

9530.6560 STAFFING REQUIREMENTS.

Subpart 1. **Program director.** A license holder must employ or contract with a person, on a full-time basis, to serve as program director. The program director must be responsible for all aspects of the facility and the services delivered to the license holder's clients. An individual may serve as program director for more than one program owned by the same license holder.

Subp. 2. **Responsible staff person.** During all hours of operation, a license holder must designate a staff member to be present and awake in the facility, and be responsible for the program. The responsible staff person must be employed by or under contract with the license holder and must have decision-making authority over the day-to-day operation of the program as well as the authority to direct the activity of or terminate the shift of any staff member who has direct client contact. The responsible staff person must have the ability to open all locks on exits in the facility. A technician who does not meet the requirements of part 9530.6565, subpart 5, must not be the designated responsible staff person.

Subp. 3. **Technician required.** A license holder must have one technician awake on duty at all times for every ten clients in the program. A license holder may assign technicians according to the clients' need for care, except that the same technician must not be responsible for more than 15 clients at one time. For purposes of establishing this ratio, all staff whose qualifications meet or exceed those for technicians under part 9530.6565, subpart 5, and who are performing the duties of a technician may be counted as technicians. The same individual may not be counted as both a technician and a chemical dependency assessor.

Subp. 4. **Registered nurse required.** A license holder must employ or contract with a registered nurse. The registered nurse must be responsible for:

A. establishing and implementing procedures for the provision of nursing care and delegated medical care, including:

- (1) a health monitoring plan;
- (2) a medication control plan;
- (3) training and competency evaluation for staff performing delegated medical and nursing functions;
- (4) handling serious illness, accident, or injury to clients;
- (5) an infection control program; and
- (6) a first aid kit;

B. delegating nursing functions to other staff consistent with their education, competence, and legal authorization;

- C. assigning, supervising, and evaluating the performance of nursing tasks; and
- D. implementing condition-specific protocols in compliance with Minnesota Statutes, section 151.37, subdivision 2.

Subp. 5. **Medical director required.** A license holder must have a medical director available for medical supervision. The medical director is responsible for ensuring the accurate and safe provision of all health-related services and procedures. A license holder must obtain and document the medical director's annual approval of the following procedures before the procedures may be used:

- A. admission, discharge, and transfer criteria and procedures;
- B. health services plan;
- C. physical indicators for physician or hospital referral and procedures for referral;
- D. procedures to follow in case of accident, injury, or death of a client;
- E. formulation of condition-specific protocols regarding the medications that require a withdrawal regimen that will be administered to clients;
- F. infection control program;
- G. protective procedures; and
- H. medication control plan.

Subp. 6. **Assessor required.** A detoxification program must provide the equivalent of one full-time assessor for every 15 clients served by the program and require a chemical use assessment according to part 9530.6530, subpart 2. The requirement may be met by part-time, full-time, or contracted staff or staff from another agency guaranteed by interagency contract, who meets the requirements of part 9530.6615, subpart 2.

Subp. 7. **Ensuring staff-to-client ratio.** The responsible staff member under subpart 2 must ensure that the program does not exceed the staff-to-client ratio in subpart 3 and must inform admitting staff of the current staffed capacity of the program for that shift. A license holder must have a written policy for documenting staff-to-client ratios for each shift and actions to take when staffed capacity is reached.

Statutory Authority: *MS s 241.021; 245A.03; 245A.09; 254A.03; 254B.03; 254B.04*

History: *29 SR 129; 32 SR 2268*

Published Electronically: *October 15, 2013*