

Adult Foster Care Service Termination Policy Programs that serve individuals funded by Elderly Waiver

REQUIREMENTS FOR USE OF THIS SAMPLE DOCUMENT: 245A adult foster care license holders providing services to people on Elderly Waiver are responsible for modifying this sample for use in their program. At a minimum, you must fill in the BOLD AREAS on this form. You may modify the format and content to meet standards used by your program. This sample meets compliance with current pending licensing requirements as of August 1, 2017. Providers remain responsible for reading, understanding and ensuring that this document conforms to current licensing requirements. DELETE THIS SECTION TO BEGIN MODIFYING THIS FORM.

Program Name: _____

I. Policy

It is the policy of this DHS 245A adult foster care licensed provider (**insert program name**) to ensure our procedures for service termination promote continuity of care and service coordination for persons receiving adult foster care.

II. Procedures

- A. This program must permit each person to remain in the program and must not terminate services unless:
 - 1. The termination is necessary for the person's welfare and the person's needs cannot be met in the facility;
 - 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, safety and well-being 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 this program must document the actions taken to minimize or eliminate the need for termination.
 - 1. Action taken by the adult foster care program must include, at a minimum:
 - a. Consultation with the person's interdisciplinary team to identify and resolve issues leading to a notice of service termination; and
 - b. A request to the case manager or other professional consultation or intervention services to support the person in the program.

The request to the case manager or other professional consultation or intervention service will not be made for service termination notices issued because the program has not been paid for services or the program ceases to operate.

2. If, based on the best interests of the person, the circumstances at the time of the notice were such that the program was unable to consult with the person's interdisciplinary team, other professional consultation 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. This program must notify the person or the person's legal representative and the case manager in writing of the intended service termination.
 2. 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 actions failed to prevent the termination or suspension. A summary of actions is not required when service termination is a result of the program ceasing operation or because the program has not been paid for services;
 - c. The person's right to appeal the termination of services under Minnesota 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 section 256.045, subdivision 4a or 6, paragraph (c).
 3. The written notice of a proposed service termination must be given at least 30 days before terminating a person's service.
- D. During the 30-day 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 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 person's record.

Policy reviewed and authorized by:

Print Name & Title

Signature

Date