

**Community-Based Care  
Progressive Intervention and Program Improvement**

- 1) Stage I: In the event the provider is significantly below target on any performance measure, there are serious fiscal concerns, or if Quality Management review findings identify other serious systemic concerns, as determined by the Regional Director or Circuit Administrator (RD/CA), the RD/CA must require action to correct performance deficiencies within a prescribed amount of time.

Corrective action plans may include but are not limited to monthly reporting to the RD/CA on resolution of issues; assignment of a team to provide temporary technical assistance; or the assignment of an independent fiscal monitor.

- 2) Stage II: Regardless of what corrective action the RD/CA uses, as outlined in 1) above, in the event of a failure to demonstrate satisfactory progress on a corrective action plan within the prescribed time the RD/CA may convene a Management Peer Review Team (MPRT), if deemed appropriate under the specific circumstances. This team shall:
  - a) Consist of a minimum of (1) one senior management representative of two Lead Agencies not under review, both acceptable to the RD/CA and to the Lead Agency under review; (2) a Department Senior Manager from the Circuit of the Lead Agency under review, and one appointee; and (3) two representatives from the community served by the Lead Agency and acceptable to the RD/CA and the Lead Agency under review. None of the MPRT members shall have any conflict of interest with the Lead Agency under review. The Department Senior Manager appointed from the Circuit of the Lead Agency under review shall be chairman of the MPRT.
  - b) Conduct joint assessment and planning between the provider and the MPRT to determine the cause of the unacceptable performance and the actions needed to bring the provider's performance to an acceptable level and a timetable with measurable milestones for attaining an acceptable level of performance. The results of the planning process shall be included in a MPRT report to the RD/CA, who shall have final authority to approve, modify or require changes to the MPRT Plan.
  - c) The MPRT will continue to meet with the provider as needed during Plan implementation and will render advice and assistance during that time. Subject to the approval of the RD/CA, the MPRT may amend the Plan from time-to-time if an amendment will contribute to the provider's ability to reach an acceptable level of performance as quickly as possible.
- 3) Stage III. Following all Stage II interventions (if any), if the provider fails to demonstrate satisfactory progress on the MPRT Plan, the RD/CA, with input from the Community Alliance, may recommend one or more of the following actions:
  - a) Implementation of a penalty phase to identify specific contract funds to be redirected at the discretion of the Department for performance improvement;

- b) Recommendation to the Board of Directors to replace one or more of the Executive Management Team;
  - c) Receivership in accordance with s. 409.1675, F.S.;
  - d) Re-procurement of service(s) in underperforming programmatic or geographic areas; or
  - e) Re-procurement of the entire provider contract.
- 4) Independent of any of the aforementioned corrective actions, the Department may decline to extend or renew the contract. Nothing herein shall limit the Department's right under any other provision of the contract to require any corrective action, impose reasonable penalties or terminate the contract with or without cause.
- 5) During the final six months of any contract term, the RD/CA may unilaterally prescribe a corrective action plan and set the date for accomplishment under Stage I. The RD/CA may proceed directly to Stage III proceedings if the RD/CA determines that the provider has failed to demonstrate satisfactory progress on the corrective action plan.
- 6) If the Department determines that the need to resolve serious fiscal or programmatic concerns does not permit completion of any Stage I or Stage II activities, the Department may seek receivership under s. 409.1675, F.S., or may take other appropriate actions, at any time.