



Opportunity & Dignity for Adults with Disabilities

POLICY AND PROCEDURE ON SERVICE TERMINATION

Revised: 7/2024

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 *Policy and Procedure on Temporary Service Suspension*. A temporary service suspension may lead to or include service termination or Achieve 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 or continue receiving services 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, others in the program, or staff 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, others in the program, or staff 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 (1), 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, paragraph (c), and why these measures failed to prevent the termination or suspension;
 - c. The person's right to appeal the termination of services under MN Statutes, section 256.045, subdivision 3, paragraph (a); and
 - d. The person's right to seek a temporary order staying the termination of services according to the procedures in MN Statutes, section 256.045, subdivision 4a or 6, paragraph (c).
- 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



Opportunity & Dignity for Adults with Disabilities

- 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. 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.