

1 **41 TERMINATION OF THE QUALIFIED VENDOR AGREEMENT UPON**
2 **REQUEST OF THE QUALIFIED VENDOR**
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5 REVISION DATE: XX/XX/XXXX, 1/29/2016

6 REVIEW DATE: 5/5/2023

7 EFFECTIVE DATE: April 1, 2015

8 ~~INTENDED USER(S): Business Operations staff (Contract Unit and Fiscal~~
9 ~~Integrity), Network staff, Quality Assurance staff, Support Coordination,~~
10 ~~Qualified Vendors~~

11 REFERENCES: A.R.S. § 36-2904.G; A.A.C. 6-6-2100 et. seq.; ~~A.R.S. § 36-~~
12 ~~2904.G~~; ~~Division Provider Manual Chapter 34~~; RFQVA DDD-2024 Provider
13 Publications;
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15 PURPOSE

16 The purpose of this policy is to outline the requirements Qualified Vendors
17 must meet to request partial or full termination of the Qualified Vendor
18 Agreement from the Division.

19 DEFINITIONS

20 1. "Member" means the same as "client" as defined in A.R.S. § 36-

21 551.

22 2. "Qualified Vendor" or "QV" means a provider of community

23 developmental disability services that has applied for Qualified

24 Vendor status, meets the criteria for Qualified Vendor status,

25 and has entered into a Qualified Vendor Agreement with the
26 Department.

27 3. "Qualified Vendor Agreement" or "QVA" means the valid,
28 executed contract between the Department and a Qualified
29 Vendor describing the services the Qualified Vendor is qualified
30 to provide and the terms and conditions governing the
31 relationship between the Department and the Qualified Vendor
32 including any amendments, attachments, schedules, or exhibits.

33 4. "Responsible Person" means the parent or guardian of a minor
34 with a developmental disability, the guardian of an adult with a
35 developmental disability or an adult with a developmental
36 disability who is a Member or an applicant for the Developmental
37 Disabilities program for whom no guardian has been appointed.

38 5. "Termination Date" means the date upon which the contractual
39 relationship between the Department and the Qualified Vendor
40 ends and the Qualified Vendor Agreement is no longer in effect.

41 ~~Section Six of the Qualified Vendor Agreement (Agreement) requires the~~
42 ~~following will be completed when a Qualified Vendor requests termination of~~
43 ~~its Agreement:~~

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~~The Qualified Vendor shall:~~

A. REQUEST AND NOTIFICATION TO TERMINATE THE QUALIFIED VENDOR AGREEMENT (QVA)

1. ~~The Qualified Vendor (QV) shall submit a written request to terminate the entire QVA or any services under the QVA on their agency letterhead to provide a 60 day written notice to the the~~ Division's Contracts Administration Management Unit (CA) at DDDcontractsmanager@azdes.gov at least 90 days prior to the Termination Date of the QVA setting forth with the reasons for requesting termination of the QVA.
2. ~~The QV shall submit a draft of the written notice for the Responsible Person members/families and subcontractors, if applicable, to the DDD providernetworksupportpolicy@azdes.gov mailbox for review and approval. The QV shall:~~
 - a. Write the notice in 6th grade or below reading level, as specified in Chapter 34 of the Division's Provider Manual;
and

64 b. Include assurance that the QV will assist with transitioning
65 Members to alternate providers.

66 ~~regarding the termination to the District's Network Manager/designee~~
67 ~~for review and approval.~~

68 ~~The written notification must:~~

69 ~~1. Be written in 6th grade or below reading level, as specified~~
70 ~~in Chapter 34 of the Division's Provider Manual; and,~~

71 ~~2. Include assurance that the Qualified Vendor will assist~~
72 ~~with transitioning members to alternate providers.~~

73 3C. The QV shall Mmail the approved notification letter to the
74 Responsible Person members/families and subcontractors, if
75 applicable, upon receipt of the following:

76 a. Approval of the draft notification letter from the Network
77 Manager/ or designee; and

78 b. Notification of QVA termination acceptance notification
79 from the CA. Contract Manager/designee.

80 **B9.- QV RESPONSIBILITIES THROUGH THE QVA TERMINATION**

- 81 **1. The QV shall provide services. ~~Continue to provide services and~~**
82 **transition Members to other QVs ~~perform~~** in accordance with the
83 requirements of the QVA Agreement until up to or beyond the
84 date of termination and until all service authorizations have been
85 transferred to another QV, as directed in the termination
86 acceptance notice provided by the Contract Manager/designee.
87 The QV shall:
- 88 **a. E. ~~Make provisions for continuing~~ Continue all**
89 management or /administrative services until the
90 transition of Mmembers is completed; ~~and all other~~
91 ~~requirements of the Agreement are satisfied.~~
- 92 **b. Transition Members to other QVs for continuity of services;**
- 93 **c. F. ~~Facilitate any medically-~~ necessary appointments ~~for care~~**
94 ~~and services for~~ Mmembers;~~;~~
- 95 **d. G. Assist in the training of personnel, at the Qualified**
96 Vendor's own expense;~~;~~ ~~as required by the Division.~~
- 97 **e. H. Ensure distribution of cClient fFunds to appropriate**
98 parties;~~;~~

- 99 ~~f.1.~~ Complete and submit copies of all final progress reports
100 ~~and other data elements~~ to the Division as required in
101 Provider Manual Chapter 35; and assigned Division Support
102 Coordinator.
- 103 ~~g.1.~~ Pay all outstanding obligations for care rendered to
104 Mmembers.
- 105 ~~2K.~~ The QV shall email Provide the following financial reports by the
106 15th of each succeeding month for the prior reporting month, to
107 ~~the Division's Business Operations Fiscal Integrity Unit at~~
108 DDDdddfinancialstmts@azdes.gov.:
- 109 ~~a1.~~ A monthly claims aging report by provider or/ creditor
110 including Incurred But Not Reported (IBNR) amounts;
- 111 ~~b2.~~ A monthly summary of cash disbursements; and~~7~~
- 112 ~~c.3.~~ Copies of all bank statements received by the QVQualified
113 Vendor in the preceding month for the QV'sQualified
114 Vendor's bank accounts.
- 115 ~~All reports in this section shall be due on the 15th day of each~~
116 ~~succeeding month for the prior month.~~

117 3.L. The QV shall Ssubmit a final claim to the Division for payment,
118 pursuant to A.R.S. § 36-2904.G.

119 4M. The QV shall, Uupon termination of the QVA, deliver all goods,
120 materials, documents, data, and reports prepared by the
121 QVQualified Vendor under the QVA Agreement shall become the
122 property of and be delivered to the State on demand.

123 5N. The QV shall Rretain all records as specified in the
124 QVAAgreement.

125 6O. The QV shall Bbe liable to the State for any excess costs incurred
126 by the State in procuring materials or services in substitution for
127 those due from the Qualified Vendor.

128 SUPPLEMENTAL INFORMATION

129 A. ROLE OF **DIVISION** ivision's **BUSINESS**business **OPERATIONS IN**
130 **QVA TERMINATION REQUESTS BY THE QV**operations ~~(Contract~~
131 **Management, Claims, and Fiscal Integrity)**

132 1A. The CAContract Management Unit shall will provide the QV a
133 written notice of receipt acceptance of such the QV's request to
134 terminate the termination of QVA and the proposed termination

- 135 date. ~~The CA shall include the following requirements in the~~
136 ~~written notice:-~~
- 137 1. ~~The notification will be issued by the Contract Management Unit~~
138 ~~and will include information informing the QV's Qualified Vendor~~
139 ~~of its responsibility to notify the Responsible Person~~
140 ~~members/families and subcontractors in writing of its intent to~~
141 ~~terminate the Agreement;~~
- 142 ~~b. The QV's responsibility to outline the Member's and outlining the~~
143 ~~transition process.~~
- 144 2. The Contract ~~Action Management~~ Unit (CAU) ~~shall~~ will send a
145 ~~copy of the termination acceptance notification and the~~
146 ~~Transition Roster to the Division's Network Manager(s).~~
- 147 3. ~~The Contract Action Unit CAU shall~~ requests transition roster
148 ~~updates from Network as follows:~~
- 149 a. ~~Initially~~ Initially, three weeks upon being sent the
150 ~~transition roster; and~~
- 151 b. ~~, and~~ Every two weeks after the initial update request.

152 ~~4. The CAU Contract Action Unit will continue to~~ shall monitor the
153 ~~transition roster until all Mmembers are have been successfully~~
154 ~~transitioned to other QVs. The Ttransition Rroster is for all~~
155 ~~services being provided by the Qualified Vendor and includes:~~
156 ~~A list of open authorizations by service, timelines for Division Network~~
157 ~~notification to members and, timelines for transition of members~~
158 ~~to alternate providers.~~

159 ~~5.B.~~ The Fiscal Integrity Unit ~~shall~~will verify the following financial
160 information from the QVualified Vendor:

161 ~~a.1.~~ A monthly claims aging report by provider ~~/ or~~ creditor
162 including Incurred But Not Reported (IBNR) amounts; ~~i.~~

163 ~~b2.~~ A monthly summary of cash disbursements; ~~;~~ and

164 ~~c3.~~ Copies of all bank statements received by the QVualified
165 ~~Vendor~~ in the preceding month for QVualified Vendor's
166 bank accounts.

167 ~~4. All reports in this section shall be due on the 15th day of each~~
168 ~~succeeding month for the prior month.~~

169 **B. ~~ROLE OF THE DIVISION'S~~ IN QVA TERMINATION**

170 **REQUESTS BY THE QV ~~District (Support Coordination, Network,~~**
171 **~~and Client Funds)~~**

172 ~~The Division's District will:~~

173 A1. The ~~Division District Manager~~ shall ~~R~~review/ and approve the
174 QV's ~~qualified Vendor's~~ written notice to ~~the Responsible~~
175 ~~Person members/families~~ and subcontractors, if applicable, of the
176 intent to terminate the QV ~~Qualified Vendor Agreement~~.

177 B2. The ~~Division Network Manager~~ or designee shall, will for each
178 ~~Member who receives services from the QV requesting to~~
179 ~~terminate the QVA,~~ notify ~~the Responsible Person members~~ in
180 writing of the network change ~~as outlined in the t~~Transition
181 ~~r~~Roster, within 15 days of receipt of the QV's termination notice.
182 ~~for each Member who receives services from the QV requesting~~
183 ~~to terminate the QVA.~~

184 3C. The Division may schedule meetings with the QV Attend
185 ~~transition meetings with the QV qualified Vendor to~~

186 ~~coordinate~~ensure the ~~smooth~~ transition of ~~m~~M~~em~~bers to
187 alternate providers, ~~when required~~.

188 ~~D. Update the Transition Roster and track the authorizations for each~~
189 ~~member.~~

190 ~~4E. The Division shall~~ ~~E~~coordinate the transition of authorizations to
191 alternate provider.

192 ~~F. Ensure all ISP documentation reflects changes.~~

193 ~~G. Provide updates on the Transition Roster to the Contract Management~~
194 ~~Unit regarding the transition to its completion.~~

195 ~~H. Remove the Qualified Vendor from all Directories.~~

196 ~~I. Remove the Qualified Vendor from the Vendor Call Lists.~~

197 ~~J. Resolve/close any open issues in the Resolution System, as appropriate.~~

198 ~~K. Reconcile all Client Funds for which the Division is Representative Payee.~~

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