

9530.6570 PERSONNEL POLICIES AND PROCEDURES.

Subpart 1. **Policy requirements.** A license holder must have written personnel policies and must make them available to staff members at all times. The personnel policies must:

A. assure that staff member's retention, promotion, job assignment, or pay are not affected by a good faith communication between a staff member and the Minnesota Department of Human Services, Minnesota Department of Health, the ombudsman for mental health and developmental disabilities, law enforcement, or local agencies that investigate complaints regarding client rights, health, or safety;

B. include a job description for each position that specifies responsibilities, degree of authority to execute job responsibilities, standards of job performance related to specified job responsibilities and qualifications;

C. provide for written job performance evaluations for staff members of the license holder at least annually;

D. describe behavior that constitutes grounds for disciplinary action, suspension, or dismissal, including policies that address chemical use problems and meet the requirements of part 9530.6565, subparts 1 and 2. The policies and procedures must list behaviors or incidents that are considered chemical abuse problems. The list must include:

(1) receiving treatment for chemical use or substance use disorder within the period specified for the position in the staff qualification requirements;

(2) chemical use that has a negative impact on the staff member's job performance;

(3) chemical use that affects the credibility of treatment services with clients, referral sources, or other members of the community; and

(4) symptoms of intoxication or withdrawal on the job;

E. include policies prohibiting personal involvement with clients and policies prohibiting client maltreatment as specified under Minnesota Statutes, chapter 260E and sections 245A.65, 626.557, and 626.5572;

F. include a chart or description of organizational structure indicating the lines of authority and responsibilities;

G. include a written plan for new staff member orientation that, at a minimum, includes training related to the specific job functions for which the staff member was hired, program policies and procedures, client needs, and the areas identified in subpart 2, items A to F; and

H. include a policy on the confidentiality of client information.

Subp. 2. **Staff development.** A license holder must ensure that each staff member working directly with clients receives at least 30 hours of continuing education every two years and that a written record is kept to demonstrate completion of that training. Training must be documented

biannually on the subjects in items A to C, and annually on the subjects in items D to F. The following training must be completed:

- A. specific license holder and staff responsibilities for client confidentiality;
- B. standards governing use of protective procedures;
- C. client ethical boundaries and client rights, including the rights of clients admitted under Minnesota Statutes, chapter 253B;
- D. infection control procedures;
- E. orientation and annual training for all staff with direct client contact on mandatory reporting under Minnesota Statutes, chapter 260E and sections 245A.65 and 626.557, including specific training covering the facility's policies concerning obtaining client releases of information;
- F. HIV minimum standards as required in Minnesota Statutes, section 245A.19; and
- G. orientation training must include eight hours of training on the protective procedures plan in part 9530.6535, subpart 2. Each staff person must receive updated training at least every two years and the training must include:

- (1) approved therapeutic holds;
- (2) protective procedures used to prevent clients from harming self or others;
- (3) the emergency conditions under which the protective procedures are used if any;
- (4) documentation standards for using protective procedures;
- (5) the physiological and psychological impact of physical holding and seclusions; and
- (6) how to monitor and respond to client distress.

Any remainder of the required 30 continuing education hours must be used to gain other information useful to the performance of the individual staff person's duties.

Subp. 3. **Staff orientation.** Within 72 hours of beginning employment, all staff with direct client contact will receive orientation training that includes the topics in subpart 2, items A, C, E, and G. License holders who provide more extensive training to new staff members may extend the 72-hour orientation period, if the new staff members have no direct client contact until the orientation training is complete.

Statutory Authority: *MS s 241.021; 245A.03; 245A.09; 254A.03; 254B.03; 254B.04*

History: *29 SR 129; L 2005 c 56 s 2; 32 SR 2268*

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