

POLICY AND PROCEDURE ON ADMISSION, TEMPORARY SERVICE SUSPENSION AND SERVICE TERMINATION

Rev. 07/2020

SECTION 1 – ADMISSION

I. PURPOSE

The purpose of this policy is to establish procedures that ensure continuity of care during admission or service initiation including Achieve Service, Inc. admission criteria and processes.

II. POLICY

Services may be provided by Achieve Service, Inc. as registered and licensed according to MN Statutes, chapter 245D and MN Statutes, chapter 245A. All services will be consistent with the person's service-related and protection-related rights identified in MN Statutes, section 245D.04. Achieve may provide services to persons with disabilities, including, but not limited to, developmental or intellectual disabilities, brain injury, mental illness, age-related impairments, or physical and medical conditions when Achieve is able to meet the person's needs.

Documentation from the admission/service initiation, assessments, and service planning processes related to the Achieves service provision for each person served and as stated within this policy will be maintained in the person's service recipient record.

III. PROCEDURE

Admission criteria

- A. Certain criteria will be used by Achieve Services, Inc. to determine whether it is able to develop services to meet the needs of the person as specified in their *Coordinated Service and Support Plan*. In addition to registration and licensed ability, the criteria includes:
1. Whether the person applying for services is an adult (18 years or older) with a diagnosis of developmental or intellectual disability, brain injury, mental illness, age-related impairments or physical medical conditions (sometimes referred to as related conditions)
 2. Whether the person is eligible to receive day training and habilitation services or supported employment services as determined by the county of financial responsibility.
 3. Whether Achieve Services, Inc. is below its licensed capacity with an opening that is

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appropriate for the person applying for service or Anoka County requests that Achieve Services, Inc. apply for an increase in license capacity and agrees to supply the necessary additional staff and equipment that the increased capacity requires.

- B. When a person and/or legal representative requests services from Achieve, a refusal to admit the person must be based upon an evaluation of the person's assessed needs and Achieve Services, Inc. lack of capacity to meet the needs of the person. Within 30 days of receiving a written request for services, a decision regarding the request will be put into writing by the Designated Coordinator and sent to the applicant, legal representative and county case manager addressing the status of their admission (opening available, placed on waiting list, not appropriate for service).
 - 1. Applicants are placed on the waiting list in designation of what area they would be most appropriate for (minimal work, partial-day, full-day, CBE or SES). It is possible to be designated for more than one area.
 - 2. Applications are drawn from the waiting list in the order in which they applied and based on the appropriateness for the opening.

- C. Achieve Services, Inc. cannot refuse to admit a person solely upon the basis of:
 - 1. Disability.
 - 2. Orthopedic or neurological handicaps.
 - 3. Sight or hearing impairments.
 - 4. Lack of communication skills.
 - 5. Physical disabilities.
 - 6. Toilet habits.
 - 7. Behavioral disorders.
 - 8. Past failures to make progress.

- D. Documentation regarding the basis for the refusal will be completed using the *Admission Refusal Notice* and must be provided to the person and/or legal representative and case manager upon request. This documentation will be completed and maintained by the Designated Coordinator and/or Designated Manager or designee.

Admission process and requirements

- A. The Designated Coordinator for the area with an available opening will determine who the most appropriate person is for the spot.

- B. Prior to or upon the initiation of services, the Designated Coordinator and/or Designated Manager will develop, document, and implement the *Individual Abuse Prevention Plan*

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according to MN Statutes, section 245A.65, subdivision 2.

- C. The Designated Coordinator and/or Designated Manager will ensure that during the admission process the following will occur:
1. Each person to be served and/or legal representative is provided with the written list of the *Rights of Persons Served* that identifies the service recipient's rights according to MN Statutes, section 245D.04, subdivisions 2 and 3.
 - a. An explanation will be provided on the day of service initiation or within five (5) working days of service initiation and annually thereafter.
 - b. Reasonable accommodations will be made, when necessary, to provide this information in other formats or languages to facilitate understanding of the rights by the person and/or legal representative.
 2. Orientation to the Achieve's *Program Abuse Prevention Plan* will occur within 24 hours of service admission, or for those persons who would benefit more from a later orientation, the orientation may take place within 72 hours.
 3. An explanation of and provision of a copy of the *Policy and Procedure on Reporting and Reviewing of Maltreatment of Vulnerable Adults* will be provided to the person served and/or legal representative and case manager within 24 hours of admission, or for persons who would benefit more from a later orientation, the orientation may take place within 72 hours.
 3. An explanation and provision of copies (may be provided within five [5] working days of service initiation) of the following policies and procedures to the person and/or legal representative and case manager:
 1. *Policy and Procedure on Grievances*
 2. *Policy and Procedure on Temporary Service Suspension and Termination*
 3. *Policy and Procedure on Data Privacy*
 4. *Policy and Procedure on Emergency Use of Manual Restraint*
 5. *Policy and Procedure on Reporting and Reviewing of Maltreatment of Minors*
 4. Written authorization is obtained (and annually thereafter) from the person and/or legal representative for the following:
 - a. *Authorization for Medication and Treatment Administration*
 - b. *Agreement and Authorization for Injectable Medications*
 - c. *Authorization to Act in an Emergency*
 - d. *Release of Information*
 - e. *Funds and Property Authorization*
 - i. This authorization may be obtained within five (5) working days of the service initiation meeting and annual thereafter. The case manager also provides written authorization for the *Funds and Property Authorization*
 - f. The *Admission Form* is signed by the person and/or legal representative and includes the date of admission or readmission. A Cover Sheet is completed

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including identifying information, and contact information for members of the support team or expanded support team and others as identified by the person and/or legal representative.

- D. Also during the admission meeting, the support team or expanded support team, and other people as identified by the person and/or legal representative will discuss:
 - 1. Achieve Services, Inc. responsibilities regarding health service needs and the procedures related to meeting those needs as assigned in the *Coordinated Service and Support Plan* and/or *Coordinated Service and Support Plan Addendum*.
 - 2. The desired frequency of progress reports and progress review meetings, at a minimum of annually.
 - 3. The initial *Funds* and Property Authorization and the Designated Coordinator and/or Designated Manager will survey, document, and implement the preferences of the person served and/or legal representative and case manager for the frequency of receiving statements that itemizes receipt and disbursements of funds or other property. Changes will be documented and implemented when requested.

- E. If a person's licensed health care professional or mental health professional has determined that a manual restraint would be medically or psychologically contraindicated, Achieve Services, Inc. will not use a manual restraint to eliminate the immediate risk of harm and effectively achieve safety. This statement of whether or not a manual restraint would be medically or psychologically contraindicated will be completed as part of service initiation planning.

Admission process follow up and timelines

- A. The Designated Coordinator and/or Designated Manager or designee will ensure that the person's service recipient record is assembled according to Achieve Services, Inc. standards.

- B. Within 15 calendar days of service initiation, the Designated Coordinator and/or Designated Manager will complete a preliminary *Coordinated Service and Support Plan Addendum* that is based upon *Coordinated Service and Support Plan*. At this time, the person's name and date of admission will be added to the *Admission and Discharge Register* maintained by the Designated Coordinator and/or Designated Manager.

- C. When a person served requires a *Positive Support Transition Plan* for the emergency use or planned use of restrictive interventions prohibited under MN Statutes, chapter 245D, and is admitted after January 1, 2014:
 - 1. The *Positive Support Transition Plan* must be developed and implemented within 30

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calendar days of service initiation.

2. No later than 11 months after the implementation date, the plan must be phased out.
- D. Before the 45-day meeting, the individuals Training Specialist will complete the *Self-Management Assessment* regarding the person's ability to self-manage in health and medical needs, personal safety, and symptoms or behavior. This assessment will be based on the person's status within the last 12 months at the time of service initiation.
- E. Before providing 45 calendar days of service or within 60 calendar days of service initiation, whichever is shorter, the support team or expanded support team and other people as identified by the person and/or legal representative must meet to assess and determine the following based on information obtained from the assessment, *Coordinated Service and Support Plan*, and person centered planning:
1. The scope of services to be provided to support the person's daily needs and activities.
 2. Outcomes and necessary supports to accomplish the outcomes.
 3. The person's preference for how services and supports are provided including how the provider will support the person to have control of the person's schedule.
 4. Whether the current service setting is the most integrated setting available and appropriate for the person.
 5. Opportunities to develop and maintain essential and life-enriching skills, abilities, strengths, interests, and preferences.
 6. Opportunities for community access, participation, and inclusion in preferred community activities.
 7. Opportunities to develop and strengthen personal relationships with other persons of the person's choice in the community.
 8. Opportunities to seek competitive employment and work at competitively paying jobs in the community.
 9. How services for this person will be coordinated across 245D licensed providers and members of the support team or expanded support team to ensure continuity of care and coordination of services for the person.
- F. Also, at the 45 day meeting (and annually thereafter), the person and/or legal representative, case manager, and other people as identified by the person and/or legal representative will discuss how technology might be used to meet the person's desired outcomes. The team meeting minutes and/or Coordinated Service and Support Plan Addendum will include a summary of this discussion. The summary will include a statement regarding any decision that is made regarding the use of technology and a description of any further research that needs to be completed before a decision regarding the use of technology can be made.

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- G. Within 10 working days of the 45-day meeting, the Designated Coordinator and/or Designated Manager will develop a service plan that documents outcomes and supports for the person based upon the assessments completed at the 45-day meeting.
- H. Within 20 working days of 45-day meeting, the Designated Coordinator and/or Designated Manager will submit to and obtain dated signatures from the person and/or legal representative and case manager to document completion and approval of the assessment and *Coordinated Service and Support Plan Addendum*.
 - 1. If, within 10 working days of this submission, the legal representative or case manager has not signed and returned the assessments or has not proposed written modifications, the submission is deemed approved and the documents become effective and remain in effect until the legal representative or case manager submits a written request to revise the documents.

SECTION 2 – TEMPORARY SERVICE SUSPENSION

I. PURPOSE

The purpose of this policy is to establish determination guidelines and notification procedures for temporary service suspension.

II. POLICY

It is the intent of Achieve Services, Inc. to ensure continuity of care and service coordination between members of the support team including, but not limited to the person served, the legal representative and/or designated emergency contact, case manager, and other licensed caregivers during situations that may require or result in temporary service suspension. Achieve Services, Inc. restricts temporary service suspension according to MN Statutes, section 245D.10, subdivision 3.

III. PROCEDURE

Achieve Services recognizes that temporary service suspension and service termination are two separate procedures. Achieve must limit service suspension to specific situations that are listed below. A temporary service suspension may lead to or include service termination or Achieve Services may do a temporary service suspension by itself. Achieve must limit service termination to specific situations that are listed in Section 3 – Service Termination. A service termination may include a temporary service suspension or Achieve Services can do a service termination by itself.

- A. Achieve Services must limit temporary service suspension to situations in which:

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1. The person's conduct poses an imminent risk of physical harm to self or others and either positive support strategies have been implemented to resolve the issues leading to the temporary service suspension, but have not been effective and additional positive support strategies would not achieve and maintain safety, or less restrictive measures would not resolve the issues leading to the suspension.
 2. The person has emergent medical issues that exceed the company's ability to meet the person's needs; or
 3. The program has not been paid for services.
- B. Positive support strategies will be utilized prior to the need for temporary service suspension as a means to reduce or eliminate the person's conduct that is posing an imminent risk of harm to self or others. All positive support strategies will be clearly documented by direct support staff and management staff.
- C. Prior to giving notice of temporary services suspension, Achieve Services must document actions taken to minimize or eliminate the need for service suspension. Action taken by Achieve Services must include, at a minimum:
1. Consultation with the person's expanded/support team to identify and resolve issues leading to issuance of the suspension notice; and
 2. A request to the person's case manager for intervention services identified in section 245D.03, subdivision 1, paragraph (c), clause (1), or other professional consultation or intervention services to support the persons in the program. This requirement does not apply to temporary suspensions issued due to non-payment of services.
 3. If, based on the best interests of the person, the circumstances at the time of the notice were such that Achieve Services was unable to take the actions listed above, Achieve Services must document the specific circumstances and the reason for being unable to do so.
- D. The notice of temporary service suspension must meet the following requirements:
1. Achieve Services must notify the person or the person's legal representative and case manager in writing of the intended temporary services suspension;
 2. The notice of temporary services suspension must be given on the first day of the services suspension;
 3. The notice must include the reason for the action; a summary of actions taken to minimize or eliminate the need for temporary services suspension as required under MN Statutes, section 245D.10, subdivision 3, paragraph (d); and why these measures failed to prevent suspension.
- E. During the temporary suspension period, the company must;

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1. Provide information requested by the person or case manager;
 2. Work with the expanded/support team to develop reasonable alternatives to protect the person and others and to support continuity of care; and
 3. Maintain information about the temporary service suspension, including the written notice of temporary services suspension, in the service recipient record.
- F. If, based on a review by the person's expanded/support team, the team determines the person no longer poses an imminent risk of physical harm to self or others, the person has a right to return to receiving services. If at the time of temporary service suspension or at any time during the suspension, the person is receiving treatment related to the conduct that resulted in the service suspension, the expanded/support team must consider the recommendation of the licensed health professional, mental health professional, or other licensed professional involved in the person's care or treatment when determining whether the person no longer poses an imminent risk of physical harm to self or others and can return to the program. If the expanded/support team makes a determination that is contrary to the recommendation of a licensed professional treating the person, the company must document the specific reasons why a contrary decision was made.

SECTION 3 – SERVICE TERMINATION

PURPOSE

- I. The purpose of this policy is to establish determination guidelines and notification procedures for service termination.

II. POLICY

- III. It is the intent of Achieve Services to ensure continuity of care and service coordination between members of the support team including, but not limited to the person served, the legal representative and/or designated emergency contact, case manager, other licensed caregivers, and other people identified by the person and/or legal representative during situations that may require or result in service termination. Achieve Services restricts service termination to specific situations according to MN Statutes, section 245D.10, subdivision 3a.

IV. PROCEDURE

Achieve Services recognizes that *temporary service suspension* and *service termination* are two separate procedures. The company must limit temporary service suspension to specific situations that are listed in the *Section 2 - Temporary Service Suspension*. A temporary service suspension may lead to or include service termination or Achieve

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Services may do a temporary service suspension by itself. Achieve Services must limit service termination to specific situations that are listed below. A service termination may include a temporary service suspension or Achieve Services can do a service termination by itself.

- A. Achieve Services must permit each person served to remain in the program and must not terminate services unless:
 - 1. The termination is necessary for the person's welfare and the facility cannot meet the person's needs;
 - 2. The safety of the person or others in the program is endangered and positive support strategies were attempted and have not achieved and effectively maintained safety for the person or others;
 - 3. The health of the person or others in the program would otherwise be endangered;
 - 4. The program has not been paid for services;
 - 5. The program ceases to operate; or
 - 6. The person has been terminated by the lead agency from waiver eligibility.

- B. Prior to giving notice of service termination, Achieve Services must document actions taken to minimize or eliminate the need for termination. Action taken by Achieve Services must include, at a minimum:
 - 1. Consultation with the person's expanded/support team to identify and resolve issues leading to issuance of the termination notice; and
 - 2. A request to the case manager for intervention services as identified in section 245D.03, subdivision 1, paragraph (c), clause (i), or other professional consultation or intervention services to support the person in the program. This requirement does not apply to notices of service termination issued due to the program not being paid for services.
 - 3. If, based on the best interests of the person, the circumstances at the time of the termination notice were such that Achieve Services was unable to take the action specified above, Achieve Services must document the specific circumstances and the reason for being unable to do so.

- C. The notice of service termination must meet the following requirements:
 - 1. Achieve Services must notify the person or the person's legal representative and the case manager in writing of the intended services termination; and
 - 2. The notice must include:
 - a. The reason for the action;
 - b. Except for a service termination when the program ceases to operate, a summary of actions taken to minimize or eliminate the need for service termination or temporary service suspension as required under section 245D.10, subdivision 3a,

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paragraph (c), and why these measures failed to prevent the termination or suspension;

- D. Notice of the proposed termination of service, including those situations that began with a temporary service suspension, must be given:
 - 1. At least 60 days prior to termination when Achieve Services is providing intensive supports and services identified in section 245D.03, subdivision 1, paragraph (c).
 - 2. At least 30 days prior to termination for all other services licensed under Chapter 245D.
 - 3. This termination notice may be given in conjunction with a notice of temporary services suspension.

- E. During the service termination notice period, Achieve Services must:
 - 1. Work with the expanded/support team to develop reasonable alternative to protect the person and others and to support continuity of care;
 - 2. Provide information requested by the person or case manager; and
 - 3. Maintain information about the service termination, including the written notice of intended service termination, in the service recipient record.

- F. Achieve Services, Inc. reserves the right to discharge a participant whose attendance falls below 50% of their scheduled days for more than 2 months without medical condition or extraneous circumstances that would prevent them from attending. Procedures for termination of service will be followed as outlined above.

- G. Within 30 days after discharge, an Achieve Services, Inc. designee will complete a Discharge Summary. This will include: the discharge plan which was created by the person served and all the persons who contributed to the program of the person served and other appropriate individuals, admission and discharge dates, a brief description of the person including diagnosis, programming implemented to try to meet the person's needs while at Achieve Services, Inc.– including professionals or community resources used and additional funds that Achieve Services, Inc., attempted to access, the outcomes achieved through programming, the amount of time Achieve Services, Inc. was able to continue services to the person and reason for discharge.

Approved by the Achieve Services Inc. Board of Directors; June 10th, 2015, February 8, 2018