

SUMMARY OF RULES 65G-3.001 THROUGH 65G-3.006, FLORIDA ADMINISTRATIVE CODE (F.A.C)

FOR FULL REQUIREMENTS, REFER TO [FLORIDA ADMINISTRATIVE CODE](#)

This rule clarifies the roles and responsibilities of various stakeholders when a provider elects to terminate or suspend services to a client.

Termination or Reduction of Services by the Provider

Summary of Provider Responsibilities:

- Send written notice of intent to terminate or reduce services to the client and their individual representative by certified mail or electronic mail.
- Send the notice to the APD Regional Office and Support Coordinator via electronic mail.
- Services may not be terminated or reduced until 30 days after the receipt of the notification by the client, individual representative, Regional Office, and Support Coordinator.

Summary of Waiver Support Coordinator Responsibilities:

- Evaluate the circumstances that led to the proposed termination or reduction.
- Determine what actions, if any, could be taken to resolve the situation.
- Immediately assist the client or the client's individual representative in locating an alternate provider if one is needed.
- Update the client's support plan, cost plan, and relevant service authorizations.
- Contact the Regional Office immediately if the WSC is unable to locate an alternate provider

Summary of APD Responsibilities

- The Regional Office will work with the WSC to assist the client and the client's individual representative in meeting the client's needs.
- The Regional Office shall immediately work with the client's Waiver Support Coordinator to assist the client or the client's individual representative in choosing an alternate place to live before the date of termination if it is for services provided in a licensed residential facility
- The Regional Office shall issue a notice to deny the client's selection of a provider within 30 calendar days of the client's notification to the Regional Office if the selected provider is not qualified to deliver the service.

Suspension of Services by the Provider

Summary of Provider Responsibilities:

- *Emergency Suspension:* May suspend services provided to a client in a non-residential program when the behavior of the client constitutes an immediate danger to health, safety, or welfare of the client, another recipient of the provider's services, the provider, or a third party.

- *Other Suspension:* May suspend services provided to a client in a non-residential program when the client's behavior interferes with services provided to other recipients of the provider's services.
- Give written notice of suspension to the client, the client's individual representative, the client's Waiver Support Coordinator, and Regional Office at the time of the suspension or thereafter, detailing reasons for the suspension.

Summary of WSC Responsibilities:

- Ensure that appropriate service coverage is available during the time of suspension and update the support plan, cost plan, and relevant service authorizations accordingly.
- Contact the Regional Office the day the Waiver Support Coordinator receives notice of the suspension if assistance is needed in securing alternate services or providers.

Summary of APD Responsibilities

- The Regional Office will assist the client and the client's individual representative in meeting the client's needs.

Discrimination and Retaliatory Conduct by the Provider

Service providers are prohibited from:

- Discrimination against any client receiving services.
- Prejudicing the future provision of appropriate services when the client or the client's individual representative attempts to advocate for services.
- Retaliatory conduct against a client or the client's individual representative if either has complained about the service provider.

Summary of APD Responsibilities:

- May initiate action against the service provider's license, or any contract with the Agency, including the Medicaid Waiver Services Agreement.