

Policy Title: 245D Temporary Services Suspension

<p>Policy Owner: COO Policy Originated by: Program</p>	<p>Date Written: 10/1/13</p>
<p>Applicable Programs: 245D Programs (CBDS In-Home Services)</p>	<p>Date Reviewed and Approved by PLT: 3/11/14, 02/17/15, 08/26/15, 05/17/16, 07/22/20, 3/24/21, 3/9/22</p>
<p>Statutory or Regulatory Citation: Minn. Stat. § 245D.10, subd. 3</p>	<p>Signature if needed:</p>

Policy: It is the policy of St. David's Center to ensure our procedures for temporary service suspension promote continuity of care and service coordination for persons receiving services.

Procedure:

1. Temporary Service Suspension

- A. The use of temporary service suspension by this program is restricted to situations in which the conduct of the person being served poses an imminent risk of physical harm to self or others and less restrictive or positive support strategies would not achieve and maintain safety, or the program has not been paid for services, situations in which past due balances are not paid in an appropriate time frame or if the program is unable to meet an individual's medical needs.
- B. The program must notify the person or the person's legal representative and the case manager in writing of the intended temporary service suspension.
- C. Notice of temporary service suspension will be given on the first day of the service suspension.
- D. The program must provide information as requested by the person or the person's legal representative or case manager when services are temporarily suspended.
- E. Prior to giving notice of temporary service suspension, the program must document the actions taken by the program to minimize or eliminate the need for temporary service suspension. For example:
 - i. The person's behavior that is prompting the temporary service suspension, including the frequency, intensity and the duration of the

behavior.

- ii. The events leading up to the temporary service suspension.
- iii. Consultations with others on methods to minimize or eliminate the need for temporary service suspension.
 - a. a request to the case manager for intervention services 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 temporary suspensions if St. David's Center has not billed and been paid for services.
 - b. If, based on the best interests of the person, the circumstances at the time of the notice were such that the license holder was unable to take the action specified in clauses (1) and (2), the license holder must document the specific circumstances and the reason for being unable to do so.
- F. During the period of temporary service suspension, the program will work with the person's support team or expanded support team to develop reasonable alternatives to protect the person and others.
 - i. the notice must include the reason for the action, a summary of actions taken to minimize or eliminate the need for temporary service suspension as required under this paragraph, and why these measures failed to prevent the suspension.
- G. If the entirety of the person's support team or expanded support team agrees the reason for suspension has been alleviated, the person has the right to return to the program. When making that decision the program will consider the recommendations from a healthcare professional, if any. If the program makes a decision contrary to the recommendation of a health care professional, the rationale will be documented.
- H. 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. If the support team or expanded support team makes a determination that is contrary to the recommendation of a licensed professional treating the person, the license holder must document the specific reasons why a contrary decision was made.

- I. The program must maintain information about the temporary service suspension in the person's record.

In the event of a lapse of insurance, we will suspend services after 30 days until eligibility is reinstated.

Violation of this Policy or Procedure

No or only partial adherence to this policy or procedure may result in noncompliance with current regulatory requirements and subsequent penalties to St. David's Center. Remediation for violators will include, but not be limited to, disciplinary action up to and including termination depending on the circumstances of the situation at the time.

Reference or Attachment: