

2955.0080 STAFFING REQUIREMENTS.

Subpart 1. **Conflict with licensure rules; more stringent requirement prevails.** If the staffing requirements of this part conflict with the staffing requirements of applicable rules governing a treatment program's licensure, the more stringent staffing requirement prevails.

Subp. 1a. **Staff qualifications; generally.** All program staff must meet their respective qualifications under part 2955.0090.

Subp. 2. **Administrative director required.** A treatment program must employ or contract with an administrative director.

Subp. 3. **Administrative director; designee.** When an administrative director is unavailable or not present in the treatment program, the administrative director must, during all hours of operation, designate a staff member who is present in the treatment program to be responsible for the program.

Subp. 4. **Clinical supervisor required; duties.**

A. A treatment program must employ or contract with at least one clinical supervisor.

B. A clinical supervisor may not supervise more than eight counselors.

C. A clinical supervisor must develop and follow a written policy and procedure on staff evaluation and supervision that:

(1) identifies the performance and qualifications of each counselor; and

(2) ensures that each counselor receives the guidance and support needed to provide clinical services in the areas in which the counselor practices.

D. A clinical supervisor must:

(1) provide clinical supervision to counselors, either in individual or group sessions, and must document the provided supervision; and

(2) provide clinical supervision to each counselor under this item at least two hours per month unless the clinical supervisor determines that less clinical supervision is needed and documents in the counselor's personnel file why less clinical supervision was provided.

E. The clinical supervisor must document all hours of clinical supervision.

Subp. 5. **Treatment staff required.** A treatment program must employ or contract with treatment staff. Treatment staff must include a clinical supervisor and a counselor. Except for a clinical supervisor, treatment staff need not be licensed under Minnesota Statutes, chapter 245I.

Subp. 6. **One staff member occupying more than one position.**

A. A staff member may be simultaneously employed as an administrative director, clinical supervisor, or counselor if the staff member meets the qualifications for the positions that they are simultaneously employed in.

B. A counselor may be simultaneously employed as an administrative director or a clinical supervisor, but the time that the counselor works in the other position is subtracted from the counselor's time providing treatment and must be documented and adjusted as needed to comply with this part.

Subp. 7. Ratio of treatment staff to clients.

A. As prescribed under the program's staffing plan, a treatment program must have treatment staff to provide adjunctive and clinical services.

B. A treatment program must maintain a maximum ratio of one full-time equivalent position providing clinical services to no more than ten clients.

C. A treatment program may exceed the ratio under item B if:

(1) the ratio includes clients in aftercare or clients preparing for community reentry;
and

(2) the administrative director documents why the ratio is being exceeded.

Subp. 8. Staffing plan.

A. An administrative director must develop and follow a written staffing plan that identifies the assignments of each staff position needed to provide adjunctive and clinical services and needed to maintain the program's safety and security.

B. The administrative director and clinical supervisor must review the staffing plan at least annually and document the review. In consultation with the clinical supervisor, the administrative director must revise the staffing plan as needed to:

(1) ensure that adjunctive and clinical services are provided to clients; and

(2) maintain the treatment program's safety and security.

Subp. 9. Orientation, development, and training for program staff.

A. A treatment program must develop and follow a written staff orientation, development, and training plan for each program staff member. The plan must be developed within 90 days of a staff member's employment and must be reviewed and, if necessary, revised at least annually. Training must augment job-related knowledge, understanding, and skills to improve the staff member's ability to perform their job duties and must be documented in the staff member's orientation, development, and training plan. The plan and any revisions must be documented and placed in the staff person's personnel file.

B. Within two years of their employment date and every two years thereafter, an unlicensed treatment staff member who works half time or more in a year must complete at least 40 hours of training.

C. Within two years of their employment date and every two years thereafter, an unlicensed treatment staff member who works less than half time in a year must complete at least 26 hours of training.

Subp. 10. **Examiner conducting deception assessment.** A treatment program that uses a deception assessment must employ or contract with an examiner to conduct the assessment.

Subp. 11. **Examiner conducting sexual interest and response assessment.** A treatment program that uses a sexual interest and response assessment must employ or contract with an examiner to conduct the assessment.

Statutory Authority: *MS s 241.67*

History: *23 SR 2001; 50 SR 387*

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