

SERVICE TERMINATION POLICY

Purpose

The purpose of this policy is to establish guidelines and notification procedures for service termination from the R&M Welty Inc. program.

Policy

It is the intent of R&M Welty, Inc. to ensure continuity of care and service coordination between members of the supporting 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 service termination. R&M Welty, Inc. restricts service termination to only specific situations according to MN statutes, section 245D.10, subdivision 3a.

Procedure

R&M Welty, Inc. recognizes that the Temporary Service Suspension policy and the Service Termination policy are two separate procedures. A temporary service suspension may lead to or include service termination, or R&M Welty may implement a temporary service suspension itself. Similarly, service termination may be initiated in the absence of a temporary service suspension. R&M Welty will limit service termination to the specific situations that are listed below in part A of this procedure.

- A. R&M Welty, Inc. must permit each person served to remain in the program and must not terminate services unless:
 - a. The termination is necessary for the person's welfare, and the person's needs cannot be met in the facility.
 - b. The safety of the person or others in the program is endangered and positive support strategies were attempted and have not been achieved and effectively maintained for the safety of the person or others.
 - c. The health of the person or others in the program would otherwise be endangered.
 - d. The program has not been paid for services.
 - e. The program ceases to operate; or
 - f. The person has been terminated by the lead agency from waiver eligibility.
- B. Prior to giving notification of service termination, R&M Welty must document actions taken to minimize or eliminate the need for termination. Action taken by the program must include, at minimum:
 - a. Consultation with the person's expanded support team to identify and resolve issues leading to issuance of their termination notice; and
 - b. 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 notice of service termination issued due to the program not being paid for services.



If, based on the best interests of the person, the circumstances at the time of the termination notice were such that R&M Welty was unable to take the action specified above, the program will document the specific circumstances and the reason for being unable to do so.

- C. The notice of service termination must meet the following requirements:
 - a. R&M Welty, Inc. must notify the person or the person's legal representative and the case manager in writing of the intended service termination. If the service termination is from residential supports and services (as defined in section 245D.03, subdivision 1, paragraph (c), clause (3)) R&M Welty must also notify the MN Department of Human Services Commissioner in writing; and
 - b. The notice must include:
 - i. The reason for the action;
 - ii. A summary of actions taken to minimize or eliminate the need for service termination or temporary service suspension – except for a service termination when the program ceases to operate. This list must also note why these measures failed to prevent the termination or suspension.
 - iii. The person's right to appeal the termination of services under MN Statutes, section 256.045, subdivision 3, paragraph (a); and
 - iv. 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:
 - a. At least 60 days prior to termination, R&M Welty, Inc. is providing intensive support and services identified in section 245D.03, subdivision 1, paragraph (c).
 - b. At least 30 days prior to termination for all other services licensed under Chapter 245D. 3. The termination notice may be given in conjunction with a notice of temporary service suspension.
- E. During the service termination notice period, R&M Welty, Inc. must:
 - a. Work with the expanded support team to develop reasonable alternatives to protect the person and others and to support continuity of care.
 - b. Provide information requested by the person or case manager; and
 - c. Maintain information about the service termination, including the written notice of intended service termination, in the service recipient record.