

9520.0660 ADDITIONAL REQUIREMENTS FOR CATEGORY I PROGRAMS.

Subpart 1. **In general.** In addition to the requirements of parts 9520.0500 to 9520.0650, Category I programs shall meet the requirements of subparts 2 to 10.

Subp. 2. **Capacity.** Applicants with facilities existing as of July 1, 1980, with a capacity exceeding 25 beds, shall have a three year grace period from February 8, 1982, to reduce capacity to 40 beds or fewer, or to divide the facility into living units which do not exceed 25 beds. Applicants with facilities existing as of July 1, 1980, with a capacity exceeding 25 beds per living unit, shall not increase the total capacity of the facility. New facilities shall not exceed a maximum capacity of 25 beds.

Subp. 3. **Department of Health licensing standards.** The facility shall be licensed as a supervised living facility, a boarding care home, or a hospital.

Subp. 4. **Intake information.** Each facility shall maintain in the facility documentation that:

A. a prospective resident has been diagnosed as being mentally ill and requires treatment;

B. the diagnoses are based on medical, social, psychological, and psychiatric information; and

C. medical, social, psychological, and psychiatric histories were obtained for each resident.

Subp. 5. **Administrator.** An individual shall be designated as administrator of the mental health residential program. The administrator shall be responsible for continuous overall operation, including maintenance and upkeep of the facility. In the administrator's absence, a staff member who is familiar with operations of the organization shall be designated to assume the responsibilities of the administrator. An individual who is functioning as administrator but not as program director shall meet qualifications determined by the governing body which are consistent with the training and education needed to meet the stated goals of the program.

Subp. 6. **Program director.** An individual shall be designated as the program director. The positions of program director and administrator may be filled by the same person. This individual shall meet at least the following qualifications:

A. a master's degree in the behavioral sciences or related field with at least two years of work experience providing services to persons who are mentally ill, or a bachelor's degree in the behavioral sciences or related field with a minimum of four years of work experience providing services to persons who are mentally ill; and

B. one year of experience or training in administration or supervision.

Subp. 7. **Mental health therapist.** If mental health therapy is provided within the mental health residential program, a mental health therapist shall be hired. Persons employed as mental health therapists prior to February 8, 1982, shall not be required to meet the qualifications of items A and B. Persons employed as mental health therapists after February 8, 1982, shall be required to meet the qualifications of items A and B. The mental health therapist shall be qualified in at least the following ways:

A. a bachelor's degree; and

B. a master's degree in the behavioral sciences or related field or two years of advanced level, certificate training in mental health therapy.

Subp. 8. **Mental health counselors.** If program services other than mental health therapy are provided within the mental health residential program, they shall be provided by mental health counselors or mental health workers, or both. Persons employed as mental health counselors prior to February 8, 1982, shall not be required to meet any specific education requirements. Persons employed as mental health counselors after February 8, 1982, shall have at least an Associate of Arts degree in one of the behavioral sciences or a related field or a registered nurse degree.

Subp. 9. **Mental health workers.** Persons employed as mental health workers after February 8, 1982, shall meet the qualifications as determined by the governing body to be consistent with those needed to meet the stated goals of the program.

Subp. 10. **Staffing ratios.** The program shall have sufficient staff to provide the required program services and implement the individual program plans. Staffing patterns shall be developed to ensure 24 hour coverage within the mental health residential program and to reflect the need for more staff per number of residents during hours of concentrated programming. The hours of the day devoted to concentrated programming shall be identified. The following minimum staff to resident ratios shall be maintained. The requirements of item B represent full-time equivalencies and may be prorated based on licensed resident capacity.

A. The number of work hours performed by the program director shall be prorated based on resident capacity with a ratio of 40 hours per week to 40 residents. With this ratio, applicants shall be allowed to use one program director to direct more than one program and shall be allowed to use one full-time program director for programs with less than a 40-bed resident capacity. With this ratio, applicants shall not be required to have more than one full-time program director for programs with more than a 40-bed resident capacity. However, applicants or programs with more than a 40-bed capacity shall describe whatever additional assistance they intend to provide for the program director function.

B. The number of work hours performed by the mental health therapist and mental health counselor and mental health worker may be combined in different ways,

depending on program needs, to achieve a ratio of one full-time equivalent position for each five residents (1:5 FTE, averaged weekly). When the work hours are combined, the facility shall have written documentation that supervision is provided.

Statutory Authority: *MS s 245A.09*

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