

9520.0670 ADDITIONAL REQUIREMENTS FOR CATEGORY II PROGRAMS.

Subpart 1. **In general.** In addition to the requirements of parts 9520.0500 to 9520.0650, Category II programs shall meet the requirements of subparts 2 to 9.

Subp. 2. **Capacity.** Facilities existing as of July 1, 1980, with a capacity exceeding 25 beds shall have a three year period after February 8, 1982, to divide the facility into living units which do not exceed 25 beds. 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 have a board and lodging license from the Minnesota Department of Health or its equivalent from a local health department or a health care license.

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

A. a mental health assessment or reassessment has been completed to determine appropriateness of admission; and

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

Subp. 5. **Medical information.** Each program with a board and lodging license shall require that a physical exam be done 30 days prior to admission or within three days following admission. Each resident shall have an annual physical and dental examination. Records shall be kept of annual medical and dental examinations, including records on all prescription medications the resident is taking. Records shall also be maintained regarding the general medical condition of the resident, including any disabilities and limitations.

Subp. 6. **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. 7. **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 and at least one year of work experience providing services to persons who are mentally ill, or a bachelor's

degree in behavioral sciences or related field with a minimum of two years' work experience providing services to persons who are mentally ill; and

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

Subp. 8. **Mental health therapists, counselors, and workers.** If program services are offered within the facility, they shall be provided by mental health therapists, mental health counselors, or mental health workers. The minimum qualifications for these positions shall be consistent with those of Category I specified in part 9520.0660, subparts 7 to 9.

Subp. 9. **Staffing ratios.** The facility 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 requirement of item B represents a full-time equivalency 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 the 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, mental health counselor, and mental health worker may be combined to achieve a ratio of one full-time equivalent staff position for each ten residents (1:10 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*

History: *L 2002 c 221 s 50*

Published Electronically: *October 16, 2013*