to the same extent.

The Purpose and Scope: The (Your Team Name /County) Mi-VAT is comprised of professionals from various disciplines and agencies. The primary focus is to ensure coordination / collaboration of agencies to investigate, intervene, and prevent abuse, neglect, and financial exploitation of older & vulnerable adults and provide assistance navigating the system to obtain services needed. We will strive to provide a holistic response which includes recommendations and support of others within the Mi-VAT. In no case will any team member or guest participant disclose any information regarding team discussions outside the team meetings other than those pursuant to mandated agency responsibilities of that individual. Each collaborative partner will abide by the confidentiality mandates and records policy of their organization. This agreement is not intended to affect or extend any legal responsibility or rights of any party, to create, or change any pre-existing legal obligations or rights beyond those set forth by individual participating agencies. Secondly, I agree that any information shared or discussed within the Mi-VAT meetings shall be held confidential and used only for the purposes stated within this agreement. If / when involved in virtual meetings or communications I will maintain confidentiality by observing safe virtual communication measures such as, not using public or unsecured wi-fi access and being in a privileged location so not overheard by others.

I the undersigned, as a representative of the agency / organization listed below and a guest participant of the (Your Team Name / County) Mi-VAT, agree to the Purposes, Scope and confidentiality agreement as defined herein. I further attest and agree that all information discussed and or obtained in the case review meetings shall remain confidential and shall not be disclosed for any reasons other than for the purposes stated except as required by law.

**Name** \_\_\_\_\_ **Date** \_\_\_\_\_

**Agency** \_\_\_\_\_

## SAMPLE MEETING SIGN-IN

## Guest Participant Confidentiality Statement

***Your Team Name/County Mi-VAT***

***Date***

By signing in, you are reaffirming your commitment to the confidentiality statement below:

Each collaborative partner will abide by the confidentiality mandates of their organization. In no case will any team member disclose any information regarding team discussions outside the team meetings other than those pursuant to mandated agency responsibilities of that individual. Secondly, each member agrees to timely follow-up with relevant information pursuant to the cases reviewed, as agreed upon in the meeting.

[illegible]

# ACKNOWLEDGMENTS

**Michigan Department of Attorney General**

**Michigan Department of Health & Human Services**

**Michigan State Police**

**Health Care Association of Michigan**

**Michigan Association of Chiefs of Police**

**Michigan Elder Justice Coordinating Council**

**Michigan Long Term Care Ombudsman**

**Michigan Sheriffs' Association**

**Neighborhood Legal Services Michigan, Elder Law &  
Advocacy Center**

**Prosecuting Attorneys Association of Michigan**



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