

**DHS DIVISION OF LICENSING  
Self-Monitoring Checklist**

**Home and Community-Based Services Licensed under Minnesota Statutes, chapter 245D**

## **SERVICE SUSPENSION & TERMINATION INITIATED BY THE LICENSE HOLDER**

### **Basic Support Services vs. Intensive Support Services**

There are different licensing requirements regarding the timelines of a termination notice when a license holder is providing basic support services and intensive support services. The checklist designates when the licensing standards apply to a specific service type. When there is no designation, the licensing standards apply to both basic support services and intensive support services.

#### **Basic support services include:**

- In-home and out-of home respite care
- Adult companion services
- Personal support
- 24-hour emergency assistance
- Night supervision
- Homemaker

#### **Intensive support services include:**

- Intervention services, including
  - Behavioral support
  - In-home and out-of home crisis respite
  - Specialist services
- In-home support services, including
  - In-home family support and supported living services
  - Independent living skills training
  - Semi-independent living services
- Residential supports and services, including
  - Supported living services and foster care services provided in a child foster care residence, a family adult foster care residence, a community residential setting, or a supervised living facility
  - Residential services provided in an ICF/DD;
- Day services, including
  - Structured day services,
  - Day training and habilitation
  - Prevocational services
- Supported employment

### **Definitions:**

"Case manager" means the individual designated to provide waiver case management services, care coordination, or long-term care consultation, as specified in sections [256B.0913](#), [256B.0915](#), [256B.092](#), and [256B.49](#), or successor provisions [section 245D.02, subdivision 3].

"Expanded support team" means the members of the support team defined in subdivision 34 and a licensed health or mental health professional or other licensed, certified, or qualified professionals or consultants working with the person and included in the team at the request of the person or the person's legal representative [section 245D.02, subdivision 8b].

"Legal representative" means the parent of a person who is under 18 years of age, a court-appointed guardian, or other representative with legal authority to make decisions about services for a person. Other representatives with legal authority to make decisions include but are not limited to a health care agent or an attorney-in-fact authorized through a health care directive or power of attorney [section 245D.02, subdivision 12].

"Support team" means the service planning team identified in section [256B.49, subdivision 15](#); the interdisciplinary team identified in Minnesota Rules, part 9525.0004, subpart 14; or the case management team as defined in Minnesota Rules, part 9520.0902, subpart 6 [section 245D.02, subdivision 34].

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LAW / RULE CITE	LICENSING STANDARD	RECORD 1	RECORD 2	RECORD 3	NOTES
<a href="#">245D.10</a> , Subd. 3, (b)	<b>The license holder implemented their policy and procedures when initiating service suspension or termination.</b>				
Service Suspension	<u>Temporary Service Suspension - Written Notice</u> (1) The license holder notified the person or the person's legal representative and case manager in writing of the intended temporary service suspension;				
	(3) Notice of temporary service suspension was given on the first day of the service suspension;				
	<u>Providing Requested Information</u> (4) The license holder provided information requested by the person or case manager when services are temporarily suspended;				
	<u>Actions Required Prior to Suspension</u> (5) Prior to giving notice of temporary service suspension, the license holder documented actions taken to minimize or eliminate the need for service suspension;				
	<u>Actions Required During Suspension</u> (6) During the temporary service suspension, the license holder worked with the support team or expanded support team to develop reasonable alternatives to protect the person and others;				
	<u>Service Suspension Record Retention</u> (7) The license holder maintained information about the service suspension in the service recipient record; and				
	<u>Restrictions on Use of Suspension</u> (8) The license holder restricted temporary service suspension to situations in which the person's conduct poses an imminent risk of physical harm to self or others and less restrictive or positive support strategies would not achieve and maintain safety.				

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SERVICE TERMINATION	<u>Service Termination - Written Notice</u> (1) The license holder notified the person or the person's legal representative and case manager in writing of the intended termination, and				
	the person's right to seek a temporary order staying the termination of service according to the procedures in section <a href="#">256.045, subdivision 4a</a> , or 6, paragraph (c);				
	<u>Notice Timeline</u> (2) Notice of the proposed termination of services, including those situations that began with a temporary service suspension, was given <ul style="list-style-type: none"> <li>• at least <b>60</b> days before the proposed termination is to become effective when a license holder is providing intensive supports and services identified in section 245D.03, subdivision 1, paragraph (c),</li> <li>• at least <b>30</b> days prior to termination for all other services [basic support services] licensed under this chapter.</li> </ul>				
	This notice may have been given in conjunction with a notice of temporary service suspension;				
	<u>Providing Requested Information</u> (3) The license holder provided information requested by the person or case manager when services upon notice of termination;				
	<u>Actions Required Prior to Suspension</u> (4) Prior to giving notice of service termination, the license holder documented actions taken to minimize or eliminate the need for service termination;				
	<u>Actions Required During Suspension</u> (5) During the service termination notice period, the license holder worked with the appropriate county agency to develop reasonable alternatives to protect the person and others; and				
	<u>Service Suspension Record Retention</u> (6) The license holder maintained information about the service termination, including the written termination notice, in the service recipient record.				