

# **DMH LICENSURE REGULATIONS UPDATES**

Office of Licensure and Certification (OLC)



# OLC PRESENTERS

- Miranda Robinett- OLC Director
- Nicole Stone- Eastern Region Director
- Sam Gierer- Central Region Director



# WHAT WE DO

- Certify DD waiver services
- License
  - Program License for Residential Care Facilities (RCF) and Assisted Living Facilities (ALF)
  - MI/DD Day Programs
  - MI/DD Group Homes
  - Family Living Arrangement's (FLA)
  - Intensive Residential Treatment Service (IRTS)
  - Psychiatric Individualized Supported Living (PISL)



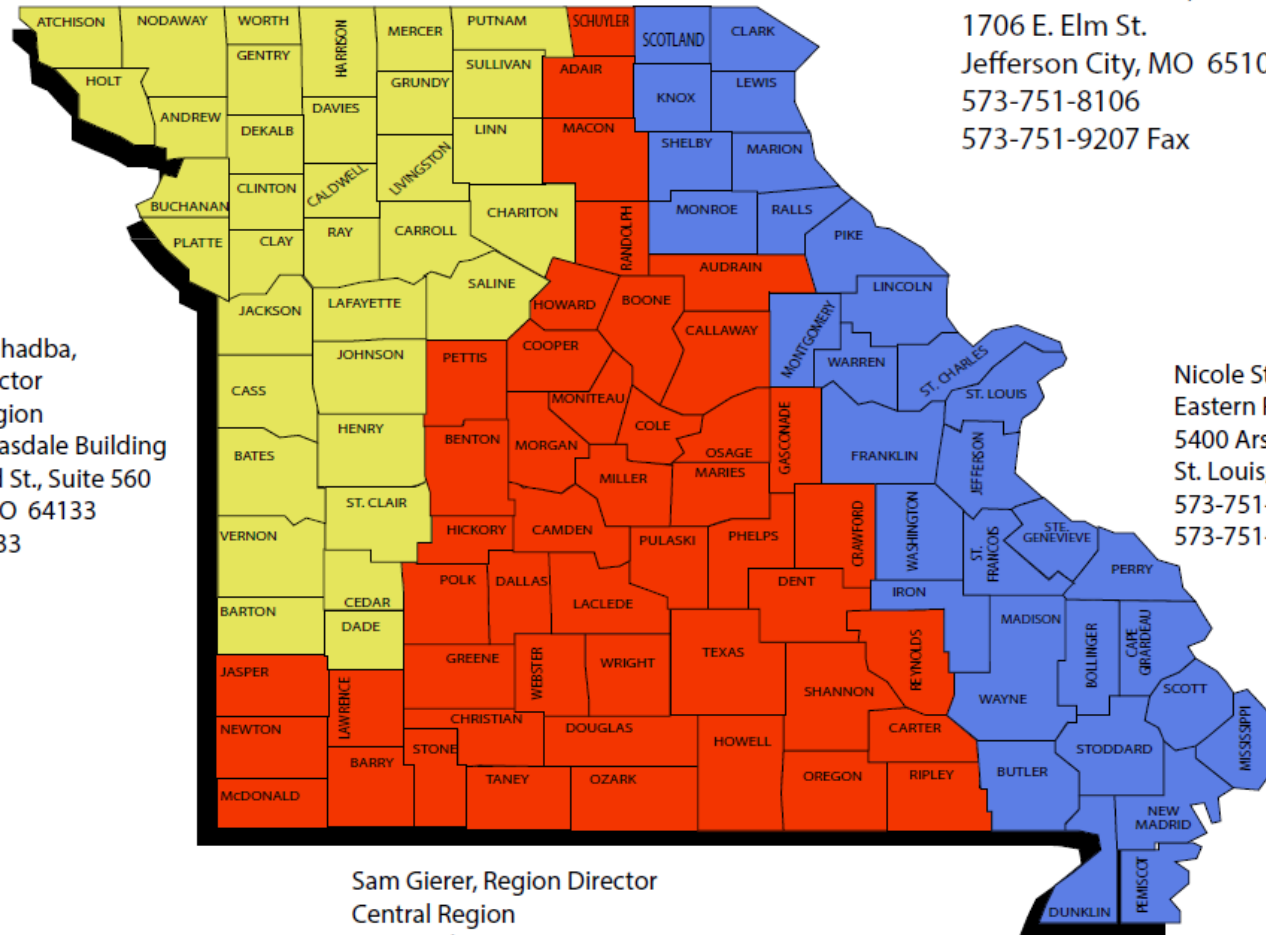
# Missouri Department of Mental Health

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11/2022

<https://dmh.mo.gov/media/pdf/licensure-certification-map>



# LICENSURE PROCESS

- Each survey is completed prior to the expiration of the license
- Licensure applications are due 90 days prior to the expiration date of the current license
- OLC surveyor will contact the facility after an application is received/approved to schedule the survey
- Applications are located on OLC's Website- <https://dmh.mo.gov/media/29871>
- Surveyor will complete an onsite survey



# SURVEY PROCESS

- Review of application and submitted documents
- Survey date is confirmed via confirmation letter
- Survey activities include:
  - Entrance conference
  - Review of personnel records
  - Review of individual records
  - Review of applicable policies and procedures
  - Environmental review (walk-through of the facility)
  - Exit Conference



# **SURVEY PROCESS** (CONTINUED)

- If the survey does not result in findings of deficiencies-
  - OLC mails a compliance letter with the license
- If the survey does result in findings of deficiencies-
  - A report of findings is sent within 20 business days, indicating a Plan of Correction (POC) is required
  - The facility then has 20 business days to develop and submit the POC



# FREQUENT DEFICIENCIES

- Missing required policies and procedures
- Retaining documentation of staff training that meets regulatory criteria
- Background Screenings
  - Requested by the applicant
  - Not requested within required timeframes
- Environmental issues
  - General Maintenance
  - Cleanliness
- Physician's Orders that are missing required components
  - Indications for use
  - Signature/date of signature of practitioner



# LICENSURE REGULATIONS UPDATES

- Licensure Regulations were updated November 2020
- Goal of the updates-
  - Make the language more person-centered
  - Streamlining of the CSRs
  - Clarify language



## 9 CSR 40-1.060 PROGRAM ADMINISTRATION

- Outlines policy and procedures that are required for every licensed facility.
- Details staffing and training requirements, including appropriate documentation of training.
- Example of additional emergency/planning policies:
  - Violent or threatening situations
  - Psychiatric crisis
  - Use of cell phones during an emergency



## **9 CSR 40-1.065 INDIVIDUAL RIGHTS AND RESPONSIBILITIES**

- Outlines rights and responsibilities of individuals receiving services.
- Stipulates-
  - Rights individuals are entitled to
  - Policies and procedures must not limit rights
  - Limitations of rights must be noted in the individual's plan
  - Copy of individual rights must be readily accessible/available to individuals served
  - Individuals served must be provided a review of rights initially and annually



## 9 CSR 40-1.070 ORGANIZED RECORD SYSTEM

- This CSR outlines the maintenance of records required for every licensed facility
  - An organized record system shall be maintained at the residential program or day program which ensures easily retrievable, complete, and usable records stored in a secure and confidential manner
  - Drills- record of scheduled and unscheduled emergency drills
  - Work schedule must be maintained at the site
  - Details what must be included in the individual record
  - Details what must be included in personnel records



## 9 CSR 40-1.075 PERSON CENTERED SERVICE

- This CSR is for all licensed facilities
- This CSR covers ISPs, ITPs, and Care Plans
  - ISPs are completed by DD Service Coordinators- monthly documentation on the goals and objectives
  - ITPs are completed by the Administrative Agent- monthly documentation on the goals and objectives
  - Care Plans are completed by the facility for individuals who do not have an ISP or ITP
    - Care Plans need to be completed within the first 30 days of admission and annually thereafter with goals and objectives important to the Individual
    - Care plans are required to have monthly documentation on the goals and objectives



## **9 CSR 40-1.075 PERSON CENTERED SERVICE**

### **(CONTINUED)**

- Immunizations shall be current, as recommend by DHSS immunization schedules.
- In order to determine with compliance-
  - Immunization record is to be included in the individual record; or
  - Attempts to obtain shall be documented in the individual record



# 9 CSR 40-1.075 PERSON CENTERED SERVICE

## (CONTINUED)

- Health Screen and Risk Assessment
  - Both are required within 30 days of transition into a residential program
  - Individual record must have a current health screen and risk assessment within the last year from their primary healthcare provider
  - A safety crisis plan or crisis prevention plan shall be developed with individuals identified as having risk factors for harm to self or others
- Risk Assessment must include
  - Suicide risk
  - risk of self harm
  - risk of harm to others
  - physical, sexual and/or emotional abuse experienced or witnessed
  - history and presence of trauma symptoms
  - aggressive disruptive behavior



# ADDITIONAL UPDATES TO REGULATIONS





- Applicable to specific program settings-
  - 9 CSR 40-1.080 Dietary Services
  - 9 CSR 40-1.085 Environment
  - 9 CSR 40-1.090 Fire Safety and Emergency Preparedness
  - 9 CSR 40-4 Behavioral Health Community Residential Programs
  - 9 CSR 40-6 Family Living Arrangements
  - 9 CSR 40-9 Day Programs Serving Individuals with Mental Illness and Intellectual or Developmental Disabilities










# NOTIFICATION OF REVISIONS

- Visit the MO Secretary of State's website to register for notifications of revisions to specific chapters of regulations.
- Register here: <https://www.sos.mo.gov/adrules/notifications>


The screenshot displays the official website of the Missouri Secretary of State, John R. Ashcroft. The header features a navigation bar with links for 'Contact Us', 'Accessibility Info', and social media icons. Below the header, a dark blue banner includes a portrait of John R. Ashcroft and his title, 'Missouri Secretary of State'. To the right of the banner are icons for various services: Business Services, Elections & Voting, Investor Protection & Securities, State Library, Records & Archives, Administrative Rules, and Publications & Forms. The left sidebar, titled 'ADMINISTRATIVE RULES', contains a scale of justice icon and links to 'Code of State Regulations', 'Missouri Register', 'Timeline Calculator', and 'Notifications' (which is highlighted in yellow). The main content area, titled 'Notifications', explains the notification system and provides a link to 'register here' or 'Current Users Login'.

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**Notifications**

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# Questions

OLC contact: [DMH-OLC@dmh.mo.gov](mailto:DMH-OLC@dmh.mo.gov)

OLC website: <https://dmh.mo.gov/dev-disabilities/licensure-certification>