

2965.0160 STANDARDS FOR USE OF SPECIAL ASSESSMENT AND TREATMENT PROCEDURES.

Subpart 1. **Policy.** A program that uses special assessment and treatment procedures must develop and follow a policy that describes the:

- A. specific procedures to be included in the policy;
- B. purpose and rationale for the use of each procedure;
- C. qualifications of staff who implement the procedure;
- D. conditions and safeguards under which the procedure is used for a particular client;
- E. process by which the procedure is approved for use with a client;
- F. determination of which procedures are voluntary and require informed consent from the client or the client's legal guardian, as appropriate;
- G. process to obtain and document informed consent; and
- H. process by which the use of the procedure is documented and evaluated for effectiveness.

Subp. 2. **Specific standards for the psychophysiological assessment of deception.** In addition to the requirements in subpart 1, the standards in items A and B apply if a psychophysiological assessment of deception is used.

A. The procedure must be administered in a controlled setting using questions developed in conjunction with the sex offender treatment staff and the client, and in accordance with the current standards and principles of practice published by the American Polygraph Association (Chattanooga, Tennessee, August, 1998), and the current ethical standards and principles for the use of physiological measurements and polygraph examinations of the Association for the Treatment of Sexual Abusers (Beaverton, Oregon, August, 1998). Both of the referenced standards and principles are incorporated by reference and are available through the Minitex interlibrary loan system. Both of the referenced standards and principles are subject to frequent change.

B. The procedure must be administered by a qualified examiner as described in part 2965.0090, subpart 7.

Subp. 3. **Specific standards for the psychophysiological assessment of sexual response.** In addition to the requirements under subpart 1, the standards in items A and B apply if the psychophysiological assessment of sexual response is used.

A. The procedure must be administered in a controlled setting and in accordance with the current ethical standards and principles for the use of physiological measurements and plethysmograph examinations of the Association for the Treatment of Sexual Abusers

(Beaverton, Oregon, August, 1998), which are incorporated by reference and are available through the Minitex interlibrary loan system. The standards and principles are subject to frequent change.

B. The procedure must be administered by a qualified examiner as described in part 2965.0090, subpart 8.

C. Materials used as stimuli in the procedure must be stored securely.

Subp. 4. **Additional standard for results and interpretation of data.** The results obtained through the use of psychophysiological procedures in sex offender treatment must be used for assessment, treatment planning, treatment monitoring, or risk assessment. The results must be interpreted within the context of a comprehensive assessment and treatment process and may not be used as the only or the major source of clinical decision making and risk assessment.

Subp. 5. **Contract for technology.** A program that does not own or operate the particular technology required to conduct psychophysiological assessments of deception or sexual response must contract with a qualified consultant or program that has the appropriate technology and meets the standards for use of the procedure in this part.

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