

## Procedures for Statewide Service Provider Non-Compliance

- 1) If a service agreement compliance issue has been identified with any statewide service provider, **immediately contact the DVR Contract Specialist** for technical assistance on how to proceed.

**Some Examples of issues that should include consultation:** illegal activity, injury to DVR consumer, staff or provider, conflict of interest, improper issue of gifts to DVR consumers or staff, health code or safety violations, violations of confidentiality, service provider staff with criminal backgrounds that require mitigation planning, collusion for financial or personal gain and employer complaints.

Issues involving day to day operational details should be handled at the local level. If day to day issues become chronic, include multiple occurrences or issues, are not resolved with documented corrective suggestions or significantly interrupt consumer operations, consultation should occur with the DVR Contract Specialist to determine a course of action.

The WDA will be asked to provide a summary of the issue(s) to be attached to the Service Provider section in IRIS.

Protection of DVR consumers should be the first priority. Care and action should be taken to reduce harm or disruption of case progress to the extent possible. Consumer preferences should be taken into account.

Illegal activity must be reported to legal authorities. Technical assistance will be provided in these instances. Emergency situations should be handled immediately and then notice provided.

In most cases it is preferable to terminate an agreement with cause. Terminations for any reason require prior consultation with DVR Administrative staff.

- 2) If there has been a suspected violation of the service agreement, **a written notice will be sent to the provider** by the Contract Specialist that will summarize the issue, provide citations from the service agreement **and describe course of action**. In most cases there is a 30 day investigation period. Extensions may be required as needed and notice will be provided in writing. Other action can be taken immediately depending on the situation.
- 3) The **investigation will take place** and may involve WDA staff, Central Office staff or others as appropriate (CAP, DWD legal, etc.)
- 4) A **written notice of findings, actions and/or recommendations** will be sent to the provider from Central Office by the Deputy Administrator.

**Actions can include:** Termination of the Service Agreement (which can be absolute or time-limited), probationary continuation of the agreement, completion of a plan to address a specific issue, removal of a service category, restriction of geographical area, restriction or suspension of DVR referrals, increased reporting criteria, increased and/or regular remedial meetings with WDA staff, specific remedial training or other.

In the case of service agreement termination, a determination about reinstatement will be made. There may be increased involvement on the part of a WDA if reinstatement is allowed.

- 5) Service Providers who disagree with findings and or actions will be **allowed to submit a written response for consideration within 30 days of receipt of recommendations/action**. A review of that response will be conducted by the DVR Deputy Administrator and/or DWD legal. Recommendations will be provided in writing to the provider following the review of the service provider response.

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