

## **POLICY AND PROCEDURE PERTAINING TO SERVICE SUSPENSION, TERMINATION, AND DISCHARGE**

### **POLICY**

It is the policy of EON, Inc. to ensure our procedures for temporary service suspension and service termination promote continuity of care and service coordination for person served.

### **PROCEDURE**

I. EON will not require a person served to have or obtain a guardian or conservator as a condition of receiving or continuing to receive services.

### **II. Temporary Service Suspension**

A. EON will limit temporary service suspension to the following situations:

1. The person served conduct poses an imminent risk of physical harm to self or others and either:
  - a. 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
  - b. less restrictive measures would not resolve the issues leading to the suspension; or
2. The person served has emergent medical issues that exceed the license holder's ability to meet the person's served needs; or
3. EON has not been paid for services.

B. Prior to giving notice of temporary service suspension, the program must document actions taken to minimize or eliminate the need for service suspension.

1. Action taken by the program must include, at a minimum:
  - a. Consultation with the person's served support team or expanded support team to identify and resolve issues leading to issuance of the notice; and
  - b. A request to the case manager for intervention services identified, including behavioral support services, in-home or out-of-home crisis respite services, specialist services, or other professional consultation, or intervention services to support the person served in the program.
2. If, based on the best interests of the person served, the circumstances at the time of the notice were such that the program unable to consult with the person's served team or request interventions services, the program must document the specific circumstances and the reason for being unable to do so.

The request for intervention services will not be made for service termination notices issued because the program has not been paid for services.

C. The notice of temporary service suspension must meet the following requirements:

1. EON must notify the person served or the person's served legal representative and the case manager in writing of the intended temporary service suspension, using the Service Suspension letter.
2. If the temporary service suspension is from residential supports and services, including supported living services, foster care services, or residential services in a supervised living facility, including and ICF/DD, the program must also notify the Commissioner in writing. Department of Human Services (DHS) notification will be provided by fax at (651) 431-7406.
3. Notice of temporary service suspension must be given on the first day of the service suspension.
4. The written notice service suspension must include the following elements:
  - a. The reason for the action;
  - b. A summary of actions taken to minimize or eliminate the need for temporary service suspension; and
  - c. Why these measures failed to prevent the suspension.
5. During the temporary suspension period, EON must:
  - a. Provide information requested by the person served or case manager;

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

### III. Service Termination

- A. EON must permit each person served to remain in the program or to continue receiving services and must not terminate services unless:
- 1. The termination is necessary for the person's served welfare and EON cannot meet the person's served needs;
  - 2. The safety of the person served, 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 served or others;
  - 3. The health of the person served, others in the program, or staff would otherwise be endangered;
  - 4. EON has not been paid for services;
  - 5. EON ceases to operate; or
  - 6. The person served has been terminated by the lead agency from waiver eligibility.
- B. Prior to giving notice of service termination, EON must document the actions taken to minimize or eliminate the need for termination.
- 1. Action taken by the license holder must include, at a minimum:
    - a. Consultation with the person's served support team or expanded support team to identify and resolve issues leading to the issuance of the termination notice; and
    - b. A request to the case manager for intervention services, including behavioral support services, in-home or out-of-home crisis respite services, specialist services, or other professional consultation or intervention services to support the person served in the program.  
The request for intervention services will not be made for service termination notices issued because the program has not been paid for services.
  - 2. If, based on the best interests of the person served, the circumstances at the time of the notice were such that the program unable to consult with the person's served team or request interventions services, the program 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. EON must notify the person served or the person's served legal representative and the case manager in writing of the intended service termination, using the Service Termination Letter.
  - 2. If the service termination is from residential supports and services, including supported living services, foster care services, or residential services in a supervised living facility, including an

ICF/DD, the license holder must also notify DHS in writing. DHS notification will be provided by fax at (651) 431-7406.

3. The written notice of a proposed service termination must include all of the following elements:
    - a. The reason for the action;
    - b. A summary of actions taken to minimize or eliminate the need for service termination or temporary service suspension, and why these measures failed to prevent the termination or suspension. A summary of actions is not required when service termination is a result of the when the program ceasing operation;
    - c. The person's served right to appeal the termination of services under [Sec. 256.045 MN Statutes](#), subdivision 3, paragraph (a); and
    - d. The person's served right to seek a temporary order staying the termination of services according to the procedures in section [Sec. 256.045 MN Statutes](#) , subdivision 4a or 6, paragraph (c).
  4. The written notice of a proposed service termination, including those situations which began with a temporary service suspension, must be given before the proposed effective date of service termination.
    - a. For those persons served receiving intensive supports and services, the notice must be provided at least 60 days before the proposed effective date of service termination.
    - b. For those persons served receiving other services, the notice must be provided at least 30 days before the proposed effective date of service termination.
  5. This notice may be given in conjunction with a notice of temporary service suspension.
- D. During the service termination notice period, the program must:
1. Work with the support team or expanded support team to develop reasonable alternatives to protect the person served and others and to support continuity of care;
  2. Provide information requested by the person served or case manager; and
  3. Maintain information about the service termination, including the written notice of intended service termination, in the person's served record.

### III. Discharge

- A. A discharge from service may also be at the request of the legally responsible person served, /representative or the case manager. EON requests a 30-day notice when possible in order to facilitate the discharge process.

A discharge summary will be completed by the CSS or designee at the time of the discharge team meeting. This summary will include current programming, summaries of most recent medical appointments and any other information requested by the person served, their legal representative, or case manager.

### REFERENCED POLICIES

None

### REFERENCED FORMS

Service Suspension Letter  
Service Termination Letter