

**CHAPTER 9530**  
**DEPARTMENT OF HUMAN SERVICES**  
**CHEMICAL DEPENDENCY PROGRAMS**

9530 4120 LICENSING OF PROGRAMS  
 9530 4250 PERSONNEL POLICIES AND  
 PROCEDURES  
 9530 4300 ADMISSION INFORMATION AND  
 REFERRAL, AND DISCHARGE  
 POLICIES

9530 5300 LICENSURE  
 9530 6300 ADMINISTRATION AND  
 MANAGEMENT

**9530.4120 LICENSING OF PROGRAMS.**

Subpart 1 **License required.** A rehabilitation program may not operate in Minnesota unless it has a current valid license or provisional license as required by parts 9543 1000 to 9543 1060 and Minnesota Statutes, sections 245A 01 to 245A 16. An applicant or license holder applying for more than one program license may reference in the second application the materials submitted with the applicant's or license holder's first application.

Subp 2 [Repealed, 18 SR 2748]

Subp 3 **Contents of application.** An applicant shall submit the following to the commissioner prior to issuance of a license:

A documentation that it has completed an assessment of need for a new or expanded program in accordance with part 9530 6800,

B the number of hours of counseling provided, and other rehabilitative client services, and

C documentation of insurance coverage, including bonding, sufficient to cover all client funds, property, and interests and all grants awarded to the program.

Subp 4 [Repealed, 18 SR 2748]

*[For text of subp 5, see MR]*

Subp 6 **Change in license terms.** In addition to the requirements in part 9543 1020, subpart 9, a license holder must apply to the commissioner and a new license must be issued before the license holder:

A reduces the total number of hours of rehabilitation services provided, or

B changes staffing patterns or ratios, reducing the amount of program services offered.

Subp 7 [Repealed, 18 SR 2748]

**Statutory Authority:** *MS s 245A 09*

**History:** *18 SR 2748*

**9530.4130** [Repealed, 18 SR 2748]

**9530.4220** [Repealed, 18 SR 2748]

**9530.4250 PERSONNEL POLICIES AND PROCEDURES.**

Subpart 1 **Policy requirements.** The license holder shall have written personnel policies, and shall make them available to each employee when hired. Personnel policies must:

A assure that employee retention, promotion, job assignment, or pay are not affected by a good faith communication between an employee and the Minnesota Department of Health, the Minnesota Department of Human Services, or the local agencies for investigation of complaints regarding a client's rights, health, or safety concern,

B contain job descriptions for each position specifying responsibilities, degree of authority to execute job responsibilities, standards of job performance related to the specified job responsibilities, and qualifications,

C provide for job performance evaluations, based on the standards of job performance, to be conducted on a regular and continuing basis, with a written annual review,

D describe the behavior which constitutes grounds for disciplinary action, suspension, or dismissal, including policies on mental health and chemical use problems, poli-

# MINNESOTA RULES 1994

147

## CHEMICAL DEPENDENCY PROGRAMS 9530.5300

cies prohibiting personal involvement with clients in violation of Minnesota Statutes, chapter 148A, and policies prohibiting client abuse as specified under Minnesota Statutes, sections 626 556 and 626 557, and

E include a program of orientation for all new staff based on a written plan that, at a minimum, must provide for training related to the specific job functions for which the employee was hired, program policies and procedures, the needs of clients to be served, and the areas identified in subpart 2, items A to D

Subp 2 **Staff development plan.** The license holder shall have a written staff development plan The staff development plan shall identify training adapted to the needs of the program's target population The plan must specify training requirements for counselors in current treatment concepts and methods

The license holder must assure that each staff person working directly with clients receives at least 15 hours of continuing education annually All training completed must be recorded in individual personnel files The training must include the following areas in a 12-month period

*[For text of items A to C, see M R ]*

D reporting of abuse of vulnerable adults and maltreatment of minors as specified under Minnesota Statutes, sections 626 556 and 626 557, and parts 9555 8000 to 9555 8500 and 9560 0210 to 9560 0234

**Statutory Authority:** *MS s 245A 09*

**History:** *18 SR 2748*

### 9530.4300 ADMISSION, INFORMATION AND REFERRAL, AND DISCHARGE POLICIES.

Subpart 1 **Admission policy.** Each license holder shall have a written admission policy This policy must be posted in the area of the facility where clients are admitted, or given to all interested individuals upon inquiry and all clients upon admission The admissions policy shall designate which staff members are authorized to admit and discharge clients

The license holder must have a written policy that requires that no client be discriminated against during admission, discharge, or the provision of program services because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, or familial status

*[For text of subps 2 to 5, see M R ]*

**Statutory Authority:** *MS s 245A 09*

**History:** *18 SR 2748*

### 9530.5300 LICENSURE.

Subpart 1 **Requirement.** Outpatient treatment programs must be licensed under parts 9543 1000 to 9543 1060 The program must submit for department approval additions or deletions of services provided by the program which affect the implementation of the individual treatment plans Additions or deletions must be submitted for approval by the department within 60 days after implementation

Subp 2 [Repealed, 18 SR 2748]

Subp 3 [Repealed, 18 SR 2748]

Subp 4 [Repealed, 18 SR 2748]

Subp 5 [Repealed, 18 SR 2748]

Subp 6 [Repealed, 18 SR 2748]

Subp 7 [Repealed, 18 SR 2748]

Subp 8 [Repealed, 18 SR 2748]

Subp 9 [Repealed, 18 SR 2748]

*[For text of subp 10, see M R ]*

Subp 11 [Repealed, 18 SR 2748]

**Statutory Authority:** *MS s 245A 09*

**History:** *18 SR 2748*

9530.5400 [Repealed, 18 SR 2748]

9530.5600 [Repealed, 18 SR 2748]

9530.5900 [Repealed, 18 SR 2748]

**9530.6300 ADMINISTRATION AND MANAGEMENT.**

Every outpatient treatment program shall have written administrative and management policies governing the administration and supervision of the operations, the program, and the duration of the program. Such documentation shall include

A Policies and criteria for admission and discharge, including a definition of when a client is considered active in the program. The admission procedure shall include

*[For text of subitems (1) to (3), see M.R.]*

B A written description of program design and methodology

C A written delineation of the interrelationship of the program and other appropriate public and private service providers

D The program must develop an annualized projection of individual and/or family counseling hours, group counseling hours, admission and discharge interviews, and discharge and/or aftercare planning to be provided by the program. Program must also develop annualized projection of counseling hours available to provide these services based on number of staff positions and equivalent counselor time (see part 9530.5800, item A). Annual projections of service hours and equivalent counselor time must be reviewed, updated, and submitted to the commissioner with each application for renewal.

E The program shall have a written referral policy and procedure for client referral between the program's components and/or between the program and other community service providers which includes

*[For text of subitems (1) to (4), see M.R.]*

F An individual record for each client of the program which includes

*[For text of subitems (1) to (9), see M.R.]*

G Follow-up data, obtained within three to six months after the client discontinues the program (those who are either discharged at completion of the program, and those who leave the program before completion), shall be collected from no less than 50 clients drawn randomly, or 100 percent of the discontinued clients, whichever number is less, served in the 12 months since issuance or last renewal of the license and discharged before January 1, 1993. Documentation of efforts to locate clients for follow-up shall be made on a client by client basis. Follow-up contacts should ascertain, for each client

*[For text of subitems (1) to (4), see M.R.]*

H At the time of application for licensure renewal, the applicant shall submit a report to include a summary of data collected pursuant to item G.

I Records shall be kept on a continuing basis that accurately reflect the number and dates of clients accepted and rejected, number and dates of clients discharged, length of service, and what happens to clients upon leaving the program. Such records shall be furnished to the commissioner upon request. Such records shall be kept for a minimum period of five years for ongoing programs or for one year for defunct programs.

The program shall have a written statement of its policies and practices for handling cases of neglect and abuse of its clients.

The risks associated with the use of any therapeutic procedures shall be fully explained to the client in terms the client can understand.

**Statutory Authority:** *MS s 245A 09*

**History:** *18 SR 2748*

9530.6500 [Repealed, 18 SR 2748]