

3325.0260 CLOSING THE RECORD OF SERVICES.

Subpart 1. **Closing the record of services of an eligible individual who has not achieved independent living goals.** The record of services of an eligible individual who has not achieved independent living goals must be closed when the individual:

A. does not satisfy the eligibility conditions of the program identified in part 3325.0210; or

B. has not responded to multiple and varied attempts to contact the individual and has not responded to correspondence mailed to the person's last known address and containing a specific notification that the failure to respond within 15 calendar days of mailing the notice shall result in closure of the record of services;

C. has died;

D. has refused to comply with any of the requirements of parts 3325.0205 to 3325.0470 or with any terms or conditions in the eligible individual's plan; or

E. has refused to accept or use the independent living rehabilitation services necessary to achieve the identified independent living goals. Before terminating or refusing to provide services based on this condition, the SSB direct service staff shall explain to the eligible individual the purpose of the program and the services to be provided and shall encourage the eligible individual's participation.

Subp. 2. **Conditions for closing the record of services of an eligible individual who has achieved independent living goals.** The record of services of an eligible individual who has achieved and maintained independent living goals for a period of 30 calendar days must be closed if the eligible individual:

A. has moved to a less restrictive living situation; or

B. maintains or increases the individual's independence in one or more of the following areas:

(1) personal management and daily living skills;

(2) communicating; or

(3) traveling.

Subp. 3. **Consultation prior to closing the record of services.** If SSB expects to discontinue services an eligible individual is receiving under a plan for any reason, SSB must, before closing the record of services, offer the eligible individual an opportunity to discuss the anticipated closing of the record of services.

Subp. 4. **Notice of closing the record of services.** If an eligible individual's services are to be discontinued for reasons other than successful rehabilitation under subpart 2, except for death, SSB shall notify the eligible individual. The notice and record of

services must contain a summary or description of the information or circumstances upon which the decision was based and a summary of the eligible individual's appeal rights under part 3325.0478 and a description of services available from and how to contact the client assistance program. If the decision was based on the eligible individual's refusal to accept or use necessary services provided by SSB, the record of services must include a description of the efforts made by SSB to encourage the eligible individual's participation in the rehabilitation process.

Statutory Authority: *MS s 248.07*

History: *11 SR 1784; 36 SR 33*

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