

2955.0020 DEFINITIONS.

Subpart 1. **Scope.** For purposes of this chapter, the terms in this part have the meanings given.

Subp. 1a. **Adjunctive services.** "Adjunctive services" means nonclinical services provided to a client that help reduce the client's risk of engaging in sexually abusive or harmful behavior.

Subp. 2. **Administrative director.** "Administrative director" means an individual responsible for administering a treatment program and includes the director's designee.

Subp. 3. **Applicant.** "Applicant" means an uncertified treatment program applying for a certificate.

Subp. 4. **Basic treatment protocol.** "Basic treatment protocol" means a statement of the philosophy, goals, and model of treatment employed by a certificate holder.

Subp. 4a. **Business day.** "Business day" means Monday through Friday, but does not include holidays under Minnesota Statutes, section 645.44, subdivision 5.

Subp. 5. [Renumbered subp 7a]

Subp. 6. **Certificate.** "Certificate" means a commissioner-issued document certifying that a treatment program has met the requirements under this chapter.

Subp. 6a. **Certificate holder.** "Certificate holder" means a person that holds a certificate and includes the person's designee.

Subp. 7. **Client.** "Client" means an individual who receives pretreatment or treatment in a program certified under this chapter while residing in the planned therapeutic environment.

Subp. 7a. **Clinical case management.** "Clinical case management" means the use of a planned framework of action that coordinates services both within the program and with other agencies and providers involved with a client regarding the client's progress in treatment and plans for discharge and aftercare, as appropriate.

Subp. 7b. **Clinical psychophysiological assessment of deception or deception assessment.** "Clinical psychophysiological assessment of deception" or "deception assessment" means a procedure used in a controlled setting to develop an approximation of the veracity of a client's answers to questions developed in conjunction with treatment staff and the client by measuring and recording physiological responses to the questions.

Subp. 7c. **Clinical services.** "Clinical services" means services that:

- A. help reduce a client's risk of engaging in sexually abusive or harmful behavior; and
- B. are provided by, coordinated by, and overseen by treatment staff.

Subp. 8. **Clinical supervision.** "Clinical supervision" means the oversight responsibility for planning, developing, implementing, and evaluating clinical services.

Subp. 9. **Clinical supervisor.** "Clinical supervisor" means an individual responsible for clinical supervision.

Subp. 10. **Commissioner.** "Commissioner" means the commissioner of corrections.

Subp. 11. **Correctional facility.** "Correctional facility" has the meaning given in Minnesota Statutes, section 241.021, subdivision 1i.

Subp. 12. **Criminal sexual behavior.** "Criminal sexual behavior" means any criminal sexual behavior under Minnesota Statutes, sections 609.294 to 609.352, 609.365, 609.79, and 617.23 to 617.294.

Subp. 13. **Department.** "Department" means the Minnesota Department of Corrections.

Subp. 13a. **Direct service staff.** "Direct service staff" means staff in a local correctional facility who have primary responsibility for:

- A. nonclinical operational functions within the treatment program; or
- B. nonclinical client supervision in the planned therapeutic environment.

Subp. 14. **Discharge summary.** "Discharge summary" means written documentation that summarizes a client's treatment, prepared at the end of treatment by treatment staff.

Subp. 14a. **DOC Portal.** "DOC Portal" means the department's detention information system under Minnesota Statutes, section 241.021, subdivision 1, paragraph (a).

Subp. 15. **Family.** "Family" has the meaning given in Minnesota Statutes, section 260C.007, subdivision 17.

Subp. 15a. **Focused assessment of sexual interest and response or sexual interest and response assessment.** "Focused assessment of sexual interest and response" or "sexual interest and response assessment" means a procedure used in a controlled setting to develop an approximation of a client's sexual interest and response profile and insight into the client's sexual motivation by measuring and recording behavioral and subjective responses to a variety of sexual stimuli.

Subp. 16. **Individual treatment plan.** "Individual treatment plan" means a written plan of intervention and treatment for a client.

Subp. 16a. **Intake assessment.** "Intake assessment" means a client's assessment after admission to a treatment program that is used to determine the client's:

- A. cognitive, emotional, behavioral, and sexual functioning;
- B. amenability to treatment;
- C. risk and protective factors; and
- D. treatment needs.

Subp. 17. [Repealed, 50 SR 387]

Subp. 18. **License.** "License" means:

A. for a facility licensed in the state, a commissioner-issued license authorizing the license holder to provide correctional or residential services according to the license terms under chapter 2920 or 2960; and

B. for a facility licensed outside the state, a license issued according to the laws of the facility's state.

Subp. 19. [Repealed, 50 SR 387]

Subp. 20. [Repealed, 50 SR 387]

Subp. 20a. **Planned therapeutic environment.** "Planned therapeutic environment" means the site where the program environment is purposefully used as part of treatment to foster and support desired behavioral and cognitive changes in clients.

Subp. 21. [Renumbered subp 7b]

Subp. 22. [Renumbered subp 15a]

Subp. 22a. **Pretreatment.** "Pretreatment" means a status assigned to a client who is:

A. residing in the planned therapeutic environment but has not begun to participate in primary sex-offense-specific treatment; and

B. receiving empirically informed services to enhance the client's motivation for change, readiness for treatment, and acclimation to the planned therapeutic environment.

Subp. 22b. **Program staff.** "Program staff" includes a treatment program's administrative director, clinical supervisor, treatment staff, and direct service staff.

Subp. 23. **Residential treatment program or treatment program.** "Residential treatment program" or "treatment program" means a program that provides a planned therapeutic environment to clients in a facility or housing unit exclusive to the program and set apart from the general correctional population.

Subp. 24. **Serious violations of policies and procedures.** "Serious violations of policies and procedures" means a violation that threatens the quality and outcomes of the treatment services, or the health, safety, security, detention, or well-being of clients or program staff; and the repeated nonadherence to program policies and procedures.

Subp. 25. [Repealed, 50 SR 387]

Subp. 26. [Repealed, 50 SR 387]

Subp. 27. [Repealed, 50 SR 387]

Subp. 28. **Sexually abusive or harmful behavior.** "Sexually abusive or harmful behavior" means any sexual behavior in which:

- A. an involved individual is nonconsenting or cannot legally give consent;
- B. a relationship involves an imbalance of power;
- C. verbal or physical intimidation, manipulation, exploitation, coercion, or force is used to gain participation; or
- D. material on child sexual exploitation is accessed, used, produced, or distributed.

Subp. 29. **Special assessment and treatment procedures.** "Special assessment and treatment procedures" means procedures that are used to help gather information for a client's assessment and that are detailed in the Best Practice Guidelines for the Assessment, Treatment, Risk Management, and Risk Reduction of Men Who Have Committed Sexually Abusive Behaviors, or the Practice Guidelines for Assessment, Treatment, and Intervention with Adolescents Who Have Engaged in Sexually Abusive Behavior. The guidelines are incorporated by reference under part 2955.0025.

Subp. 30. **Supervising agent.** "Supervising agent" means a parole or probation agent or case manager working with a client.

Subp. 31. [Renumbered subp 20a]

Subp. 31a. **Treatment.** "Treatment" means coordination of adjunctive and clinical services and the use of theoretically and empirically informed practices provided through a planned therapeutic environment to help a client reduce the risk of engaging in sexually abusive or harmful behavior.

Subp. 31b. **Treatment staff.** "Treatment staff" means staff who are responsible for planning, organizing, and providing treatment within the scope of their training and their licensure or certification.

Subp. 32. [Repealed, 50 SR 387]

Subp. 33. **Variance.** "Variance" means an alternative to a requirement under this chapter.

Subp. 34. **Victim.** "Victim" has the meaning given in Minnesota Statutes, section 611A.01, paragraph (b).

Statutory Authority: *MS s 241.67*

History: *23 SR 2001; L 1999 c 139 art 4 s 2; L 2001 c 178 art 1 s 44; L 2005 c 56 s 2; 50 SR 387*

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