

9544.0090 STAFF QUALIFICATIONS AND TRAINING.

Subpart 1. **Core training for staff.** The license holder must ensure that staff responsible to develop, implement, monitor, supervise, or evaluate positive support strategies, a positive support transition plan, or the emergency use of manual restraint complete a minimum of eight hours of training from qualified individuals prior to assuming these responsibilities. Core training includes requiring staff to demonstrate knowledge of and competency in the following, in the setting in which services are provided:

- A. de-escalation techniques and their value;
- B. principles of person-centered service planning and delivery as identified in Minnesota Statutes, section 245D.07, subdivision 1a, and how they apply to direct support services provided by staff;
- C. principles of positive support strategies such as positive behavior supports, the relationship between staff interactions with the person and the person's behavior, and the relationship between the person's environment and the person's behavior;
- D. what constitutes the use of restraint, including chemical restraint, time out, and seclusion;
- E. the safe and correct use of manual restraint on an emergency basis according to Minnesota Statutes, section 245D.061;
- F. staff responsibilities related to prohibited procedures under Minnesota Statutes, section 245D.06, subdivision 5; why the procedures are not effective for reducing or eliminating symptoms or interfering behavior; and why the procedures are not safe;
- G. staff responsibilities related to restricted and permitted actions and procedures under Minnesota Statutes, section 245D.06, subdivisions 6 and 7;
- H. the situations in which staff must contact 911 services in response to an imminent risk of harm to the person or others;
- I. the procedures and forms staff must use to monitor and report use of restrictive interventions that are part of a positive support transition plan;
- J. the procedures and requirements for notifying members of the person's expanded support team after the use of a restrictive intervention with the person;
- K. understanding of the person as a unique individual and how to implement treatment plans and responsibilities assigned to the license holder;
- L. cultural competence; and
- M. personal staff accountability and staff self-care after emergencies.

Subp. 2. **Function-specific training.** In addition to the core training as required by subpart 1 and determining competency as required by subpart 4, the license holder must ensure that staff receive additional training based on their level of responsibility and qualifications, as set out in items A and B, prior to assuming these responsibilities. Equivalent training approved by the commissioner and completed within the previous 12 months fulfills these requirements.

A. Staff who develop positive support strategies and license holders, executives, managers, and owners in nonclinical roles must complete a minimum of four hours of additional training on the following:

- (1) functional behavior assessments;
- (2) how to apply person-centered planning;
- (3) how to design and use data systems to measure effectiveness of care; and
- (4) supervision, including how to train, coach, and evaluate staff and encourage effective communication with the person and the person's support team.

B. License holders, executives, managers, and owners in nonclinical roles must complete a minimum of two hours of additional training on the following:

- (1) how to include staff in organizational decisions;
- (2) management of the organization based upon person-centered thinking and practices and how to address person-centered thinking and practices in the organization; and
- (3) evaluation of organizational training as it applies to the measurement of behavior change and improved outcomes for persons receiving services.

Subp. 3. **Annual refresher training.** The license holder must ensure that staff complete four hours of refresher training on an annual basis covering each of the training areas listed in subparts 1 and 2 that are applicable to the staff and their responsibilities.

Subp. 4. **Determining competency of the staff.** The license holder must ensure that staff demonstrate competency through knowledge testing or observed skill assessment conducted by a trainer or instructor as required in items A to C.

A. Before implementing positive support strategies, the staff must demonstrate competency to perform the positive support strategies relevant to the primary disability, diagnosis, or interfering behavior of the person in the manner described in the documentation required by part 9544.0030, subpart 1.

B. Before implementing restrictive procedures permitted in accordance with the requirements of this chapter, the staff must demonstrate competency to safely and correctly perform the specific restrictive interventions relevant to the person's primary disability,

diagnosis, or interfering behavior included in the positive support transition plan in the manner described in the plan.

C. Any time a change is made to the relevant content in the positive support transition plan or the restrictive intervention identified in the plan, the staff must review, receive instruction, and demonstrate competency on the requirements in items A and B.

Subp. 5. **Documentation.** The license holder must document completion of core training, additional training, and competency testing or assessment for each staff in the personnel record. The license holder must document the date the training, testing, or assessment was completed; the number of training hours per subject area; and the name and qualifications of the trainer or instructor. The license holder must also verify and maintain evidence of staff qualifications in the personnel record, including documentation of the following:

A. education and experience qualifications relevant to the staff's scope of practice, responsibilities assigned to the staff, and the needs of the general population of persons served by the program; and

B. professional licensure, registration, or certification, when applicable.

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