**Section 684.20 Procuring an Appropriate Service Provider**

a) The counselor is responsible for identifying the appropriate level of service provider based on the Customer's level of service need, the Customer's ability to manage service delivery and the Customer's approval of the initial Service Plan.

b) When a Customer seeks to hire an Individual Provider, the following requirements must be met:

1) The Customer must have the ability to manage the Individual Provider in all aspects of the employment relationship.

A) If the Customer is determined to be able to manage an Individual Provider, the Customer is responsible for identifying, interviewing, hiring, managing, disciplining and ending the employment relationship with the Individual Provider.

B) The Customer must meet all HSP requirements, including those outlined in 89 Ill. Adm. Code 686, Subpart P (Individual Provider Overtime and Travel Time) and Subpart Q (Electronic Visit Verification).

2) The Individual Provider must meet HSP requirements outlined in Section 684.30 and 89 Ill. Adm. Code 686.

3) The Individual Provider must meet the requirements of the Illinois Medicaid Program Advanced Cloud Technology (IMPACT) system administered by the Illinois Department of Healthcare and Family Services (HFS).

c) HSP retains the right to:

1) amend the Customer's Service Plan if HSP determines the Customer is unable to manage an Individual Provider or the Customer is not compliant with HSP requirements; or

2) condition any current or future funding of an Individual Provider based upon HSP:

A) determining that the Customer is unable to manage an Individual Provider;

B) determining that the Individual Provider is not compliant with HSP requirements;

C) receiving a substantiated and verified report of abuse, neglect, or exploitation as determined by the Department on Aging under 89 Ill. Adm. Code 270;

D) receiving a report of fraud or other illegal acts as determined by the Home Services Program under 89 Ill. Adm. Code 527 and 684.100(g); or by a law enforcement agency; or

E) determining the Individual Provider violated any terms of the currently effective collective bargaining agreement.

(Source: Amended at 46 Ill. Reg. 20860, effective December 19, 2022)