



<b>Policy Title:</b> Termination, Suspension and Discharge	Effective Date	1-1-14
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**I. Purpose**

To afford continuity of care and service coordination for persons receiving services in coordination with the person and the case manager and with other licensed caregivers, if any, who also provide support to the person. To establish policies and procedures for service termination, suspension and discharge that comply with the requirements detailed in Chapter 245D.10, Home and Community-based Services Standards.

**II. Revision History**

Date	Rev. No.	Change	Reference Section(s)
12-17-15		Updated - Licensing Rule Revisions	VI, A thru C

**III. Persons Affected**

Persons Currently Enrolled

**IV. Persons Responsible**

All Direct Support Staff at PAI

**V. Policy**

A. Temporary Service Suspension

1. A suspension from the program or a work assignment at PAI may occur when:
  - a. A 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.
  - b. A person has emergent medical issues that exceed the license holder's ability to meet the person's needs.
  - c. The program has not been paid for services.
2. Prior to giving notice of temporary service suspension, PAI will work to develop reasonable alternatives and interventions to avoid the need for suspension.
  - a. Consult with the person's support team or expanded support team to identify and resolve issues leading to issuance of the notice.
  - b. Request the case manager to arrange for intervention services, or other professional consultation or intervention services to support the person in the program (not applicable in suspensions due to lack of payment).
  - c. If circumstances at the time of the notice are such that the procedures in a., and b., above cannot be implemented due to the best interests of the person, PAI will document the circumstances and reasons for omitting those steps.
3. PAI will notify the person or their legal representative and case manager in writing of the intended temporary service suspension.

- a. Notice of temporary service suspension must be given on the first day of the service suspension.
  - b. Notice of a proposed termination may be given in conjunction with a notice of temporary service suspension.
  - c. The notice will include the reason for the action, a summary of actions taken to minimize or eliminate the need for temporary service suspension and why the measures failed to prevent the suspension.
  - e. During the temporary suspension
    - i. PAI will provide information requested by the person or case manager.
    - ii. PAI will work with the support team or the expanded support team to develop reasonable alternatives to protect the individual and others and support continuity of care.
    - iii. All information related to the service suspension including the written notice of temporary service suspension will be maintained in the person's case record.
4. If based on a review by the person's support team or expanded support team, it is determined by the team that 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.
- a. If, at the time of the 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 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 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.
    - i. If the support team or expanded support team makes a determination that is contrary to the recommendation of a licensed professional treating the person, PAI must document the specific reasons why a contrary decision was made.
- B. Service Termination**
1. A termination from the program or a work assignment at PAI may only occur when:
    - 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 achieved and effectively maintained safety for 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.
  2. Prior to giving notice of service termination PAI will take action to minimize or eliminate the need for service termination and maintain documentation of the results.
    - a. Requisite actions to be taken by PAI:
      - i. Consult with the person's support team or expanded support team to identify and attempt to resolve issues leading to issuance of a termination notice.

- ii. Request the case manager to arrange for intervention services, or other professional consultation or intervention services to support the person in the program (not applicable in terminations due to lack of payment).
    - b. When circumstances at the time of the notice are such that the actions detailed above could not be implemented due to the best interests of the person, PAI will document the circumstances and reasons for omitting any of the above requisite actions.
  - 3. Notice of a proposed termination of services (including those situations that began with a temporary service suspension) will be given to the person, the person's legal representative and the person's case manager in writing at least 60 days before the proposed termination is to become effective.
    - a. The notice will include:
      - i. PAI's the reason/s for the action.
      - ii. A summary of the 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.
      - iii. The person's right to appeal the termination of services under section 256.045, subdivision 3, paragraph (a).
      - iv. The person's right to seek a temporary order staying the termination of services according to the procedures in section 256.045, subdivision 4a or 6, paragraph (c).
    - b. During the service termination notice period, PAI will:
      - i. Work with the support team or expanded support team to develop reasonable alternatives to protect the person and others and to support continuity of care;
      - ii. Provide information requested by the person or case manager.
      - iii. Maintain information about the service termination, including the written notice of intended service termination, in the service recipient record.
  - 4. Additional circumstances in which services may be discontinued
    - a. At the request of the person, the person's legal representative or case manager acting on the behalf of the person.
    - b. When a person's support needs exceed what can be provided by PAI within the scope of reimbursable services.
    - c. When a person moves outside the geographical boundaries so that transportation is not possible due to distance, time or cost.
    - d. When financial resources are not available or sufficient to meet the person's identified needs.
  - 5. A discharge summary that includes all documentation relevant to the discharge will be completed when a person leaves PAI.
- C. Documentation
- 1. PAI maintains a chronological listing of the names and dates of all persons who have been demitted due to service terminations initiated by PAI and
  - 2. All additional required information relating to an individual's service termination, including the written notice of intended service termination, will be maintained in their case record.

**VI. Forms**  
Discharge Summary