

ARTICLE 4. OPTIONAL SERVICES

s 72401. Optional Service Units -General.

(a) "Optional service unit" means a functional unit of a skilled nursing facility which is organized, staffed and equipped to provide a specific type or types of patient care. A facility is not required to operate an optional service unit.

(b) The following types of optional service units may be operated in a skilled nursing facility: physical therapy, occupational therapy, speech therapy, speech pathology, audiology, social work services, and special treatment program services.

(c) If outpatient services are to be provided for physical therapy, occupational therapy, speech pathology, and/or audiology services, the following conditions shall be met:

(1) Outpatient service units shall be located or constructed in a manner that will minimize noise, odors, hazards and unsightliness to the facility's inpatients.

(2) Outpatient access to optional service units shall not traverse a nursing unit.

(3) Separate toilets for men and women outpatients shall be provided.

(4) Drinking water facilities of a type approved by the Department shall be available for outpatients and personnel.

(5) Handwashing facilities with hot and cold water supply shall be provided in the optional service units.

(6) Waiting areas shall be provided with sufficient floor space to seat the maximum number of persons who are expected to be accommodated at any one time.

(d) Each optional service unit within the facility shall be approved by the Department. Any facility desiring approval for an optional service unit shall file an application on forms furnished by the Department.

(e) The Department shall list on the facility license each optional service for which approval is granted.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72403. Physical Therapy Service Unit -Services.

(a) "Physical therapy service" means those services ordered by a physician for a patient or upon a physician's referral and provided to a patient by or under the supervision of a physical therapist.

(b) Physical therapy services shall include but are not limited to:

- (1) Assisting the physician in an evaluation of the patient's rehabilitation potential.
- (2) Applying muscle, nerve, joint and functional ability tests.
- (3) Treating patients to relieve pain and to develop or restore function.
- (4) Assisting patients to achieve and maintain maximum performance using physical means such as exercise, massage, heat, sound, water, light or electricity.
- (5) Establishing and modifying a treatment program by the physical therapist, as needed, based upon initial and continuing assessment of the patient.
- (6) Maintaining patient health records which contain pertinent information and signed orders for treatment.
 - (A) Notes shall be written and entered in the patient's health record after completion of each procedure. The note shall indicate the procedure(s) and shall be signed by the physical therapist.
 - (B) Initial and continuing assessment, development of a treatment plan and discharge summary shall be written and entered in each patient's health record.
 - (C) Individual progress notes shall be written and signed at least weekly by the physical therapist.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72405. Physical Therapy Service Unit -Policies and Procedures.

- (a) Each physical therapy service Unit shall have written policies and procedures for the management of the physical therapy service.
- (b) The policies and procedures shall be established and implemented by the patient care policy committee in consultation with a physical therapist.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72407. Physical Therapy Service Unit -Staff.

- (a) The physical therapy service unit shall be under the direction of a physical therapist.
- (b) A physical therapist assistant shall treat patients only under the supervision of a physical therapist in accordance with the Physical Therapy Practice Act, Article 4.5

(beginning with Section 2655) of the Business and Professions Code.

(c) A physical therapy aide shall work only under the direct supervision of a physical therapist.

(d) There shall be physical therapists, physical therapist assistants and physical therapy aides to meet the identified needs of the patients.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72409. Physical Therapy Service Unit -Equipment.

(a) Equipment shall be sufficient to provide the physical therapy services offered. The equipment shall include but not be limited to:

(1) Parallel bars.

(2) Full view mirror.

(3) Overhead pulley and weights.

(4) Set of training stairs.

(5) Treatment table enclosed by cubicle curtains for privacy.

(6) Availability of wheelchairs, walkers, canes, crutches and other ambulation aids.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72411. Physical Therapy Service Unit -Space.

(a) Adequate space shall be maintained for the necessary equipment needed to provide physical therapy service. The minimum floor area for physical therapy service shall be 28 square meters (300 square feet), no dimension of which shall be less than 3.7 meters (12 feet).

(b) A sink shall be provided in the treatment area and shall have controls other than hand controls.

(c) The toilet facilities shall be located nearby and equipped with grab bars on both sides of the commode and the space shall be of sufficient size to allow for patient transfer activities.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72413. Occupational Therapy Service Unit -Services.

(a) "Occupational therapy service" means those medically prescribed services in which selected purposeful activity is used as treatment in the rehabilitation of persons with a physical or mental disability.

(b) Occupational therapy services shall include but not be limited to:

(1) Assisting the physician in an evaluation of a patient's level of function by applying diagnostic and prognostic tests.

(2) Conducting and preparing written initial and continuing assessment of the patient's condition and modifying treatment goals under the order of a physician, consistent with identified needs of the patient.

(3) Decreasing or eliminating disability during patient's initial phase of recovery following injury or illness.

(4) Increasing or maintaining a patient's capability for independence.

(5) Enhancing a patient's physical, emotional and social well-being.

(6) Developing function to a maximum level.

(7) Guiding patients in their use of therapeutic, creative and self-care activities.

(c) An occupational therapy service unit shall meet the following requirements:

(1) Patient health records shall contain pertinent information and signed orders for treatment.

(2) Notes shall be written and entered in the patient's health record after completion of each procedure. The note shall indicate the procedure(s) performed, the reaction of the patient to the procedure(s) and shall be signed by the occupational therapist.

(3) Initial and continuing assessment, development of a treatment plan and discharge summary shall be written and entered in each patient's health record.

(4) Individual progress notes shall be written and signed at least weekly by the occupational therapist.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72415. Occupational Therapy Service Unit -Policies and Procedures.

(a) Each occupational therapy service unit shall have written policies and procedures for the management of the occupational therapy service.

(b) The policies and procedures shall be established and implemented by the patient care policy committee in consultation with an occupational therapist.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72417. Occupational Therapy Service Unit -Staff.

(a) The occupational therapy service unit shall be under the direction of an occupational therapist.

(b) An occupational therapy assistant shall work only under the supervision of an occupational therapist.

(c) There shall be occupational therapists and occupational therapy assistants in the number to meet the identified needs of the patients.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72419. Occupational Therapy Service Unit -Equipment.

(a) Necessary equipment shall be available to provide the occupational therapy services offered. The equipment shall include but not be limited to:

(1) Supportive slings, supportive and assistive hand splints and the materials from which to fabricate these and other assistive devices.

(2) Adaptive devices to aid in the performance of daily living skills such as eating, dressing, grooming and writing, with instructions for their use.

(3) Equipment and supplies for the development of creative skills.

(4) Means and supplies for adapting equipment for reeducation in activities of daily living.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72421. Occupational Therapy Service Unit -Space.

(a) Space shall be provided for the necessary equipment needed to provide occupational therapy. The minimum floor area shall be 28 square meters (300 square feet), no dimension of which shall be less than 3.7 meters (12 feet).

(b) A sink shall be provided in the treatment area and shall have controls not requiring the use of hands.

(c) The toilet facilities shall be located nearby and equipped with grab bars on both sides of the commode, and the space shall be of sufficient size to allow for patient transfer activities.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Sections 1276 and 18948, Health and Safety Code.

s 72423. Speech Pathology and/or Audiology Service Unit -Services.

(a) "Speech pathology and/or audiology services" means those services referred or ordered by a physician which provide diagnostic screening and preventive and corrective therapy for persons with speech, hearing and/or language disorders.

(b) Speech pathology and/or audiology service shall include but not be limited to the following:

(1) Conducting and preparing written initial and continuing assessment of a patient.

(2) Notes written and entered in the patient's health record after each treatment. The notes shall indicate the treatment performed, the reaction of the patient to the treatment, and be signed by the speech pathologist or audiologist.

(3) Instruction of other health team personnel and family members in methods of assisting the patient to improve or correct a speech or hearing disorder.

(c) A speech pathology and/or audiology service unit shall meet the following requirements:

(1) Patient health records shall contain a patient's history and signed orders for treatment.

(2) Progress notes shall be written at least weekly and entered in the patient health record and shall be signed by the speech pathologist and/or audiologist.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72425. Speech Pathology and/or Audiology Service Unit -Policies and Procedures.

(a) Each speech pathology and/or audiology service unit shall have written policies and procedures for the management of the speech pathology and/or audiology service.

(b) The policies and procedures shall be established and implemented by the patient care policy committee in consultation with a speech pathologist and/or audiologist.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72427. Speech Pathology and/or Audiology Service Unit -Staff.

(a) Each speech pathology service unit shall employ a speech pathologist for a sufficient number of hours to meet the needs of the patients and requirements of Section 72469.

(b) Each audiology service unit shall employ an audiologist for a sufficient number of hours to meet the needs of the patients and requirements of Section 72469.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72429. Speech Pathology and/or Audiology Service Unit -Equipment.

(a) Necessary equipment shall be available to provide the speech pathology and/or audiology services offered. The equipment shall include but not be limited to:

(1) A diagnostic clinical audiometer.

(2) Diagnostic tests and materials.

(3) Other equipment and materials deemed necessary by the speech pathologist and/or audiologist to meet the needs of patients.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72431. Speech Pathology and/or Audiology Service Unit -Space.

Space free of ambient noise shall be provided by the facility to produce valid test results.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72433. Social Work Service Unit -Services.

(a) "Social work services" means those services which assist staff, a patient and a patient's family to understand and cope with a patient's personal, emotional and related health and environmental problems.

(b) Social work services unit shall include but not be limited to the following:

(1) Interview and written assessment of each patient within five days after admission to the service.

(2) Development of a plan, including goals and treatment, for social work services for each patient who needs such services, with participation of the patient, the family, the patient's physician, the director of nursing services and other appropriate staff.

(3) Weekly progress reports in the patient's health record written and signed by the social worker, social work assistant or social work aide.

(4) Participation in regular staff conferences with the attending physician, the director of nursing service and other appropriate personnel.

(5) Discharge planning for each patient and implementation of the plan.

(6) Orientation and in-service education of other staff members on all shifts shall be conducted at least monthly by the social worker in charge of the social work service.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72435. Social Work Service Unit -Policies and Procedures.

(a) Each social work service unit shall have written policies and procedures for the management of the social work service.

(b) The policies and procedures shall be established and implemented by the patientcare policy committee in consultation with a social worker.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72437. Social Work Service Unit -Staff.

(a) Each social work service unit shall employ a staff for the number of hours to meet the needs of the patients.

(b) The social work service unit shall be organized, directed and supervised by a social worker, who is responsible for supervision of other social work staff, including social work assistants and social work aides.

(c) Social work service staff may include the social work assistant or the social work aide. Assigned functions and tasks shall be supervised by the social worker. Under conditions specified in the written patient care policies, procedures and job descriptions, the social work aide may be under the supervision of the social work assistant.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72439. Social Work Service Unit - Equipment and Supplies.

(a) Office equipment and supplies necessary for the social work service unit shall be available.

(b) Equipment and supplies shall include but not be limited to:

(1) Literature and references on subjects including psychosocial problems and needs of the patient population in the facility.

(2) Directories, listings and other reference materials on available community resources.

(3) Necessary clerical equipment and supplies.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72441. Social Work Service Unit -Space.

Accessible space shall be provided for privacy in interviewing, telephoning, conferences and for operation of the unit.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72443. Special Treatment Program Service Unit -General.

(a) Special treatment programs shall provide programs to serve patients who have a chronic psychiatric impairment and whose adaptive functioning is moderately impaired. Special treatment program services are those therapeutic services, including prevocational preparation and prerelease planning, provided to mentally disordered persons having special needs in one or more of the following general areas: self-help skills, behavior adjustment, interpersonal relationships.

(b) To be eligible for special treatment program services, the patient's condition should be responsive to special treatment program services and prohibitive to placement in a skilled nursing facility.

(c) The facility shall not accept for care any mentally disordered patient who has an identified program need unless the Department of Mental Health has approved the facility's specific special treatment plan.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72445. Special Treatment Program Service Unit -Services.

(a) The program objective shall be to provide a program aimed at improving the adaptive functioning of chronic mentally disordered patients to enable some patients to move into a less restrictive environment and prevent other patients from regressing to a lower level of functioning.

(b) The facility shall have the capability of providing all of the following special rehabilitation program services. Individual programs shall be provided based on the specific needs identified through patient assessments.

(1) Self-Help Skills Training. This shall include but not be limited to:

(A) Personal care and use of medications

(B) Money management

(C) Use of public transportation

(D) Use of community resources

(E) Behavior control and impulse control

(F) Frustration tolerance

(G) Mental health education

(H) Physical fitness

(2) Behavioral Intervention Training. This shall include but not be limited to:

(A) Behavior modification modalities

(B) Remotivation therapy

(C) Patient government activities

(D) Group counseling

(E) Individual counseling

(3) Interpersonal Relationships. This shall include but not be limited to:

(A) Social counseling

(B) Educational and recreational therapy

(C) Social activities such as outings, dances, etc.

(4) Prevocational Preparation Services. This shall include but not be limited to:

(A) Homemaking

(B) Work activity

(C) Vocational counseling

(5) Prerelease Planning

(A) Out-of-home placement

(c) In order to qualify for special treatment program services approval, the facility shall have, initially, a minimum of 30 patients whose need for special treatment program services is reviewed and approved by the local mental health director or designee.

(d) The facility program plan shall include provisions for accomplishing the following:

(1) The facility in conjunction with the local mental health director shall make an initial, individual assessment of each patient to identify the current level of functioning and program needs of the patient. The assessment shall be standardized and recorded on forms approved by the Department.

(2) At least every 4 months, the facility, in conjunction with the local mental health director or designee, shall reassess each patient to determine the need for continued certification of the patient in the special treatment program.

(3) A minimum average of 27 hours per week of direct group or individual program service for each patient.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72447. Special Treatment Program Service Unit -Distinct Part.

(a) A special treatment program service distinct part means an identifiable and physically separate unit of a skilled nursing facility or an entire skilled nursing facility which provides therapeutic programs to an identified mentally disordered population group. The distinct part shall be indicated on the facility license.

(b) A special treatment program means a therapeutic program of services designed, staffed and implemented by the special treatment program service for the purpose of meeting the special needs of an identified population group.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72449. Special Treatment Program Service Unit -Program Approval.

(a) Annually the facility shall submit to the Department of Mental Health a written description of its Special Treatment Program which shall meet all of the requirements of Section 72461. The facility shall also specify any alternate requirements needed to implement a special program, and shall submit other documents requested by the Department of Mental Health.

(b) The facility shall comply with all requirements of its approved Special Treatment Program and also any approved, specific, alternate requirement which shall govern the operation of the program notwithstanding the provisions of any other regulation contained in this chapter.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72451. Special Treatment Program Service Unit -Program Requirements.

(a) The facility shall specify each population group that it plans to serve. The program shall be developed to meet specific needs for that group. The program shall consist of the following components:

(1) The description of the population group to be served, shall include the following:

(A) Age range

(B) Sex

(C) Physical characteristics

(D) Emotional characteristics

(E) Number of patients to be served in each population group

(F) Identification of the particular needs within the population group

(G) A written program designed to meet the identified needs of the population

(H) Method and frequency of evaluating patient progress

(b) Each patient admitted shall have an initial evaluation and assessment by facility staff of his medical, nursing dietetic, social and physical needs within 15 days of admission unless an evaluation has been done by the referring agency within 30 days prior to admission to the facility.

(c) Each patient admitted shall have a psychological evaluation and assessment by the appropriate discipline within 45 days of admission.

(d) Consultative sources shall be used in the planning and organization of appropriate programs for the mentally disordered, incorporating discharge planning services intended to enable the patient to function and gain independence.

(e) Skills training programs shall be provided but not limited to techniques of behavior modification training in self-skills, sensory training or the modalities of reality orientation and remotivation therapy, as applicable to patients' needs or as described in the treatment plan.

(f) Orientation and in-service training of staff members by a qualified person to assist them in the recognition and understanding of the emotional problems and social needs of patients and the means of taking appropriate action. Available community resources and services should be included in the orientation.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72453. Special Treatment Program Service Unit -Rights of Patients.

(a) Each patient admitted to a special treatment program in a skilled nursing facility shall have the following rights, a list of which shall be prominently posted in English and Spanish in all facilities providing such services. The rights shall also be brought to the patient's attention by additional, appropriate means:

(1) To wear their own clothes; to keep and use personal possessions including toilet articles; and to keep and be allowed to spend a reasonable sum of their own money for small purchases.

(2) To have access to individual storage space for private use.

(3) To see visitors each day.

(4) To have reasonable access to telephones, both to make and receive confidential calls.

(5) To have ready access to letter writing materials, including stamps and to mail and receive unopened correspondence.

(6) To refuse shock treatment.

(7) To refuse lobotomy services.

(8) Other rights as provided by law.

(b) The attending physician may, for good cause, deny or limit a patient his or her rights, except the right to refuse lobotomy or shock treatment. Any denial or limitation of a patient's rights shall be entered in the patient's health record.

(c) Information pertaining to denial of rights contained in the patient's health record shall be made available on request to the Department and to the individuals authorized by law.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code, Section 5325, Welfare and Institutions Code.

s 72455. Special Treatment Program Service Unit -Abuse and Corporal Punishment.

Patients shall not be subjected to verbal or physical abuse of any kind. Corporal punishment of patients is prohibited. Patients shall not discipline other patients.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72457. Special Treatment Program Service Unit -Restraint and Seclusion.

(a) Restraint and seclusion shall only be used as emergency measures to protect the patient from injury to self or to others. Restraint and seclusion shall not be used as punishment or the convenience of the staff.

(1) Restraints may be used:

(A) For the protection of the patient during treatment and diagnostic procedures, including but not limited to, intravenous therapy, tube feeding and catheterization.

(B) To prevent infirm patients from falling out of bed or chairs or otherwise injuring themselves.

Note: Authority cited: Sections 208 (a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72459. Special Treatment Program Service Unit -Acceptable Forms of Restraints.

(a) Mechanical or behavior restraints are defined as any apparatus that interferes with the free movement of a patient.

(1) Physical restraint means restraint to control an acutely disturbed person to prevent the person from causing harm to self or others. The tying of hands or feet, whether or not the person is restrained in a bed, chair or wheelchair, shall be considered a physical restraint. A physical restraint shall not be confused with a postural support as defined in Section 72319(k). Only the following types of physical restraint may be used:

(A) Soft tie consisting of cloth which prevents movements of a patient.

(B) Mittens without thumbs which are securely fastened around the wrist with a small tie.

(C) Cloth vests consisting of sleeveless cloth webbing.

(D) Belts and cuffs, which are well padded, used to control a seriously disturbed, assaultive patient.

Note: Authority cited: Sections 208 (a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72461. Special Treatment Program Service Unit -Orders for Restraint and Seclusion.

(a) Restraint and seclusion shall only be used on the signed order of a physician which shall be renewed every 24 hours. In a documented case of emergency, which threatens to bring immediate injury to the patient or others, a restraint may be applied, and a physician shall give an order for application of the restraint within one hour. A physician may give the order by telephone. In such an event, the physician shall sign the order within 5 days.

(b) A daily log shall be maintained in each facility exercising behavior restraint and seclusion indicating the name of the patient for whom behavior restraint or seclusion is ordered.

(c) Full documentation of the episode leading to the behavior restraint or seclusion, the type of behavior restraint or seclusion used, the length of time that the restraint or seclusion was applied or utilized, and the name of the individual applying such measures shall be entered in the patient's health record.

Note: Authority cited: Sections 208 (a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72463. Special Treatment Program Service Unit -Restrictions on Applying Restraints and Utilizing Seclusion.

(a) In applying physical restraints, each of the following requirements shall be met in addition to those set forth in Section 72319:

(1) Careful consideration shall be given to the methods by which the restraints may be speedily removed in the event of fire or other emergency.

(2) Patients placed in restraint shall be observed by qualified treatment personnel at least every half hour. This observation shall be noted and initialed in the patient's health record following each observation.

(3) Each individual program plan authorizing restraint shall specify the behavior to be modified, the method to be used, the schedule for use of the method, the person responsible for the program and the effectiveness of the modality in attaining stated objectives.

(4) Opportunity for motion and exercise shall be provided for a period of not less than ten minutes during each two hours in which restraint is applied. The exercise periods shall be documented in the patient's record.

(b) In utilizing seclusion each of the following requirements shall be met:

(1) Patients placed in seclusion shall be observed by qualified treatment personnel at least every half hour. This observation shall be noted and initialed in the patient's health record.

(2) Each individual program plan authorizing seclusion shall specify the behavior to be modified, the method to be used, the schedule for use of the method, the person responsible for the program and the effectiveness of the modality in attaining stated goals.

(3) Opportunity for motion and exercise shall be provided for a period of not less than ten minutes during each two hours in which seclusion is applied. The exercise periods shall be documented in the patient's record.

(c) Medication shall not be used as punishment, as a substitute for a program or for the convenience of staff.

Note: Authority cited: Sections 208 (a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72465. Special Treatment Program Service Unit -Staff.

(a) A registered nurse, licensed vocational nurse or licensed psychiatric technician shall be employed at least 40 hours a week on the day shift and be responsible for nursing supervision of the distinct part. If the facility has a total licensed capacity of 59 beds or less the director of nursing services may also be the charge nurse for the distinct part.

(b) Nursing service charge personnel on all shifts shall have at least one year of experience or training related to the special treatment program services, or shall participate in in-service provided by the facility.

(c) If the facility is devoted entirely to the care of the mentally disordered, there shall be at least one registered nurse or licensed vocational nurse on duty on all three shifts seven days per week.

(d) A licensed psychiatric technician may:

(1) Serve as a charge nurse.

(2) Administer medications only in a special treatment program.

(e) The Department may require the licensee to provide additional professional, administrative or supportive personnel whenever the Department determines through a written evaluation that additional personnel is needed to provide for the health and safety of patients. Nursing service personnel shall be on duty in the number and with the qualifications, training, and supervision necessary to meet the individual care needs of patients admitted for care.

(f) Interdisciplinary Professional Staff: The facility shall provide either through direct employment or by contractual arrangement, an interdisciplinary professional staff to develop and implement special rehabilitation programs and to provide specific expertise to the program staff, and/or provide direct patient services.

(1) The interdisciplinary professional staff shall be composed of at least two of the following disciplines:

(A) Psychologist

(B) Social Worker

(C) Occupational therapist

(D) Recreation therapist

(E) Art therapist

(F) Dance therapist

(G) Music therapist

(H) Any other related discipline approved by the Department

(2) Each member of the interdisciplinary professional staff shall have a minimum of one year of experience or training in a mental health setting.

(3) In addition to general staffing requirements in Section 72329(f) a facility which provides a special treatment program shall provide interdisciplinary staff as required in Section 72329(f) in accordance with the following schedule:

(A) For facilities having an average of 49 or fewer certified patients per week, 24 hours per week of professional staff time.

(B) For facilities having an average between 50-69 certified patients per week, 32 hours per week of professional staff time.

(C) For facilities having an average between 70-99 certified patients per week, 48 hours per week of professional staff time.

(D) For facilities having an average of more than 100 certified patients per week, 72 hours per week of professional staff time.

(E) The facility shall provide at least one hour of direct program staff time for each six program hours of long-term program rehabilitation services provided. Program staff shall include all persons who directly provide program services to mentally disordered persons and shall not include the program director.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72467. Special Treatment Program Service Unit -Program Director.

(a) The facility shall have a program director who has been approved by the Department of Mental Health. The program director shall not be the director of nursing service, charge nurse or facility administrator.

(b) The program director shall have at least two years experience or training in a mental health setting, one year of which shall include experience or training in program development for mentally disordered.

(c) The program director shall ensure that the in-service education program is provided.

(d) The program director shall be one of the following:

(1) Licensed vocational nurse.

(2) Art therapist.

(3) Dance therapist.

(4) Music therapist.

(5) Occupational therapist.

(6) Physician.

(7) Licensed psychiatric technician.

(8) Licensed psychologist.

(9) Recreation therapist.

(10) Registered nurse.

(11) Social worker.

(12) Any other related discipline approved by the Department of Mental Health.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72469. Special Treatment Program Service Unit -In-Service Education.

(a) The facility shall provide to all program staff an average of at least one hour per week of ongoing, planned academic and on-the-job in-service education. The education shall include, but not be limited to the following:

(1) Specific program techniques for the mentally disordered.

(2) Setting behavioral program objectives for patients.

(3) Evaluation and assessment procedures and criteria.

(4) Noting and documenting patient progress in the program.

(b) The facility shall maintain a record of the in-service education. This record shall include the signature of staff in attendance, the number of hours, the date and the subjects covered.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72471. Special Treatment Program Service Unit -Patient Health Records and Plans for Care.

(a) The facility shall maintain an individual health record for each patient which shall include but not be limited to the following:

(1) A list of the patient's care needs, based upon an initial and continuing individual assessment with input as appropriate from the health professionals involved in the care of the patient. Initial assessments by a licensed nurse shall commence at the time of admission of the patient and shall be completed within seven days after admission.

(2) The plan for meeting behavioral objectives. The plan shall include but not be limited to the following:

(A) Resources to be used.

(B) Frequency of plan review and updating.

(C) Persons responsible for carrying out plans.

(3) Development and implementation of an individual, written care plan based on identified patient care needs. The plan shall indicate the care to be given, the objectives to be accomplished, and the professional discipline responsible for each element of care. The objectives shall be measurable, with time frames, and shall be reviewed and updated at least every 90 days.

(b) There shall be a review and updating of the patient care plan as necessary by the nursing staff and other professional personnel involved in the care of the patient at least quarterly, and more often if there is a change in the patient's condition.

(c) The patient care plan shall be approved, signed and dated by the attending physician.

(d) There shall be at least monthly progress notes in the record for each patient which shall include notes written by all members of the staff providing program services to the patient. The notes shall be specific to the needs of the patients and the program objectives and plans.

(e) At the time of reassessment there shall be a summary of the progress of the patient in the program, the appropriateness of program objectives and the success of the plan.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72473. Special Treatment Program Service Unit -Equipment.

There shall be sufficient equipment, assistive devices and supplies available to implement the treatment program ordered or indicated for meeting the physical, mental, emotional or recreational needs of patients.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.

s 72475. Special Treatment Program Service Unit -Space.

(a) The special treatment program service shall have accommodations, including dining, recreational and program service areas to meet the needs of the program.

(b) Indoor and outdoor areas shall be designated for special treatment programs.

Note: Authority cited: Sections 208(a) and 1275, Health and Safety Code. Reference: Section 1276, Health and Safety Code.