

**6A-25.021 Service Provider Registration and Quality Assurance Requirements.**

(1) Definitions.

(a) “Participant” means a customer or client of the Florida Division of Vocational Rehabilitation (DVR) who meets the definition of a ‘vulnerable person’ in section (s.) 435.02, Florida Statute (F.S.).

(b) “Proven Functional Systems” means an internal method of a service provider, as defined in s. 413.20, F.S., for managing and storing information that must, at a minimum, track:

1. Participant names;

2. Service provided to each client, including dollar amounts for each service type;

3. Start and end date of each service provided to each participant;

4. Fiscal data that includes information on monetary compensation that DVR has paid to the service provider for each participant; and

5. Communication and technical assistance received by service provider staff from DVR related to service provision or payment.

(c) “Internal System of Quality Assurance” means internal procedures that must document the effectiveness of each service provided to each participant.

(d) “Due-Diligence Inquiry” means any request from DVR to a service provider for information relating to the administration and provision of services to each participant and may include on-site inspection and observation of service provision.

(e) “Sub-contract” means the provision of contractual services pursuant to s. 287.012, F.S. that is not rendered directly by a contractor or its direct employee(s). The hiring of an independent contractor by a service provider to complete contracted work or services is considered subcontracting.

(f) “Fee-for-Service Provider” means a service provider, pursuant to the definition in s 413.20, F.S., who is actively registered with DVR and has an executed Fee-for-Service Provider Contractual Agreement with DVR.

(2) Registration process.

(a) Fee-for-Service Provider Application Process:

1. Submit a Service Provider Registration Application with DVR and all documentation required by the application;

2. Once DVR has notified a service provider of the approval of the application, the service provider must submit

a signed DVR Fee-for-Service Provider Contractual Agreement and all documents mentioned therein;

3. A Fee-for-Service Provider is not deemed registered until the Division has notified the service provider of the acceptance and execution of the Fee-for-Service Provider Contractual Agreement, which must contain the following:

a. Requirements specific to Fee-for-Service Provider due-diligence inquiries, monitoring, audits, inspections and investigations;

b. Fee-for-Service Provider requirements regarding confidentiality of client information;

c. Indemnification requirements for service providers;

d. General Liability Insurance requirements;

e. Background check requirements listed in s. 413.208, F.S.;

f. Sub-granting and/or subcontracting requirements;

g. Timelines for submission of requests for payments in alignment with period of performance requirements;

h. Section 501(c)(3) requirements;

i. Contract term that includes the date that the contract is effective and the date the contract shall terminate.

Contract termination terminates a service provider's registration;

j. Agreement documents to which the registered Fee-for-Service Provider agrees to be bound that include the following:

(I) DVR's Provider Code of Conduct;

(II) The Service Provider Manual;

(III) The Programmatic Operations Resource Guide (PORG); and

k. Any other requirements per state or federal law for contracted service providers.

(b) Special Contract Application Process. Please contact the DVR special contracts unit.

(3) Conditions for Fee-for-Service Provider registration suspension and revocation:

(a) Multiple failures to submit requests for payments within the allowable period of performance;

(b) Failure to provide documentation or information pursuant to a DVR due-diligence inquiry;

(c) Failure to maintain proven functional systems as defined in paragraph (1)(b);

(d) Failure to maintain internal systems of quality assurance as defined in paragraph (1)(c);

(e) Any violation of the documents contained in subsection (2).

(4) A Fee-for-Service Provider must be able to provide evidence of proven functional systems and quality assurance in accordance with subsection (1) upon request of the Division within fifteen (15) business days of a request. Failure to do so, or evidence of offenses listed in subsection (3) of this rule will be cause for registration denial, suspension or revocation. If a fee-for-service provider is found to have committed a violation listed in subsection (3), the service provider may be subject to any of the following:

(a) A Notice of Noncompliance, which, once sent, provides the service provider fifteen (15) days to correct the violation.

(b) A Notice of Suspension, which notifies the service provider of a suspension of their registration and may include a requirement of the submission of a corrective action plan for reactivation as a service provider.

(c) A Notice of Revocation, which notifies the service provider that registration as a DVR service provider has been revoked.

(6) The Division reserves the right to increase any penalty depending on the number of violations, previous history of violations, or severity of any alleged violation.

(7) Fee-for-Service Providers are not permitted to sub-contract unless written authorization is given by the Director of Vocational Rehabilitation. DVR criteria for the evaluation and granting of sub-contracts shall include criteria and requirements contained in subsection (2), alignment with requirements in state and federal law specific to allowable use of funds and reporting and impact on the service provider's ability to maintain proven functional systems as defined in paragraph (1)(b) as well as internal systems of quality assurance as defined in paragraph (1)(c). Any approved subcontractor shall be subject to the requirements in subsection (2).

(8) Fee-for-Service Providers operating under an executed Fee-for-Service Provider Contractual Agreement are prohibited from receiving DVR funds for any services providing a class or coursework that is for credit within a school, as defined in ss. 1002.01 and 1003.01, F.S., that receives federal or state funding.

(9) The following forms and documents are incorporated by reference into this rule, to become effective February 2024, and may be obtained from the Division of Vocational Rehabilitation, 325 West Gaines Street, Tallahassee, Florida 32399

(a) Form DVR-FFSPA-2024, Division of Vocational Rehabilitation Fee-for-Service Provider Application (DOS link);

(b) Form DVR-FFSPCA-2024, Vocational Rehabilitation Fee-for-Service Provider Contractual Agreement

(Service Provider) (DOS link):

(c) Form DVR-FFSPCC-2024, Division of Vocational Rehabilitation Fee-for-Service Provider Code of Conduct

(DOS link):

(d) Form DVR-SPM-2024, Service Provider Manual (DOS link); and

(e) Form DVR-PORGH-2024, Programmatic Operations Resource Guide Handbook (DOS link).

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