



245D Service Termination Overview

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Before Issuing a Notice of Termination

- The Provider must:
 - Establish and follow policies and procedures for service termination that ensures continuity of care and coordination with the case manager
- Take and document actions to minimize or eliminate the need for termination, including:
 - Consultation with the person's support team
 - Request additional services from the case manager (intervention services)

Service Termination Notice Requirements

- Intensive support service providers must give the written notice to the person, legal representative (if applicable) and case manager at least 60 days before termination and fax the termination from residential support services to DHS
- The notice must include:
 - The reason for the action;
 - A summary of actions taken to minimize or eliminate the need for service termination and why these measures failed to prevent the termination (unless the reason is program closure);
 - The person's right to appeal the termination of services under section [256.045](#), subdivision 3, paragraph (a); and
 - 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)

Providers May Seek to Terminate Services Under Limited Circumstances

1. The termination is necessary for the person's welfare, and a facility cannot meet the person's needs
2. The safety of the person or others who receive services is endangered, and the provider attempted to use positive support strategies but has not achieved and effectively maintained safety
3. The health of the person or others who receive services is endangered
4. The program has not received payment for services
5. The program stopped operating
6. The lead agency terminated the person's waiver eligibility.
7. State operated only: the person no longer demonstrates complex behavioral needs that cannot be met by a private community-based provider

Rights and responsibilities during termination period

- People who receive a service termination notice have the right to appeal within 30 days. The person/guardian may appeal by completing [Appeal to State Agency, DHS-0033](#) online or by printing a copy and sending it to the DHS Appeals Division:
- Case managers are responsible to communicate with the person and their family/guardian to provide monitoring, planning and coordination of support
- If the case manager has not finalized an alternative arrangement for a home, program or services that will meet the person's assessed needs by the effective date of the service termination, DHS may issue a temporary stay of termination for no more than 30 days.

- [Disability Hub MN](#)
- [Contact the Disability Services Division at the Department of Human Services](#)
- [Guide to Support a Person with a residential service termination notice](#)
- [Office of Ombudsman for Mental Health and Developmental Disabilities](#)
- [Office of Ombudsman for Long-Term Care](#)

Thank You