Below are the meeting notes for the Provider Compliance workgroup. (Reminder: this work group is specific to the group of county board superintendents language from budget surrounding provider compliance)

**Provider Compliance/Support Work Group Notes 10/30/17**

* Quick review of previous meetings: Compliance from OPSR, COG, Family/guardian, and provider perspective
* OPSR reviewed the reports for Suspensions and Revocations 2012-present
* OPSR reviewed the Factors for Suspensions

Presented draft language (refer to attached 5123.166 Adjudication order against certificate or applicant holder: (Summary of discussions listed below)

* There currently are new providers that have recently been discovered by County Board as having no acceptable background checks for any of their staff. This is an example where that provider CANNOT provide service and it appears that they would not be able to rectify this or correct it. Currently new providers receive licensure review within 9 months after beginning service.
* Team discussed possibly having better barriers/gatekeeper on the certification end with follow up from county or another entity throughout to ensure basic compliance prior to survey
* Much concern by family representatives on committee stating this just can’t happen any longer…there must be a system in place to ensure that they are doing the basic safety things prior to the survey. Can something be established formally?
* Idea proposed where we could have a statewide DSP background check center---DODD, for example, have database of all DSPs and run or counties to complete, etc….
* Much discussion on where do families turn when not happy with provider…know that there is free choice of provider, however, the system is very complicated to choose provider---too many, no information available to easily access, state profiles not updated, counties not supposed to guide to any one provider, etc…
* Discussion on role of SSA for choosing provider or guiding when not happy with provider or need to change providers due to compliance
* Family reps would like an Ombudsman for DD services
* Discussion on the numbers of providers---disparity between counties (some too many providers and some not enough) Have we done data studies on demographics by county? How do we manage the number of providers? County Boards expressed concerns in larger counties, seems to be too many providers which is very difficult to monitor or support.
* County Board currently has the right to initiate and complete compliance/quality reviews for any providers
* Discussion on what DODD requires for initiating special reviews—can be complaint from any entity, hotline, MUI/UI, other state agency referral, etc…
* Much discussion on whether this summary suspension can be applied to specific home, region, service, or is it the entire statewide provision of service?
* Much discussion on if summary suspension is administered, how does the provider come back---decided that it could be done but would be very difficult
* Summary suspension-suspends provider immediately not permitted to do ANY service for new or existing vs. Suspension-not permitted to take on any NEW individuals or services
* Discussed that 90 day timeline might be too much
* Recommendation to keep D1 (i) guardian notification
* D2-need clarification and clearer definition of clear and convincing….immediate and serious harm… This statute should be tied to definitions in MUI/UI rule revisions.
* Need protocol for what has to be presented for review
* Need a list of examples
* Need further clarification---multi county provider---localized, by county, region, service vs. entire agency
* D3c-can it be sooner than 30 days?
* Must develop rule to accompany this with the details of procedure
* County Board association and Family reps are working together to prepare a visual flow chart of recommendations
* Need peer review and mentor procedures for providers to assist those new or struggling-best practices
* Discussed triggering events: Special Compliance Review, MUI Hotline, Providers self report we are in trouble, SSA or county observation
* Will require an on-site visit by DODD/County Board
* Recommendation for review committee to convene to review the summary suspensions to make recommendation: county reps, provider reps, DODD reps, family reps.
* Discussed fines/sanctions
* Discussed incentives for provider who are in compliance and go above and beyond