

CHAPTER 9555
DEPARTMENT OF HUMAN SERVICES
SOCIAL SERVICES FOR ADULTS

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9555.5105 DEFINITIONS.

[For text of subps 1 to 10, see M R]

Subp 11 **County of financial responsibility.** "County of financial responsibility" means the county responsible for paying for foster care services for a resident under Minnesota Statutes, section 256G 02, subdivision 4

[For text of subps 12 to 17, see M R]

Subp 18 **Individual service plan.** "Individual service plan" means the written plan agreed upon and signed by the county of financial responsibility and the resident or resident's legal representative for the provision of social services under part 9550 0090 For persons with mental retardation or a related condition or otherwise determined eligible for case management, it means the plan agreed upon and signed under parts 9525 0004 to 9525 0036

Subp 19 **Individual resident placement agreement.** "Individual resident placement agreement" means the written document specifying the terms for provision of foster care to an adult that is developed under part 9555 5705 for persons receiving services under parts 9525 0004 to 9525 0036 or part 9550 0090 or under part 9555 6167 for persons not receiving community social services or services for persons with mental retardation or a related condition The individual resident placement agreement must

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

E coordinate with the contents of the individual program plan as defined under part 9525 0004, subpart 11, for persons with mental retardation or a related condition, and

F coordinate with the individual service plan developed under parts 9525 0004 to 9525 0036 or part 9550 0090

[For text of subps 20 to 25, see M R.]

Subp 26 **Minnesota Uniform Fire Code.** "Minnesota Uniform Fire Code" means those codes and regulations adopted by the fire marshal under Minnesota Statutes, section 299F 011 and parts 7510 3100 to 7510 3280

[For text of subps 27 to 39, see M R]

Statutory Authority: *MS s 256B 092*

History: *18 SR 2244*

9555.5605 ASSESSMENT.

Subpart 1 **Assessment.** A social worker from the local agency or service agency of the county of financial responsibility shall ensure that a person seeking adult foster home placement has an assessment to determine the person's need for adult foster care

A. An adult who has or may have a diagnosis of mental retardation or a related condition shall be assessed under parts 9525 0004 to 9525 0036

[For text of item B, see M R]

C An assessment performed under Minnesota Statutes, section 256B 0911 shall satisfy the provisions of item D

[For text of item D, see M R]

[For text of subp 2, see M.R]

Subp 3 **Placement standards.** A person shall be appropriate for adult foster home placement if the person

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[For text of items A to E, see M.R.]

F has been approved for placement under parts 9525.0004 to 9525 0036, if the adult has mental retardation or a related condition

[For text of subps 4 to 6, see M R.]

Statutory Authority: *MS s 256B 092*

History: *18 SR 2244*

9555.6125 LICENSING STUDY.

[For text of subps 1 to 3, see M R.]

Subp 4 **Qualifications.** Operators, caregivers, and household members must meet the qualifications in items A to G

[For text of items A to D, see M R.]

E. Operators and caregivers must not have a diagnosis of mental retardation or a related condition and be receiving services under parts 9525.0004 to 9525 0036

[For text of items F and G, see M R.]

[For text of subps 5 to 8, see M.R.]

Subp 9 **Variance procedure.** An applicant or operator may request a variance from compliance with parts 9555 5105 and 9555 6105 to 9555 6265 A request for a variance must comply with and be handled according to the following procedures

A An applicant or operator must submit a written request for a variance to the commissioner The request must include

(1) the sections or parts 9555 6105 to 9555 6265 with which the applicant or operator cannot comply;

[For text of subitems (2) to (4), see M R.]

[For text of item B, see M R.]

C. An applicant or operator must submit to the commissioner written approval from a health authority of the alternative measures identified to ensure the health of residents when a variance of parts 9555 6215 and 9555 6225 is requested

[For text of subps 10 to 13, see M R.]

Statutory Authority: *MS s 256B 092*

History: *18 SR 2244*

9555.6167 INDIVIDUAL RESIDENT PLACEMENT AGREEMENT.

The operator shall ensure that an individual resident placement agreement as defined in part 9555 5105, subpart 19, is developed, signed, and on file for the resident who is not receiving community social services under parts 9550 0010 to 9550 0092, and who does not have an individual service plan developed under parts 9525 0004 to 9525 0036 or part 9550 0090

Statutory Authority: *MS s 256B.092*

History: *18 SR 2244*

9555.9600 DEFINITIONS.

[For text of subps 1 to 18, see M.R.]

Subp 19. **Minnesota Uniform Fire Code.** "Minnesota Uniform Fire Code" means those codes and regulations adopted by the state fire marshal in accordance with Minnesota Statutes, section 299F 011, and contained in parts 7510.3100 to 7510 3280

[For text of subps 20 to 31, see M R.]

Statutory Authority: *MS s 245A.09*

History: *18 SR 2748*

9555.9610 ADULT DAY CARE CENTER LICENSURE.

[For text of subps 1 and 2, see M R.]

Subp 3 [Repealed, 18 SR 2748]

Subp. 4 [Repealed, 18 SR 2748]

Statutory Authority: *MS s 245A 09*

History: *18 SR 2748*

9555.9620 LICENSING PROCESS.

Subpart 1 **Application for license.** An adult day care center must be licensed under parts 9543 1000 to 9543 1060

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]

Subp 10 [Repealed, 18 SR 2748]

Subp 11 [Repealed, 18 SR 2748]

Subp 12. [Repealed, 18 SR 2748]

Subp 13 [Repealed, 18 SR 2748]

Statutory Authority: *MS s 245A.09*

History: *18 SR 2748*

9555.9630 [Repealed, 18 SR 2748]

9555.9660 PARTICIPANT RECORDS.

[For text of subpart 1, see M R]

Subp 2 [Repealed, 18 SR 2748]

[For text of subp 3, see M R]

Statutory Authority: *MS s 245A 09*

History: *18 SR 2748*

9555.9680 PERSONNEL REQUIREMENTS.

[For text of subps 1 and 2, see M R]

Subp 3 [Repealed, 18 SR 2748]

Subp. 4 [Repealed, 18 SR 2748]

Statutory Authority: *MS s 245A.09*

History: *18 SR 2748*

9555.9700 INDIVIDUAL SERVICE PLANNING.

[For text of subpart 1, see M R]

Subp 2 **Initial service planning.** Immediately after admission, the center shall conduct a needs assessment and develop a preliminary service plan for the participant, in accordance with items A and B. The needs assessment and preliminary service plan must be completed within 30 days and placed in the participant's record

A. The center shall assess the participant's needs for center services based on observation of the participant and information obtained from other sources, including any assessment performed within the prescribed time by a preadmission screening team under Minnesota Statutes, section 256B.0911 The needs assessment shall address.

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

[For text of item B, see M R]

[For text of subp 3, see M R]

Statutory Authority: *MS s 245A 09*

History: *18 SR 2748*

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9555.9710 SERVICE AND PROGRAM REQUIREMENTS.

Subpart 1 **Food service and nutrition.** A center shall meet the requirements in items A to H

A Procedures for preparing, handling, and serving food, and washing food, utensils, and equipment must comply with parts 4625 2401 to 4625 4701, Requirements for Food and Beverage Establishments, and with applicable local ordinances. If the food is prepared off-site by another facility or if food service is provided according to a center's contract with a food service provider, the facility or provider must comply with parts 4625 2401 to 4625 4701 and applicable local ordinances

[For text of items B to H, see M R]

Subp 2 **Transportation.** If a center provides transportation, the following requirement must be met.

The maximum transportation time for any participant being transported by a center vehicle between the participant's home and the center shall be 90 minutes, one way

[For text of subps 3 to 7, see M R]

Statutory Authority: *MS s 245A 09*

History: *18 SR 2748*

9555.9720 SAFETY REQUIREMENTS.

[For text of subps 1 to 8, see M R]

Subp 9 **Emergencies caused by fire and weather.** The center shall have written plans for emergencies caused by fire, blizzards, and tornadoes. The plans must be posted in a visible place and be on file in the center. The plans must include items A to I

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

H instructions on location and use of fire extinguishers, and

I instructions on closing off the fire area

The fire escape plan must be rehearsed at least four times each year and the dates of rehearsals must be recorded in the file of emergency plans

[For text of subps 10 and 11, see M R]

Statutory Authority: *MS s 245A 09*

History: *18 SR 2748*

9555.9730 PHYSICAL PLANT AND SPACE REQUIREMENTS.

Subpart 1 [Repealed, 18 SR 2748]

Subp 2 **Determination of occupancy code.** The occupancy code requirements for a center shall be determined according to items A to D

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

D The center shall provide the commissioner, the building official, and the fire marshal with the documentation required in part 9555 9660, subpart 1, item K, if the center is to meet the occupancy code requirements under item A or B, subitem (2)

[For text of subps 3 to 8, see M R]

Subp 9 [Repealed, 18 SR 2748]

Statutory Authority: *MS s 245A 09*

History: *18 SR 2748*