



KENTUCKY ASSOCIATION OF PRIVATE PROVIDERS

I/DD TAC: Provider Involuntary Termination Survey

October 7, 2025

Background:

- In July 2025, Kentucky's Department for Medicaid Services (DMS) responded to a recommendation from the Cabinet for Health and Family Services' IDD Technical Advisory Committee (IDD TAC). The full response can be found [here](#).
- In its response, DMS noted that it supported the implementation of a "structured and consistent" 60-day time frame for involuntary terminations.
- In its response, DMS requested that the IDD TAC gather critical information to help inform its policy decisions related to involuntary terminations.
 - **Establish Exceptions for Critical Safety Concerns:** Develop criteria that allow for expedited termination in cases where continued support would present a verified and immediate threat to the individual or others.
 - **Define Transition Planning Requirements:** Require that providers submit a transition plan detailing interim supports, referral efforts, and coordination with case management during the 60-day period.
 - **Implement Provider Support Measures:** Assess options for enhanced technical assistance, crisis intervention support, and temporary funding solutions to help providers manage high-risk transitions.
 - **Conduct Stakeholder Engagement:** Convene additional meetings with providers, advocacy groups, case managers, and waiver participants to refine policy design and ensure broad-based input.

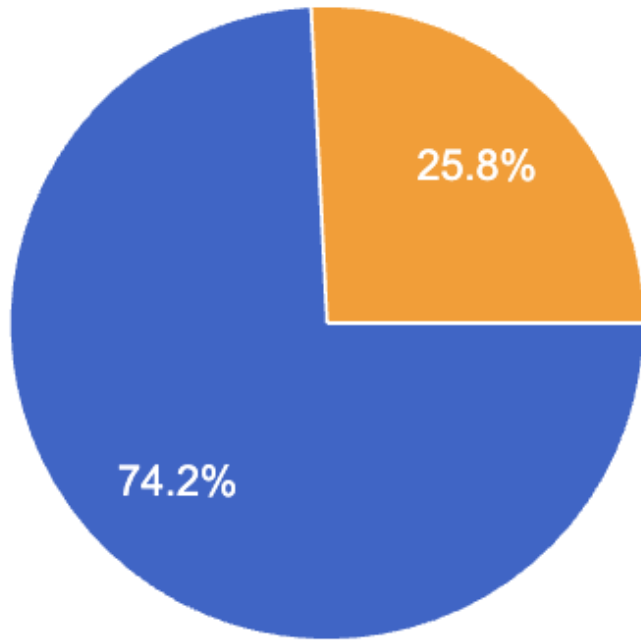


Provider Survey

Survey Overview:

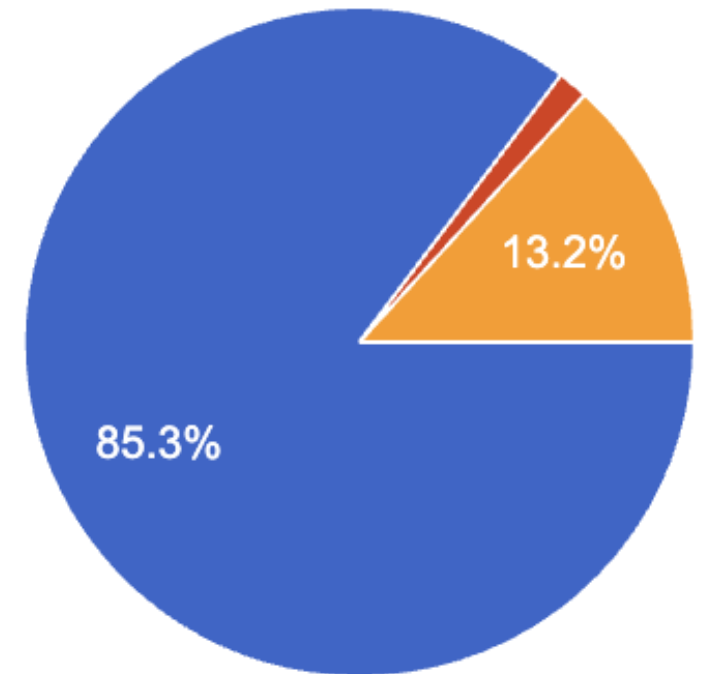
1. Residential Level 1 and 2 Providers and Case Managers
2. 62 Residential Provider Agencies
3. 69 Independent Case Managers

Do You Think the Current Involuntary Termination Process Works Well?



Residential
Providers

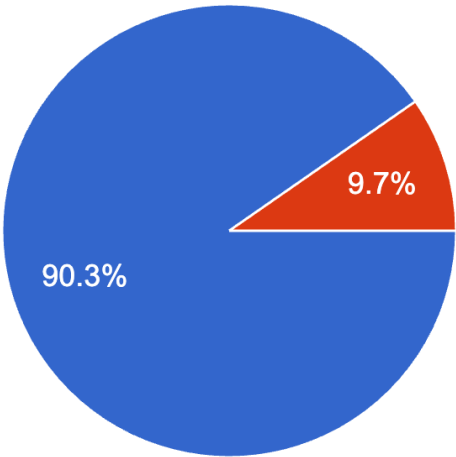
- It does not work well when the participant has a history of aggressive or violent behaviors, a history of law enforcement encounters, or intense support needs (including medical supports).
- It works well all the time
- It never works well.



Case Managers

Has your agency ever issued an involuntary termination notice ("30-day notice") for support in a Residential 1 or Residential 2 Service?

62 responses



● Yes
● No

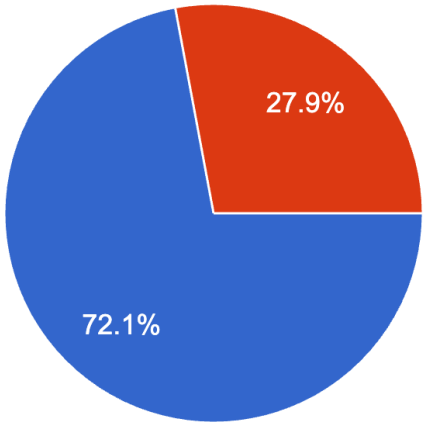


Residential Providers

Have you ever been the the case manager for a participant who received an involuntary termination notice ("30-day notice") from a Residential 1 or Residential 2 service provider?

68 responses

Case Managers

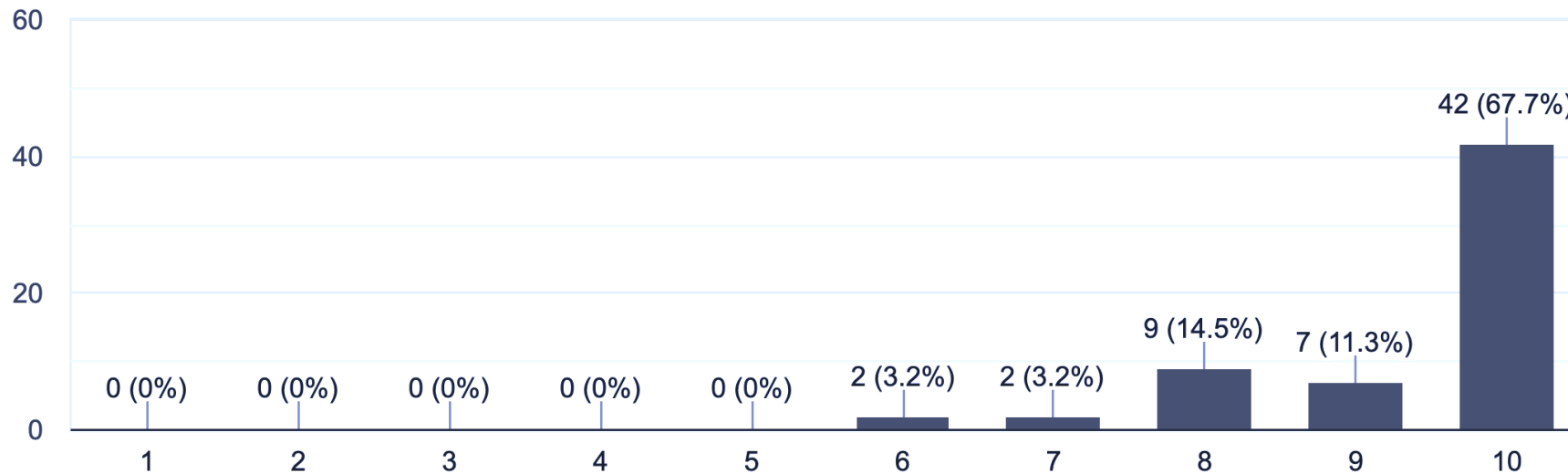


● Yes
● No

Residential Providers Report: Impact of Lengthy Involuntary Termination Period

On a scale of 1-10, how much strain does the current involuntary termination policy place on your agency when a participant remains after the 30-day notice? 1= No Strain 10= Tremendous Strain

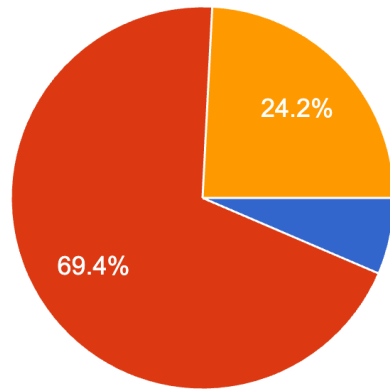
62 responses



Typical Annual Utilization of Involuntary Termination Process

How often does your agency utilize the 30-day involuntary termination notice for participants in Residential 1 or Residential 2 services?

62 responses



- Never
- Rarely (less than once a year)
- Occasionally (1-3 times a year)
- Frequently (more than 3 times a year)

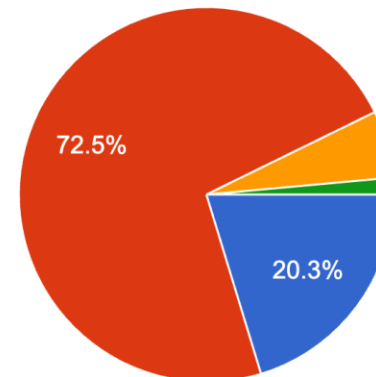


Residential Providers

In a typical year, how many participants that you case manage receive involuntary termination notice for Residential 1 or Residential 2?

69 responses

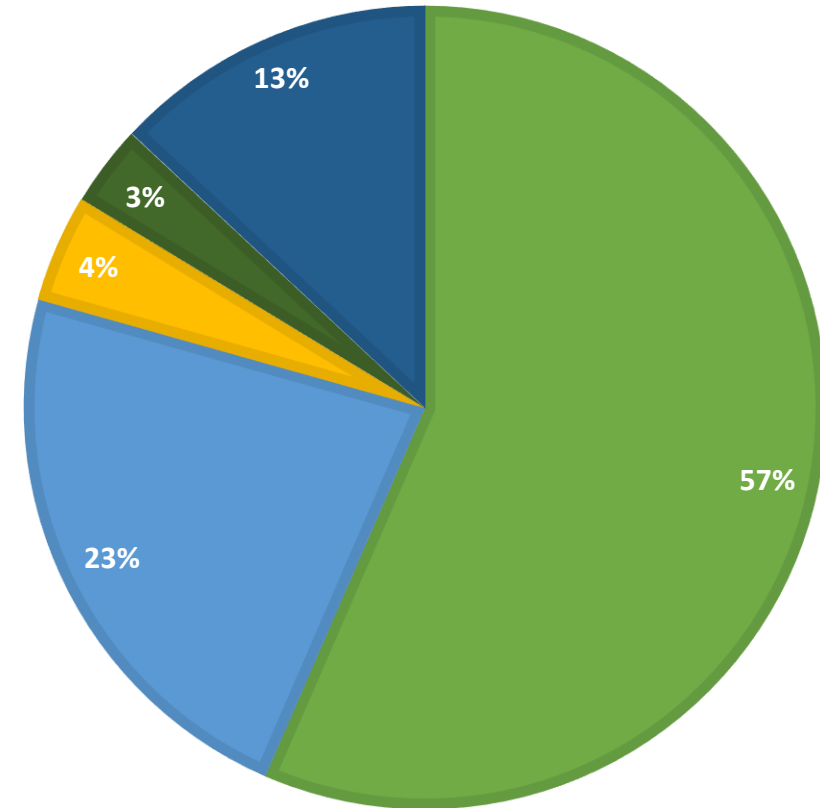
Case Managers



- Zero - this has never happened to a participant I case manage
- 1-3 participants per year
- 3-6 participants per year
- 6-10 participants per year
- 10+ participants per year

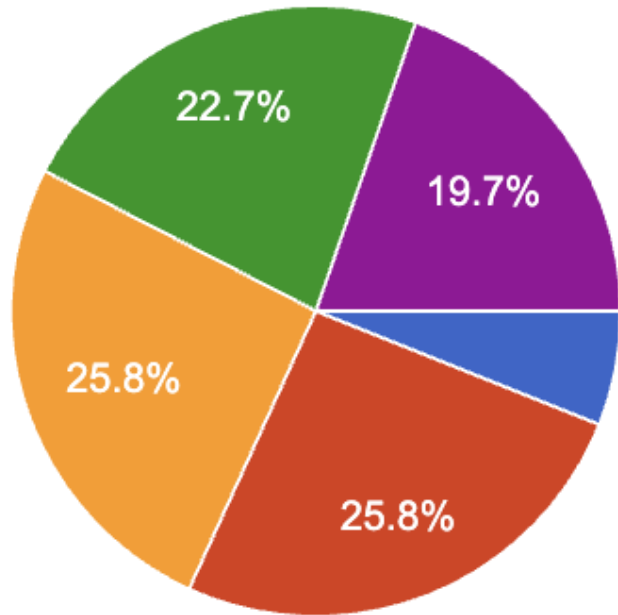
Case Managers Report: Most Common Reasons for Involuntary Termination

- Participant's Behavioral Challenges
- Safety Concerns for the Participant or Others
- Lack of Appropriate Staffing or Resources at Provider Agency
- Participant's Medical Needs
- All of the Above

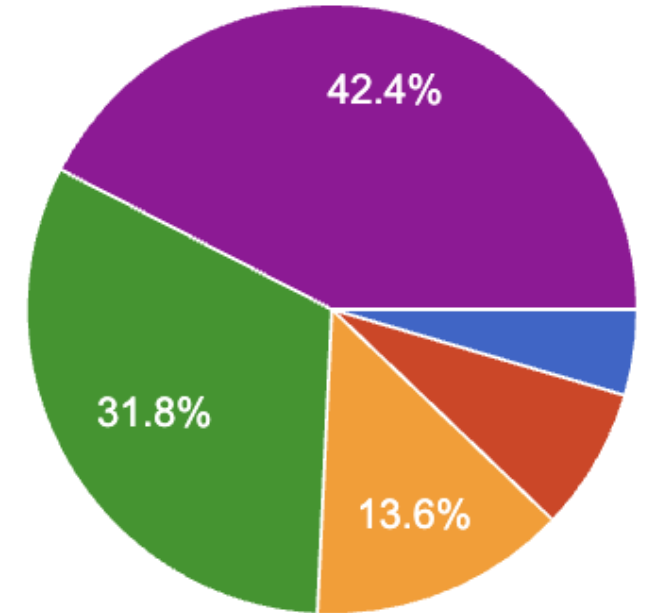


Case Managers Report:

Average Time to Secure New Residential Placement After Notice of Involuntary Termination

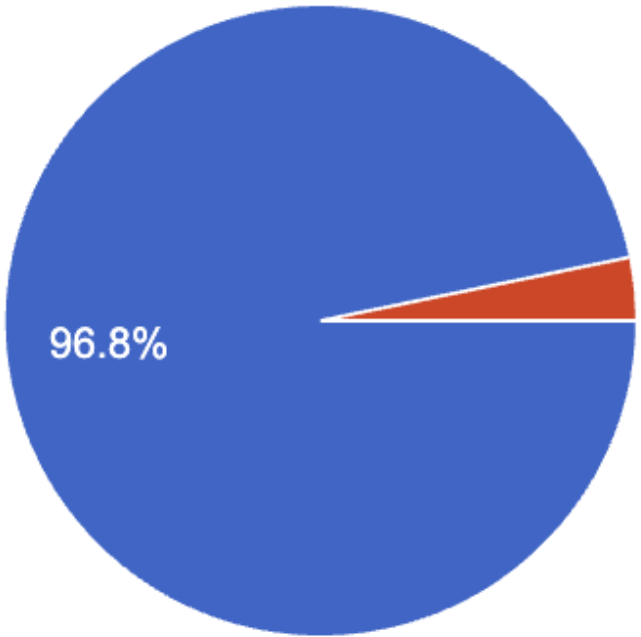


Participants Without
Significant
Behavioral
Challenges or
Criminal History

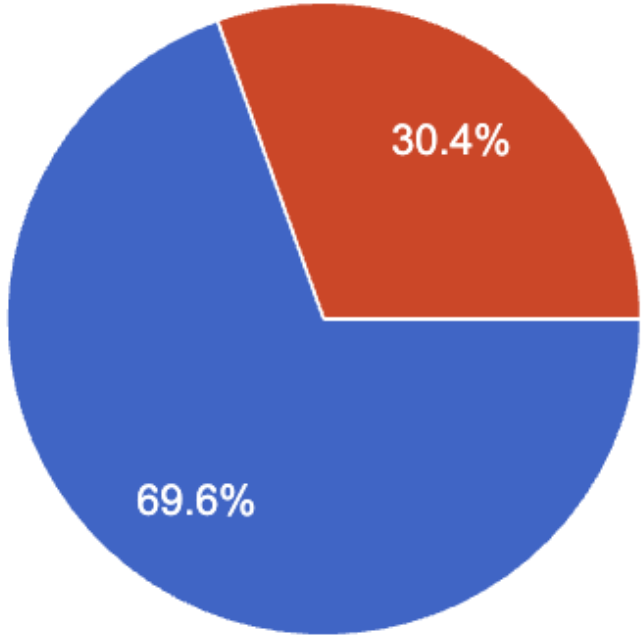


Participants With
Significant
Behavioral
Challenges or
Criminal History

Willingness to Accept Referral for Participant With Intense Support Needs
If 60 Day Period Enforced

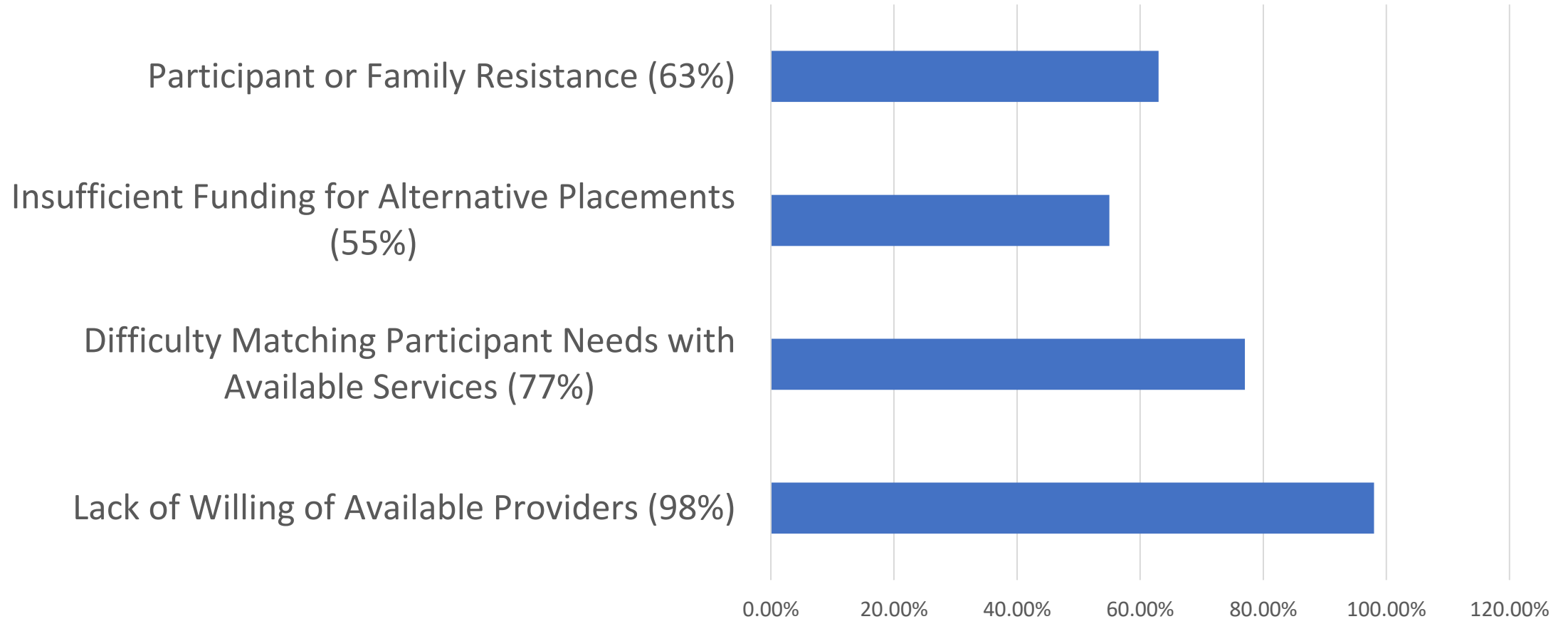


Residential Providers

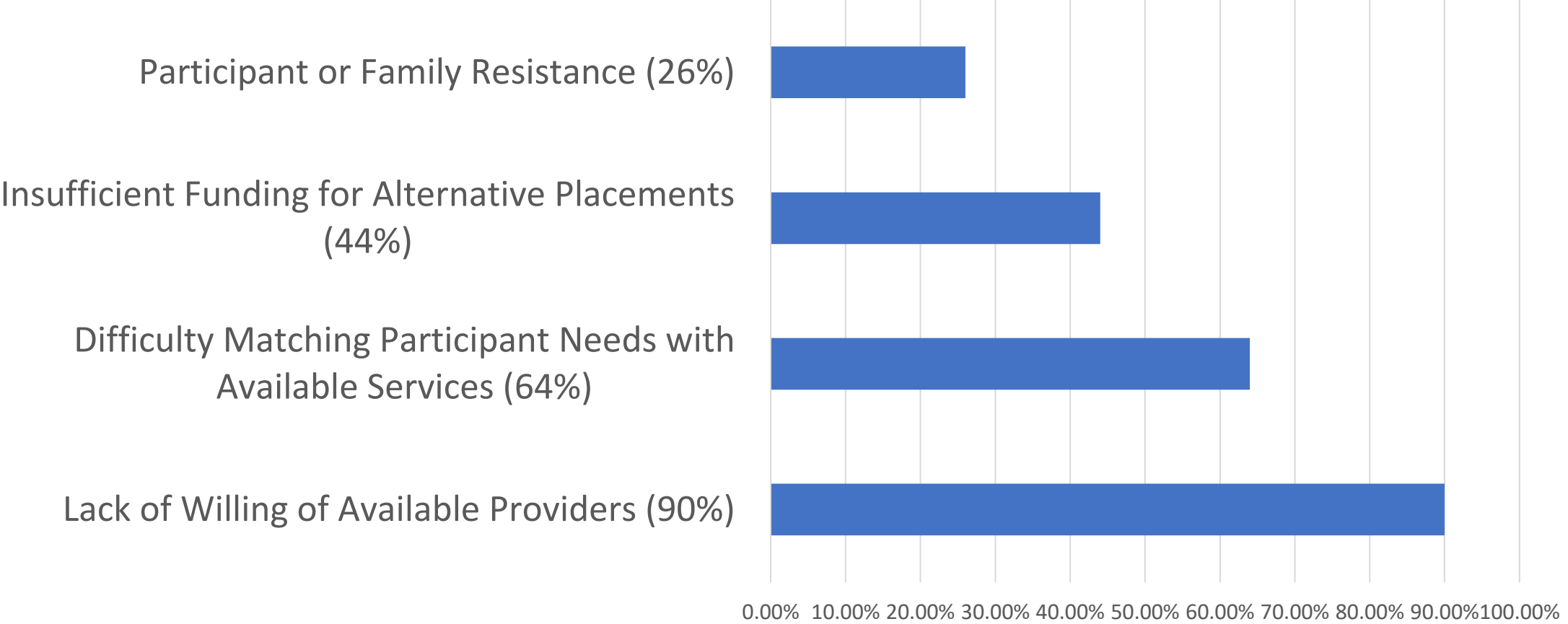


Case Manager
Opinion of
Residential Provider
Willingness

Residential Providers:
Challenges Faced in Finding Alternative Placements After Issuing Involuntary Termination
Notice



Case Managers:
Challenges Faced in Finding Alternative Placements After Issuing Involuntary Termination Notice



What resources would be most beneficial when managing a participant after an involuntary termination notice has been issued?

Residential Providers

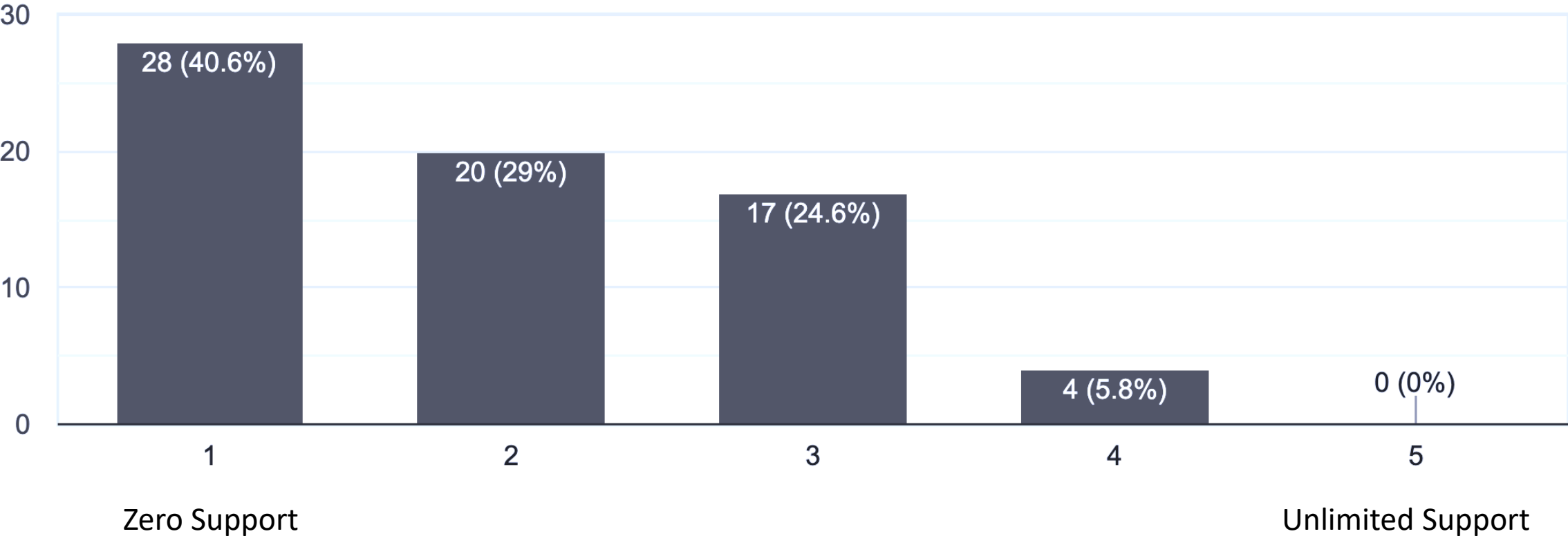
- Active Involvement From State Officials (79%)
- Financial Assistance for Extended Support (73%)
- Dedicated Case Management for Transition Planning (71%)
- Increased Access to Crisis Services (58%)

Case Managers

- Active Involvement From State Officials (81%)
- Financial Assistance for Extended Support (64%)
- Increased Access to Crisis Services (64%)
- More Coordinated Inter-Agency Support (54%)
- Professional development/training on identifying alternative placement resources (90%)

How would you rate the level of support case managers receive from the state during an involuntary termination process?

69 responses





Expedited Involuntary Termination

Our Task:

Establish Exceptions for Critical Safety Concerns:

Develop criteria that allow for expedited termination in cases where continued support would present a verified and immediate threat to the individual or others.

Residential Providers: What criteria you consider warranting "expedited termination" (termination prior to 60 days expiring)?

- Injuries have occurred to the individual, the individual's roommates, or staff supporting the individual since the termination notice was issued. (95%)
- The Individual supported has exhibited sustained criminal behavior. (96%)
- Provider is unable to maintain, hire and train staff who are willing to work in a residential setting with the participant exhibiting severe behavioral challenges. (90%)
- Individual is demonstrating consistent and/or increasing aggression towards staff or others without any effective behavioral modifications. (85%)
- Individual supported is destructive and causes excessive property damage. (89%)
- A report from a licensed medical or mental health professional indicating that harm is imminent to the individual supported or those present in his/her current environment. (85%)

Case Managers: What criteria you consider warranting "expedited termination" (termination prior to 60 days expiring)?

- Injuries have occurred to the individual, the individual's roommates, or staff supporting the individual since the termination notice was issued. (71%)
- The Individual supported has exhibited sustained criminal behavior. (78%)

Proposed Criteria and Process:

- A provider may request expedited involuntary termination of a service, after (or concurrently) it has issued the required involuntary termination notification in accordance with 907 KAR 12:010 Section 2(5).
- A provider may request expedited involuntary termination when the health, safety, or welfare of the individual enrolled in the waiver, other individuals in that setting, or provider staff are at risk of a verified and immediate threat.
- Expedited involuntary termination of services shall occur only if approved by DDID.
- The expedited involuntary termination period shall be implemented based upon the severity of the situation but shall not last longer than 14 days.

Proposed Criteria and Process:

Expedited involuntary termination shall be approved when:

1. The provider provides evidence that continuing services to the participant will:
 - a. Jeopardize the safety of the provider, an employee of the provider, or an individual receiving services from the provider in that setting; **or**
 - b. Endanger the health, safety and welfare of the participant; **and**
2. The provider documents measures that it took to address the behavior that resulted in immediate termination.

Proposed Criteria and Process:

To request expedited involuntary termination, the provider shall submit evidence to DDID, the case manager, and guardian that:

1. Recent injuries have occurred to the participant, other individuals supported by the provider in that setting, or staff supporting the individual; **or**
2. The participant has exhibited sustained aggressive and/or threatening behavior, including, but not limited to, physical violence, sexual assault, significant property destruction, or threatening behaviors to self or others; **or**
3. A report from a licensed medical or mental health professional indicating the participant is at imminent risk for self harm or those present in his/her current environment are at imminent risk of harm from the participant.

Proposed Criteria and Process:

Within one business day of receiving a request for expedited involuntary termination, the case manager shall convene a meeting including, but not limited to:

1. The individual, and
2. A designated DDID staff member; and
3. The provider requesting expedited involuntary termination; and
4. The guardian; and
5. Other relevant members of the person-centered team.

Within one business day following the team meeting, DDID shall approve or deny the provider's request for immediate involuntary termination.

If denied, a provider may resubmit additional information for consideration.

Proposed Criteria and Process:

If a request for immediate involuntary termination is approved:

1. The case manager shall convene a team meeting within one business day.
2. This meeting shall include, but is not limited to, designated DDID staff, the individual, the individual's guardian, the provider approved for expedited involuntary termination, and other relevant members of the person-centered team.