

Maintaining Registered Service Provider Status

The Administrative Office of Courts and Probation (AOCP) engages in continuous quality improvement with providers to ensure compliance with the Standardized Model, Standards of Practice and Service Definitions. Procedures involve a Standard Quality Assurance Review, investigatory review, or direct follow-up in response to concerns initiated by staff, justice-involved individuals, or other providers regarding services being performed. This can include responses to licensure restrictions or notifications of non-compliance from Department of Health and Human Services (DHHS). The AOCP may also suspend or remove providers from the Registered Service Provider Network based on non-compliance with any of the above expectations.

If there are quality compliance concerns present, the agency and/or the provider may be required to implement a Program Improvement Plan (PIP) or Corrective Action Plan (CAP). Failure to adhere with the PIP or CAP process may result in removal. For significant or egregious violations, a CAP may be initiated without a PIP, or the agency or provider may be suspended from referrals pending an investigation and/or hearing and individuals may be removed from placement. No agency or provider who has been suspended or removed from the Registered Service Provider Network shall be utilized by Nebraska Probation for new service referrals, nor entitled to compensation from the AOCP.

District Probation Staff engage with community providers and if they become aware of practices that may not align with the requirements of the Registered Service Provider Network. The Probation staff will address concerns directly with the provider or agency and/or submit a Provider Concern Form to the AOCP. This form is available publicly on the Judicial Branch website. [Triaging Provider Concerns and Provider Concern Form](#).

A. Complaint Reviews

District Probation Staff engage with community providers and address any concerns they may have related to the provision of services. District probation staff are encouraged to inform the AOCP Quality Assurance team, under the Rehabilitative Services Unit, at any time that they believe there are significant concerns regarding the environment and provision of services by a Registered Service Provider or they are of the opinion that their concerns are not being addressed by the Registered Service Provider.

The response to reported concerns will be prioritized by the five (5) levels as outlined on the document Triaging Provider Concerns, see link above.

1. **Documenting Provider Concern should include the following:**
 - a. Name of the person initiating the report or concern
 - b. District or Division (if applicable)

- c. Registered Service Provider and Agency
- d. Service(s) or programs provided
- e. Detailed description of the issue, complaint, or concern, names of staff members, individuals involved, specific date(s) of the incident or violation
- f. Identify any steps that have been taken to address the concerns including dates of contact and specific parties
- g. Any supportive documentation that substantiates the concern

2. Processing the Receipt of the Concern

- a. The AOCPP will review the concern and follow up with Probation or those who may be involved with that provider
- b. The AOCPP will communicate with the provider/agency that a concern has been identified.
- c. If there is an active criminal investigation or DHHS review, the AOCPP will take steps to not disrupt the investigation.
- d. All concerns will be handled professionally and responded to in writing or by telephone, within fifteen (15) calendar days, AOCPP will:
 - i. Triage the seriousness and immediacy of the concern
 - ii. Determine whether the concern pertains to a matter within the authority of the AOCPP to investigate or act upon
 - iii. Review if there is sufficient information to resolve the issue or if further investigation is needed
 - iv. Consider opportunities for improvement
- e. The AOCPP reserves the right to determine responses to concerns submitted and reports will remain confidential within the AOCPP.

B. AOCPP Response

The AOCPP response will vary based on the severity of the concern and impact on individuals in services. Concerns related to safety of individuals served or any suspension or hold status will be reported to the District and the court of jurisdiction for possible removal.

1. Potential Quality Concern

This type of concern may relate to fidelity of the services in which an opportunity for improvement may be addressed without formal action. These concerns are often programmatic and minimal adjustments to comply with the expectations in line with the Standardized Model, Standards of Practice and Service Definition may be required. This may result in a review or a PIP to resolve the issue.

2. Non-Compliance

A provider/agency who fails to perform or maintain required training and knowledge for working with justice involved individuals as identified in the Standardized Model, Standards of Practice and Service Definition. This may result in an on-site review, review of records, policy and procedures. A PIP will be requested to address identified deficiencies with a 90-day review.

3. Investigated Complaints

These are issues which persist, and the provider/agency is not responsive to coaching or communication and/or refuses to comply with the Standardized Model, Standards of Practice and Service Definitions or lack of cooperation with the PIP process. The provider/agency will be required to submit a CAP to ensure program compliance. Lack of response or compliance may result in removal from the Registered Service Provider Network.

4. Health and Safety

These are high priority concerns and require immediate action that may result in immediate suspension until an investigation by the AOCP or other involved state entities are concluded. Critical incidents involving any justice involved individuals that identify jeopardy to individual physical, psychosocial, mental and/or health needs will be responded to with swift actions.

5. Suspension, Holds, Investigations by External Agencies

The AOCP aligns with state credentialing and licensing entities; the provider/agency will not be allowed to provide services as required by the hold, suspension or investigation to justice-involved individuals until resolution of the issue.

C. Individual or Agency Concerns

It is expected that Registered Service Providers conduct themselves in a professional and ethical manner. Any provider cited for a misdemeanor or felony act will be immediately suspended from the Registered Service Provider Network until disposition of the legal charges. Any provider/agency must have licensure in good standing to be approved and/or remain in the Registered Service Provider Network.

The AOCP is a mandatory reporting agency, and all concerns of abuse or neglect will be reported to the DHHS Division of Public Health Licensure Unit, and/or the Child/Adult Abuse and Neglect Hotline as appropriate.

The provider is expected to report any legal offenses, charges, misdemeanors or felonies received to the AOCP by the next business day.

The individual will be suspended during the course of the legal process. Charges dismissed will result in immediate reinstatement of the individual to the Registered Provider Network. Individuals convicted, placed on Probation, Diversion or Problem-Solving Court processes will be removed as a Registered Service Provider.

D. Disciplinary Actions

1. The following are possible disciplinary actions imposed on the provider/agency during any corrective action:
 - a. Requirement to complete educational courses, specified training or technical assistance
 - b. Temporary suspension of service referrals or authorizations
 - c. Removal, relocation or reassignment of any justice-involved individuals being served
 - d. Recoupment of payment for services that may have been falsified, or not rendered in line with the payment agreement
 - e. Removal from the Registered Service Provider Network dependent on the severity of the concern
 - f. Disabling access to the Service Provider Information Management System will be disabled during suspensions or removal; temporary 48-hour access may be granted for the completion of any vouchers

E. Request for Hearing

Provider/agency may request a hearing, in writing, to appeal removal as a Registered Service Provider within fifteen (15) calendar days from notice the disciplinary action.

1. Provider Hearing

If a hearing is to be scheduled, the provider/agency may submit documentation for consideration and the panel may accept testimony as deemed necessary. The Probation Administrator will identify a panel from the following:

- a. The Probation Administrator, who shall preside over the hearing
- b. One member of the Probation Services Advisory Committee
- c. One Registered Service Provider, to be appointed by the Probation Administrator

2. Possible Outcomes

- a. Upholding the removal from the Registered Service Provider Network
- b. Approved or continued status as a Registered Service Provider

- c. Approved or continued status as a Registered Service Provider with conditions that may include additional training, monitoring, or educational requirements

F. Reinstatement

1. If removed from the Registered Service Provider Network, the provider/agency may submit a formal request to be reinstated.
 - a. The request must be submitted in writing to the Assistant Deputy for Rehabilitative Services and include: justification or mitigating information for consideration, (if applicable) formal documentation from DHHS that identifies that all expectations have been completed and the individual is in good standing, formal documentation that DHHS has removed or expunged the individual from the Central Registry
 - b. If removal was due to conviction of a criminal charge, the individual must wait six (6) months post successful completion of all court conditions before submitting a request for reinstatement
2. The request for reinstatement will be reviewed by one or more Deputy Administrators, and the provider/agency will receive written communication within thirty (30) calendar days of the final decision. If approved, the AOCPS will provide written instructions for completing a new application to the Registered Service Provider Network.

G. Reasons for Denial of Application

A provider or agency application to the Registered Service Provider Network may be denied for any following

1. An active Probation, Diversion, Problem-Solving Court or court status or it has not been six (6) months since completion of legal responsibilities
2. Current or past disciplinary or non-disciplinary action on licensure that has not been disclosed
3. Misdemeanor or felony charges not disclosed
4. Active listing on the Nebraska Sex Offender Registry, Child Abuse and Neglect Central Registry, or Adult Protective Services Central Registry
5. Failure to completely answer questions or truthfully disclose related information
6. Incomplete application without an agency affiliation, identified service(s) and/or approved program plan