

**CHAPTER 2925**  
**DEPARTMENT OF CORRECTIONS**  
**GROUP FOSTER HOME RULES**

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**2925.0100 DEFINITIONS.**

Subpart 1. **Scope.** Definitions for the purpose of these rules are as follows.

Subp. 2. **Applicant.** "Applicant" shall mean any person(s), agency, or organization applying for a license or renewal of license under this rule.

Subp. 3. **Commissioner.** "Commissioner" shall mean commissioner of the Minnesota Department of Corrections or his designee.

Subp. 4. **Contraband.** "Contraband" are those items designated by the GFH as unauthorized or unapproved on the physical premises of the facility.

Subp. 5. **Coordinator.** "Coordinator" is an individual who coordinates the operations of all of the group foster homes within a single county.

Subp. 6. **Department of Corrections, department, DOC.** "Department of Corrections," "department," or "DOC" shall mean Minnesota Department of Corrections.

Subp. 7. **Governing board.** "Governing board" (only applies in the case of privately operated group foster home programs) is the body which formulates the policies and procedures governing a group foster home, this body being composed of, at a minimum, the offices of president, secretary, treasurer and the administrator of the program, a local representative from the community, and additional membership according to the size and function of the individual program.

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Subp. 8. **Group foster parents.** "Group foster parents" means the person(s) who carry(ies) out the continuing daily living program in a group foster home and provide(s) care to the youths. The group foster parents may be a married couple or a single adult who is 21 years of age or older.

Subp. 9. **Group homes, group foster homes, or GFH.** "Group homes," "group foster homes," or "GFH" shall mean a residential facility where not more than eight delinquent youths are cared for by group foster parents on a 24-hour-a-day basis.

Subp. 10. **Leave of absence.** "Leave of absence" is a period of up to 12 months during which a set of group foster parents do not provide foster care for any youths.

Subp. 11. **License.** "License" shall mean a certificate issued by the commissioner authorizing the operator to provide specified services for a period of a year in accordance with the terms of the license, Minnesota Statutes, section 241.021, and the rules of the commissioner.

Subp. 12. **Program.** "Program" is a plan, procedure, or activity for dealing with youth in a group foster home.

Subp. 13. **Provisional license.** "Provisional license" is: a certificate that will be issued for a maximum six-month period prior to granting a license; and shall be issued for another six-month period if the applicant is temporarily unable to substantially conform with the requirements of these rules.

Subp. 14. **Renewal license.** "Renewal license" is a license issued for a period subsequent to the period for which the license was issued and where there has been no intervening period during which a license has been revoked.

Subp. 15. **Resident.** "Resident" is a youth participating in a group foster home program.

Subp. 16. **Revocation of license.** "Revocation of license" means that the operator of a facility shall no longer be authorized to provide services.

Subp. 17. **Service plan.** "Service plan" is a design for helping the youth reach the goal of placement.

Subp. 18. **Significant others.** "Significant others" are persons who are important in the life of the resident.

Subp. 19. **Sponsoring agency.** "Sponsoring agency" is the body which formulates the policies and procedures governing a group foster home. The bodies include but are not limited to: Community Corrections Board, County Court Services, state of Minnesota Department of Corrections, Community Corrections Departments, and nonprofit corporations.

Subp. 20. **Substantially conform, substantial compliance.** "Substantially conform" or "substantial compliance" as used in this rule shall mean compliance with 70 percent or more of all rules applicable to a facility's classification as stated herein, and, additionally, shall mean compliance with 70 percent or more of all rules applicable to a facility's classification in each part of these rules. "Part" as used in this definition means the entire area or subject matter under a given rule, e.g., parts 2925.0100, 2925.0300, etc.

Subp. 21. **Supervising agent.** "Supervising agent" is the probation officer or parole agent working with an individual youth or with a set of youths living in a single group foster home, or the equivalent of a supervising agent in privately operated homes.

Subp. 22. **Suspension of license.** "Suspension of license" means that the operator is not authorized to provide services for a specified period of time, or until the facility is found to be in substantial conformance with licensing requirements.

Subp. 23. **Waiver.** "Waiver" means a written permission from the commissioner to disregard a particular part of a licensing rule.

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Subp. 24. **Youth.** "Youth" are persons who are under 18 years of age.

**Statutory Authority:** *MS s 241.021*

### 2925.0200 INTRODUCTION.

Subpart 1. **Authority.** Minnesota Statutes 1976, section 241.021, as amended by Laws of Minnesota 1978, chapter 778, to be effective September 1, 1979, provides that the commissioner of corrections promulgate rules establishing minimum standards for all correctional facilities throughout the state whether public or private, established and operated for the detention and confinement of persons detained or confined therein according to the law except to the extent that they are inspected or licensed by other state regulating agencies. The rules which follow are intended to fulfill that requirement for all correctional group foster homes.

Subp. 2. **Citizens advisory task force.** The commissioner of corrections, has, pursuant to Laws of Minnesota 1978, chapter 778, section 6, appointed a citizens' advisory task force to assist in the development of rules contained herein.

Subp. 3. **Purpose.** The purpose of these standards is to facilitate the implementation of rules in accordance with Minnesota Statutes, section 241.021 and to provide a framework for inspection and licensing of group foster homes.

Subp. 4. **Compliance.** Compliance with the requirements stated herein is the responsibility of the group foster parents.

**Statutory Authority:** *MS s 241.021*

## PROCEDURES FOR LICENSING

### 2925.0300 LEGAL BASIS.

The Minnesota Department of Corrections (the commissioner) is authorized to establish procedures for licensing group foster homes which are maintained and operated in conformity with the rules and standards authorized by Minnesota Statutes 1978, section 241.021.

**Statutory Authority:** *MS s 241.021*

### 2925.0400 INSPECTION.

All group foster homes will be inspected pursuant to Minnesota Statutes, section 241.021, and all such inspections shall be according to the standards set forth herein.

**Statutory Authority:** *MS s 241.021*

### 2925.0500 ORIGINAL APPLICATION FOR LICENSE.

Subpart 1. **General.** New applicants shall file applications with the commissioner of corrections 30 days prior to the date the facility expects to operate. The commissioner shall determine the suitability of such applicants by the following rules in this and subsequent parts.

Subp. 2. **Materials to be filed with application.** Materials to be filed with group foster home license application:

A. A completed application for license on the form issued by the commissioner.

B. At least three letters of reference for the group foster parent(s) and for any employee involved in child care. References must not be from department employees nor relatives of the persons referred.

C. An outline of the group foster home's program (ex: philosophy, purpose, and function of the program). If a single governing body or sponsoring agency operates more than one group foster home, the manual of the governing body or sponsoring agency will suffice.

D. The intake policy and procedures (including sex, age, and interview policies).

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E. Evidence that sometime during the 12 months prior to initial licensure, and annually thereafter, each person living in or working in the home has had a Mantoux test or chest X ray.

F. A floor plan of the group foster home with designated room dimensions.

G. A list of other facilities which the operator has operated or is currently operating (either in or out-of-state).

H. Written documentation that all fire and safety, and health rules, and zoning ordinances are met.

**Subp. 3. Preliminary home study.** As part of the application, the group foster parents shall assist the sponsoring agency in making a preliminary home study. This study shall include an inspection of the facility and an investigation into the family's background and references. The sponsoring agency shall then make a recommendation to the commissioner as to whether a license shall be granted or denied.

**Statutory Authority:** *MS s 241.021*

### **2925.0600 RENEWAL LICENSE.**

**Subpart 1. General.** Application for relicensure shall be submitted to the commissioner at least 30 days prior to the expiration date or date of recontinuance of a GFH after a leave of absence. Replacements of any of the materials required in the previous license application shall be submitted when the materials document changes in the operation of the group foster home, qualifications of the group foster parents, or in the physical facility. Any materials submitted in a previous license application which are not replaced by new submissions will be presumed to be currently correct at the time of renewal license application.

**Subp. 2. Materials filed with application.** Materials to be filed with group foster home license renewal application:

A. evidence that sometime during the 12 months prior, each group foster parent and each member of their family and additional staff living in or working in the home has had a Mantoux test or chest X ray;

B. a record of major changes in the program or facility during the year or contemplated for the coming year;

C. building plans for any contemplated construction giving room dimensions and specifications and use; and

D. written documentation that all fire and safety, and health rules, and zoning ordinances are met.

**Statutory Authority:** *MS s 241.021*

### **2925.0700 PROVISIONAL LICENSE.**

**Subpart 1. General.** A provisional license will be issued for a maximum six-month period prior to issuance of a license; and shall be issued for another maximum six-month period if the facility is not yet in substantial conformance with these rules, and if evidence of progress is demonstrated. Applications for renewed provisional licenses shall be filed 30 days prior to expiration date. The provisional licenses shall not be renewed so as to exceed one year.

**Subp. 2. Materials filed with application and replacement of materials.** Replacements of any of the materials required in the previous license application shall be submitted when the materials document changes in the operation of the group foster home, qualifications of the group foster parents, or in the physical facility. Any materials submitted in a previous license application which are not replaced by new submissions will be presumed to be currently correct at the time of the renewal or change of license application. The following materials are to be submitted with renewal or change of provisional license application:

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A. a statement showing which initial requirements listed as conditions of the provisional license have been met; and/or

B. a statement of the plan for meeting the initial requirements listed as conditions of the provisional license which have not been met; and

C. evidence that sometime during the 12 months prior each group foster parent and each member of their family and additional staff living in or working in the home has had a Mantoux test or chest X ray.

Subp. 3. **Issuance of license.** If, at the end of the six-month provisional period, the facility is in substantial conformance with these rules, a full license will be issued.

**Statutory Authority:** *MS s 241.021*

## 2925.0800 CONDITIONS OF LICENSE.

Subpart 1. **General.** A license shall apply only to the organization or person(s) to whom it is issued and to the buildings approved. The license shall expire automatically if there is a change in location, organization, procedure and policies, or a structural modification or addition to the physical facility, which would affect either the terms of the license or the continuing eligibility for a license. In such cases, an application for a transfer of license must be filed. To avoid delay, the commissioner shall be advised at once of any change so that he/she may determine if the change may be approved and the license modified accordingly. An application for a transfer of license shall include:

A. an outline of any proposed changes in the group foster home's program (ex: philosophy, purpose, and function of the program);

B. any changes in the intake policy;

C. a new floor plan of the group foster home with designated room dimensions.

R Subp. 2. **Structural modifications; approval required.** Before any structural modifications or additions to the physical facility are made, the plans shall be approved by the commissioner.

Subp. 3. **Restrictions on capacity.** Every license shall be restricted to a specified maximum capacity. No regular GFH shall be licensed with a maximum capacity so high as to allow more than ten youths, including both foster youths and the youths in the group foster parents' natural family, to live in the GFH.

Subp. 4. **No fee for license.** There is no fee for a state license.

Subp. 5. **No occupancy prior to licensing.** No persons shall be placed in a group foster home prior to its being licensed.

Subp. 6. **License issued for specific number of residents.** GFH licenses will be issued by the Department of Corrections for a specific number of residents, not exceeding eight youths.

**Statutory Authority:** *MS s 241.021*

## 2925.0900 JURISDICTIONAL LICENSING REQUIREMENTS.

Subpart 1. **General.** Each GFH must substantially comply with all applicable licensing requirements of the jurisdiction in which it is located, including requirements of the local board of health and all relevant fire and safety codes.

Subp. 2. **Inspections.** It is the responsibility of the group foster parents to request the necessary inspections and to comply with any resulting recommendations noted in the inspection reports.

Subp. 3. **Documentation of compliance with fire, health, and safety rules; filing.** Written documentation that all fire, health, and safety rules are met shall

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be on file with the commissioner. In those jurisdictions where a fire marshal report is not required, the applicants shall complete and submit a fire safety checklist supplied by the commissioner.

**Subp. 4. Familiarity with emergency plans.** All group foster parents shall be familiar with the plans and procedures such as fire, severe weather, or other emergencies.

**Statutory Authority:** *MS s 241.021*

### **2925.1000 WAIVER OF SPECIFIC RULE.**

The granting of a waiver under this part shall not constitute a precedent for any other GFH. The commissioner shall grant a waiver of a specific rule, if in the licensing procedure of enforcement of the standards, the commissioner finds that:

A. to require a particular group foster home to comply strictly with one or more of the provisions will result in undue hardship;

B. the group foster home is otherwise in substantial conformance with said standards and their general purpose and intent; and

C. the group foster home complies with such specific condition(s) as the commissioner may deem necessary for the protection of the health, safety, and welfare of the residents.

**Statutory Authority:** *MS s 241.021*

### **2925.1100 STUDY OF THE APPLICATION.**

Following the receipt of the application and materials requested, the commissioner shall cause a study of the proposed services and facilities of the applicants to be made. This study shall include an on-site inspection of the facilities and an investigation of references. Following the study, the representative of the commissioner who conducted the study shall make a recommendation to the commissioner.

**Statutory Authority:** *MS s 241.021*

### **2925.1200 NOTICE TO THE APPLICANT OF COMMISSIONER'S ACTION.**

After the application for license is approved by the commissioner, the applicant shall receive by mail a license which, as provided by Minnesota Statutes, section 241.021, shall set forth the conditions under which the GFH may operate. The terms of the license shall include the operating name of the GFH, the maximum number, sex, and age range of the residents to be served, and the period of time for which the license is effective, and may include other limitations which the commissioner may prescribe. An accompanying letter shall contain in addition to the license, any recommendation regarding activities, services, and facilities to be employed. A letter shall accompany a provisional license and shall state the reason(s) for its being provisional.

**Statutory Authority:** *MS s 241.021*

### **2925.1300 PROVISION, REVOCATION, SUSPENSION, AND DENIAL OF LICENSE.**

A provisional license may be granted if the facility does not substantially conform with licensing requirements. The facility will be given a specified period of time in which to do so, pending revocation or suspension of license if the requirements are not met. A license may be revoked and suspended by the commissioner if the facility does not maintain compliance with the minimum standards; or if an applicant has violated any federal or state law; or if the applicant has a poor operating history in this state or any other state.

**Statutory Authority:** *MS s 241.021*

**2925.1400 RESTRICTION OF THE USE OF A GFH.**

The commissioner may by written order restrict the use of any group foster home which does not substantially conform to the minimum standards, or, where specific conditions exist which endanger the health, welfare, or safety of residents or staff, prohibit the detention of persons therein for more than 72 hours.

**Statutory Authority:** *MS s 241.021*

**2925.1500 APPEAL PROCEDURE FOR DENIAL, SUSPENSION, AND REVOCATION OF LICENSE.**

Any applicant who feels aggrieved by the commissioner's action may appeal the commissioner's decision in the following manner. The operator shall be given written notice of action and shall be informed of the right to appeal the decision of the commissioner. The operator must appeal the decision in writing to the commissioner within ten days from the operator's receipt of the notice of action. Upon receiving a timely written appeal, the commissioner shall give the operator reasonable notice and an opportunity for a prompt hearing before an impartial hearing examiner.

**Statutory Authority:** *MS s 241.021*

**2925.1600 LIMITATION ON RENEWAL OF LICENSE.**

When a GFH license has been revoked or not renewed because of noncompliance with applicable laws, it shall not be granted a new license for a period of one year following the revocation, denial, or nonrenewal.

**Statutory Authority:** *MS s 241.021*

**2925.1700 FAILURE OF COMMISSIONER TO APPROVE OR DENY APPLICATION WITHIN SPECIFIED PERIOD OF TIME.**

Failure of the commissioner to approve or deny an application within 30 days of receipt of a completed application shall be deemed to be an approval of provisional license.

**Statutory Authority:** *MS s 241.021*

**2925.1800 GROUP FOSTER PARENT QUALIFICATIONS.**

Subpart 1. **General.** Group foster parents shall be mature and responsible, and have the ability to deal openly with the emotions and problems of youth. The group foster parents must also command the respect of youths and be able to firmly discipline them in a constructive way. The group foster parents must also be willing to cooperate with the commissioner, the supervising agent, the court, and all other agencies that are involved in the youths' welfare.

Subp. 2. **License not allowed.** A GFH license shall not be issued or renewed where any person, except foster youth, living in the household has any of the following characteristics:

A. A conviction for, or admission of, or substantial evidence of an act of child battering, or child abuse, or child molesting, or child neglect, or incest within the previous five years. Reasonable methods of discipline shall not constitute child battering, child abuse, child molesting, child neglect, or incest.

B. Chemical dependency, unless the individual is identified as chemically free for at least 24 consecutive months.

C. Residence of the family's own children in foster care, correctional facility, or residential treatment for emotional disturbance within the previous 12 months if, in the judgment of the sponsoring agency, the functioning of the family has been impaired.

D. Felony conviction within the previous three years, or release from incarceration for a felony conviction within the previous three years.

E. Misdemeanor conviction within the previous 12 months, or release from incarceration for a misdemeanor conviction within the previous 12 months.

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Subp. 3. **Age.** All group foster parents shall be at least 21 years of age at the time of licensure.

Subp. 4. **Physical handicap.** Physical handicap of group foster parents shall be a consideration only as it affects their ability to provide adequate care to foster youths or may affect an individual youth's adjustment to the family.

Subp. 5. **Adults absent from home.** When all adults in the GFH are employed or otherwise occupied for substantial amounts of time away from home, the plans for care and supervision of the foster youths shall be approved in advance by the commissioner. At least one group foster parent shall be available at all times in case of emergency.

**Statutory Authority:** *MS s 241.021*

### 2925.1900 HEALTH OF PERSONS LIVING IN GROUP FOSTER HOMES.

Subpart 1. **Mantoux test or chest X ray.** Evidence that sometime during the 12 months prior to initial licensure, and annually thereafter, each person living in the home has had a Mantoux test or chest X ray.

Subp. 2. **Other health problems.** When in the judgment of the licensing authority, any person in the home who exhibits a health problem, an evaluation may be requested of the person as a requirement for licensing.

**Statutory Authority:** *MS s 241.021*

### 2925.2000 TRAINING FOR GROUP FOSTER PARENTS.

Subpart 1. **General.** Every set of group foster parents shall participate in a minimum of 18 hours annually of training related to foster care. The 18 hours may be shared between the group foster parents in the home. When the group foster parents have not completed the required annual training at the time of relicensure, no further placements may be made in that GFH until the group foster parents have complied with the training requirements.

Subp. 2. **First aid training.** First aid training is mandatory for all group foster parents. Training shall be provided by a Red Cross instructor or a licensed health professional. First aid training shall be current. Certificates or statements of training shall document that first aid training is updated at least every three years.

*R* Subp. 3. **Recommended areas of training.** The following areas of training are recommended, but are not limited to:

- A. child and adolescent development;
- B. communication skills;
- C. roles and relationships in foster care;
- D. methods of discipline;
- E. constructive problem solving;
- F. the meaning of a foster youth's natural parents;
- G. home safety;
- H. human sexuality.

**Statutory Authority:** *MS s 241.021*

### 2925.2100 LEAVES OF ABSENCE AND VACATIONS FOR GROUP FOSTER PARENTS.

Subpart 1. **Leaves of absence.** Group foster parents who wish to take a leave of absence from foster care for up to 12 months, may have all or part of the requirements waived in proportion to the length of the leave of absence. If the leave of absence exceeds 12 months, the parents shall reapply for a new license. *R*

Subp. 2. **Vacations.** The group foster parents shall make suitable arrangements for the care of foster youths for any periods of vacation or emergency; and the supervising agent or coordinator shall approve the



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arrangements. Substitute group foster parents shall have the same qualifications as the regular group foster parents (see group foster parent qualifications, part 2925.1800), and shall have access to group foster parents' training opportunities (see training for group foster parents, parts 2925.2000 and 2925.2100).

**Statutory Authority:** *MS s 241.021*

**2925.2200 PROGRAM FOR GROUP FOSTER PARENTS.**

Subpart 1. **Orientation.** At the time of intake, group foster parents shall discuss program goals, service(s) available, rules governing conduct, program rules, and possible disciplinary actions with the residents; this shall be documented.

Subp. 2. **Service plan.** A service plan shall be developed and shall be implemented based on the special needs of each resident.

Subp. 3. **Progress review.** The group foster parents shall continuously review each resident's progress in relation to his/her service plan, and a record of the review shall be maintained.

Subp. 4. **Other considerations.** The GFH's plan shall make some provisions for the following considerations:

- A. contact with resident's family and significant others;
- B. visitation policies; and
- C. involvement in the community.

**Statutory Authority:** *MS s 241.021*

**SPECIAL PROCEDURES****2925.2300 HOUSE RULES.**

Subpart 1. **Group meetings.** There may be regular group meetings to help:

- A. review common problems of the group, or the group's problem with a resident, or a community problem;
- B. develop positive approaches to community participation; and
- C. consider formulation of rules, plans, and procedures in the GFH.

Subp. 2. **Written grievance procedure.** The group foster parents shall be responsible for ensuring a copy of the written grievance procedure written by the governing body or the sponsoring agency shall be available to each resident. The procedure shall outline rules of the facility, residents' rights and the actual grievance procedure.

**Statutory Authority:** *MS s 241.021*

**2925.2400 EMERGENCY PLANS.**

Written emergency fire, medical, accident, etc., plans shall be conspicuously posted in the facility.

**Statutory Authority:** *MS s 241.021*

**2925.2500 DISCIPLINE.**

Subpart 1. **General.** Discipline should be considered as training to assist residents in the development of self-control, character, and orderly conduct. Informal resolution of conflicts should be considered prior to taking formal disciplinary action.

Subp. 2. **Types of discipline prohibited.** Residents shall not be subjected to denial of food, medication, mail, or sleep as punishment.

Subp. 3. **Physical force.** Physical force shall be used only in instances of justifiable self-protection, prevention of property damage, and protection of others, and only to the degree necessary and in accordance with appropriate statutory authority; such action shall be documented and placed on file in the group foster home. Violation of statutory authority with respect to physical abuse shall be grounds for restriction of the GFH's license.

Subp. 4. **Room restriction, facility restriction, and privilege suspension.** Room restriction shall not exceed eight hours. The resident shall be observed by a group foster parent or staff person at least hourly.

Prior to room restriction, facility restriction, or privilege suspension the resident shall have the reasons for the restriction or suspension explained to him/her, and have an opportunity to explain the behavior leading to the restriction or suspension.

All instances of room restriction, privilege suspension, and facility restriction shall be logged, dated, and signed by the group foster parent(s) implementing the disciplinary procedure; the log shall be reviewed by the supervising agent or coordinator.

**Statutory Authority:** *MS s 241.021*

#### **2925.2600 SECURITY PROCEDURES.**

Subpart 1. **Accountability for whereabouts and conduct of residents.** Group foster parents shall be accountable for the whereabouts and conduct of residents who have been referred by a court or the Department of Corrections. Group foster parents shall monitor movement into and out of the GFH and account for the whereabouts of its residents outside of the GFH. The group foster parents shall notify appropriate probation officers, parole officers, and/or relevant officials as soon as it has been determined that a resident is missing or has run away.

Subp. 2. **Weapons.** Any weapons in the GFH shall be securely stored and shall be the responsibility of the group foster parents.

**Statutory Authority:** *MS s 241.021*

#### **2925.2700 PERSONAL COMMUNICATION.**

Subpart 1. **General.** To encourage residents to maintain or develop close relationships with members of their family, friends, relatives, communication channels shall be as open as is possible.

Subp. 2. **Mail policy.** Residents' mail, both incoming and outgoing, shall not be intercepted except where there is reasonable ground to justify such action. If mail is to be read, such action shall be documented.

Subp. 3. **Use of telephone.** Written policy shall provide that residents have access to a telephone to make and receive private calls, and shall state any rules that prohibit access.

**Statutory Authority:** *MS s 241.021*

#### **2925.2800 PERSONAL POSSESSIONS.**

Each resident shall be allowed to bring appropriate personal possessions to the GFH and shall be allowed to acquire possessions of his/her own to the extent the GFH is able to accommodate secure storage of them.

Group foster parents may inspect residents' possessions for contraband if there are reasonable grounds to believe that contraband is present.

**Statutory Authority:** *MS s 241.021*

#### **2925.2900 PUBLIC REPORTS, STATEMENTS, OR APPEARANCES.**

Residents shall not be required to make public statements acknowledging their gratitude to the program and shall not be required to perform or appear at public gatherings.

The group foster parents, supervising agent, or coordinator shall not use reports or pictures from which a resident can be identified without written consent from the resident and his/her parents or legal guardians. The signed consent forms shall be on file before any reports or pictures from which residents

can be identified are used. The resident shall be informed that he/she has the right to withdraw his/her consent at any time.

**Statutory Authority:** *MS s 241.021*

### PHYSICAL FACILITY

#### 2925.3000 BUILDING.

In metro areas, the GFH shall be located so that it is accessible to schools, transportation, hospitals, clinics, mental health resources, churches, libraries, and recreational-cultural facilities. In rural areas, a transportation plan to provide accessibility is sufficient.

**Statutory Authority:** *MS s 241.021*

#### 2925.3100 BEDROOMS.

Subpart 1. **Single bedrooms.** Single bedrooms shall provide at least 70 square feet of useable floor space with a side dimension of not less than seven feet for ambulatory residents. For nonambulatory residents, the requirements are 100 square feet of useable floor area with a side dimension of not less than nine feet.

Subp. 2. **Multi-bedrooms.** Multi-bedrooms shall provide at least 60 square feet per person of usable floor space with at least three feet between beds placed side by side, and at least one foot between beds placed end to end for ambulatory residents. For nonambulatory/nonmobile residents, the multi-bedrooms shall provide at least 80 square feet of usable floor area. Multi-bedrooms for active, nonambulatory, mobile residents shall be at least 100 square feet per resident. Mobility space at the end and one side of each bed shall be not less than four feet per resident.

Subp. 3. **Nonambulatory mobile residents.** Bedrooms for nonambulatory mobile residents shall have adequate accessible space for storage of wheel chairs and other prosthetic or adaptive equipment for daily out of bed activity or acceptable similar storage spaces shall be provided outside the bedroom readily and handily accessible to the resident.

Subp. 4. **Capacity.** In new or remodeled buildings, bedrooms shall accommodate no more than four residents.

Subp. 5. **Furnishings.** Each resident shall be provided, at a minimum, with bed; mattress; supply of bed linen and towels; chair; adequate lighting; and closet/locker space.

Subp. 6. **Separate bedrooms.** Male and female residents shall not occupy the same bedrooms. Youth and adults shall not share bedrooms except in circumstances approved by the supervising agent.

**Statutory Authority:** *MS s 241.021*

#### 2925.3200 COUNSELING SPACE AND VISITING ROOM.

Space shall be provided to accommodate group meetings. A visiting area shall be provided where resident may receive and talk with visitors privately.

**Statutory Authority:** *MS s 241.021*

#### 2925.3300 BATHROOM FACILITIES.

Every facility shall be equipped with adequate and conveniently located toilet rooms for its residents. Wash basins and toilets shall be provided in the ratio of at least one toilet and at least one washbasin for every eight residents. At least one bath or shower shall be available for every eight residents.

**Statutory Authority:** *MS s 241.021*

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## GROUP FOSTER HOME RULES 2925.3800

### **2925.3400 LAUNDRY FACILITY.**

The facility shall have one washer and one dryer for every 16 residents, or equivalent laundry capacity available in the immediate vicinity of the facility.

**Statutory Authority:** *MS s 241.021*

### **2925.3500 DINING ROOM.**

The dining area shall comfortably accommodate, at one time, all of the foster youths plus the natural family living in the GFH.

**Statutory Authority:** *MS s 241.021*

### **2925.3600 ENVIRONMENT; GENERAL.**

**Subpart 1. Day care.** A GFH may not concurrently hold a license for family day care or group day care without prior approval by the commissioner.

**Subp. 2. Approval to live in GFH.** All persons living in the GFH shall first be approved by the coordinator or the sponsoring agency.

**Subp. 3. Admission or dismissal.** The group foster parents shall not admit nor dismiss any youth without the authority of the commissioner, the juvenile court, or the youth's supervising agent.

**Subp. 4. Evaluation and investigation.** The commissioner and any supervising agent shall have access to the GFH for evaluation at any time during normal working hours and at other times by mutual agreement. For the purpose of investigating complaints concerning the health and safety of the youths, the commissioner and any supervising agent shall have access to the GFH at any time during the 24-hour day.

**Statutory Authority:** *MS s 241.021*

## **HEALTH CARE AND MEDICAL SERVICES**

### **2925.3700 HEALTH CARE AND MEDICAL SERVICES.**

**Subpart 1. Arranging care.** Group foster parents shall be responsible for assisting in arranging for medical and dental care for each resident.

**Subp. 2. Communicable disease.** If a resident is suspected of having a communicable disease, the group foster parents shall see that he/she is given a physical examination by a qualified physician and any necessary treatment.

**Subp. 3. Medication.** Medications shall be administered only as instructed by a licensed physician.

**Subp. 4. Medical records.** All medical records shall be maintained including office visits, medications given, dosage, time period, and the signature of the person administering the medication (See records, parts 2925.3900 to 2925.4100.)

**Subp. 5. First aid equipment.** The GFH shall have first aid equipment, which meets American Red Cross standards available at all times for medical emergencies.

**Statutory Authority:** *MS s 241.021*

## **NUTRITION AND FOOD**

### **2925.3800 NUTRITION AND FOOD.**

**Subpart 1. Food service.** When the GFH provides or contracts for food service, the service shall comply with and meet all sanitation and health codes as promulgated by state or local authorities.

**Subp. 2. Nutrition requirements.** The food and nutritional needs of residents shall be met in accordance with their needs and shall meet the dietary allowances as stated in the Recommended Dietary Allowances, Food and Nutrition Board, National Research Council, National Academy of Sciences, 8th Edition, 1974. Providing each resident the specific serving per day from each of the following four food groups will satisfy this requirement.

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## 2925.3800 GROUP FOSTER HOME RULES

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A. Meat or protein group: two or more servings per day. A serving within this group is defined as:

- (1) two to three ounces cooked, lean, edible meat;
- (2) two medium eggs;
- (3) four tablespoons peanut butter; or
- (4) one cup dry beans.

B. Milk group: four servings per day. A serving is defined as:

- (1) one cup of milk;
- (2) one ounce of cheese; or
- (3) one-half cup cottage cheese.

C. Cereal and bread group: four or more servings per day. A serving is defined as:

- (1) one-half to one slice of bread;
- (2) one-half to three-fourths cup cereal;
- (3) one-half to three-fourths cup of rice; or
- (4) one-half to three-fourths cup of pasta.

D. Fruit and vegetable group: four or more servings per day. A serving is defined as:

- (1) one-half cup potatoes;
- (2) one-half cup cooked vegetables;
- (3) four pieces raw vegetables;
- (4) one-half cup fruit; or
- (5) one-half cup juice (citrus, etc.).

Subp. 3. **Number of meals.** A minimum of three meals a day shall be available for residents unless an agreement states otherwise. The group foster parents shall ensure that the youths receive adequate meals during the day while they are in community activities. This shall include participation in a school lunch program.

**Statutory Authority:** *MS s 241.021*

### RECORDS

#### 2925.3900 RESIDENTS' RECORDS MAINTAINED BY SUPERVISING AGENT, COORDINATOR, OR SPONSORING AGENCY.

Subpart 1. **Records that must be kept.** A record shall be kept of ongoing medical information, when available, including:

- A. immunization;
- B. dental examination;
- C. reports of any illness or injury and treatment given;
- D. psychological examinations and treatment;
- E. use of drugs;
- F. routine physical examinations and other medical contacts; and
- G. consent for necessary dental, medical, and surgical treatment and hospitalization.

Subp. 2. **Contents.** The record shall include a summary of the resident's progress. These reports shall be recorded regularly and shall include the following:

- A. reports of significant incidents, both positive and negative, and changes in the family situation;
- B. plans which involve the resident; and
- C. grievance and disciplinary actions.

Subp. 3. **Face sheet.** Each record shall have a face sheet bearing factual data and identifying information. The group foster parents are required to keep a copy of the face sheet which shall include the following:

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- A. name;
- B. date and place of birth;
- C. sex;
- D. religion;
- E. race;
- F. name of person(s) to contact in emergencies;
- G. guardianship and custody;
- H. date of admission;
- I. insurance policy numbers, medical number, if any;
- J. name of probation officer, parole officer, or welfare worker;
- K. date of termination;
- L. special medical problems or needs;
- M. financial arrangements for medical care;
- N. legal status, including jurisdiction, length, and conditions of placement; and
- O. financial arrangements for care.

Subp. 4. **Requests for data.** Group foster parents shall refer any individuals or agencies requesting resident data to the supervising agent of the youth.

**Statutory Authority:** *MS s 241.021*

### **2925.4000 PERSONNEL RECORDS.**

Group foster parents shall have access to their personnel files which are maintained by the supervising agent or coordinator.

**Statutory Authority:** *MS s 241.021*

### **2925.4100 SEVERABILITY.**

If any part, subpart, item, subitem, unit, subunit, clause, or phrase of these rules is for any reason held to be unconstitutional, contrary to statute, exceeding the authority of the department of corrections, or otherwise inoperative, such decision shall not affect the validity of the remaining portion of these rules.

**Statutory Authority:** *MS s 241.021*