

110 CMR: DEPARTMENT OF CHILDREN AND FAMILIES

110 CMR 8.00: SERVICE DENIAL, REDUCTION, OR TERMINATION

Section

8.01: Notice of Action

8.02: Service Continuation for 18 through 22 Years of Age

8.01: Notice of Action

(1) The Department or provider shall give written notice to a client if the Department intends to deny, reduce, or terminate services, or increase the cost thereof. The written notice shall contain:

- (a) a statement of what action the Department intends to take;
- (b) the reasons for the action;
- (c) the date on which the action shall become effective;
- (d) the address and telephone number of the Department office making the decision;
- (e) an explanation of the applicant's or recipient's right to request a fair hearing;
- (f) the process used to request a fair hearing; and
- (g) an explanation of the circumstances, if any, under which services will be continued pending the fair hearing.

(2) The Department or provider shall mail or hand-deliver the written notice set forth in 110 CMR 8.01(1) to the applicant or recipient at least 15 days prior to the date of the intended action or 30 calendar days if the intended action relates to young adult services except as set forth in 110 CMR 8.01(3).

(3) The Department or provider shall mail or hand deliver the written notice set forth in 110 CMR 8.01(1) without advance notice but no later than the date of action when:

- (a) the Department or provider has factual information confirming the death of the recipient of services;
- (b) the Department or provider has received a clear, written statement from the recipient that he or she no longer wishes services;
- (c) the recipient gives to the Department information which requires termination or reduction of services, and the recipient has indicated, in writing, that he or she understands that this must be the consequence of supplying such information;
- (d) the recipient has been accepted as a recipient of services in a new jurisdiction;
- (e) a service was granted for a specific period and the recipient had been informed in writing at the time of initiation that the service would terminate at the end of the specified period; or
- (f) the department is unable to locate the applicant or recipient after using diligent efforts.

8.02: Service Continuation for 18 through 22 Years of Age

The Department is committed to assisting older adolescents and young adults in their transition to independence and self sufficiency.

REGULATORY AUTHORITY

110 CMR 8.00: M.G.L. c. 18B, §§ 3, 7; and c. 119, § 37.