

## TO BE RESCINDED

3701-8-02.1            **Monitoring contractors.**

This rule applies to centralized coordination contractors, early intervention service coordination contractors, early intervention system of payment providers, and home visiting contractors.

- (A) The department will monitor contractors and providers subject to this rule for compliance with the rules in this chapter, the terms of a grant, agreement, or contract entered into by contractor or provider and other applicable program-related federal or state laws.
- (B) When the director determines that a help me grow contractor or provider is not in compliance with the rules in this chapter, the terms of a grant, agreement or contract entered into by contractor or provider and other applicable program-related federal or state laws, the director of health shall notify the contractor or provider in writing of the specific findings and the action the department will take. Actions may include, but are not limited to:
- (1) Request correction of incomplete or inaccurate data in the statewide data system;
  - (2) Require participation in technical assistance or training provided by the department;
  - (3) Require a plan of corrective action;
  - (4) Require an early intervention service coordination contractor or an early intervention system of payment provider to reimburse or compensate a family upon a finding that contractor did not provide early intervention services as required by the rules in this chapter, the terms of a grant, agreement, or contract entered into by contractor or provider and other applicable program-related federal or state laws;
  - (5) Withhold future funds or require repayment of funds to the department; or
  - (6) Suspend or terminate contractor's or provider's grant, agreement, or contract.
- (C) In the event that the director would take action described in paragraphs (B)(3) to (B)(6) of this rule, the contractor or provider may request reconsideration of the decision in accordance with the following procedures:
- (1) Submit a written request for reconsideration to the department which includes any written materials that the contractor or provider wishes to be considered so that

they are received by the department no later than forty-five calendar days after receipt of the request for additional information.

- (2) The department may request additional information, which the applicant shall submit so that that the information is received by the department no later than forty-five calendar days after receipt of the request for additional information. The department shall notify an applicant in writing of approval or disapproval within thirty calendar days after completion of all application procedures.
- (3) The director of health shall notify the contractor or provider in writing of the decision to take action within thirty calendar days of receiving additional information, as applicable. The director's decision is final and is not subject to further administrative or judicial review.

Effective:

Five Year Review (FYR) Dates: 11/7/2017

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Certification

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Date

Promulgated Under: 119.03  
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