

**DHS DIVISION OF LICENSING
Self-Monitoring Checklist**

Developmental Disabilities Services Licensed under Minnesota Statutes, chapter 245B

DT&H STAFFING & SUPERVISION

Section 245B.055 identifies the factors that must be considered when a DT&H is determining the number of direct service staff members that a license holder must have on duty at a given time to meet the minimum staffing requirements. This varies according to:

- (1) the number of persons who are enrolled and receiving direct services at that given time;
- (2) the staff ratio requirement established under section 245B.055, subdivision 3 for each of the persons who is present; and
- (3) whether the conditions described in section 245B.055, subdivision 8 exist and warrant additional staffing beyond the number determined to be needed under subdivision 7.

When determining compliance with the staffing requirements, the license holder must further consider whether the staff ratio requirement established under subdivision 3 for each person receiving services accurately reflects the person's need for staff time.

IMPORTANT:

The *staff ratio requirement* is not the same as the *minimum staffing requirement*. The staff ratios of 1:4, 1:6 or 1:8 are part of the calculation used to factor the minimum number of staff the program must have available to provide supervision and training throughout the program for the number of persons being served at any given time.

However, at no time may one direct service staff member be assigned responsibility for supervision and training of more than ten consumers at a time, except as otherwise stated in each person's ISP or risk management plan. The DT&H program needs to determine how this minimum supervision will be maintained throughout the day given programming needs and personal needs of consumers served at any given time. For example, the program needs a plan and procedures for ensuring the minimum staffing for supervision is maintained when one staff person is needed to assist one consumer with personal cares or takes a small group of consumers into the community for an activity and isn't available to supervise or train other consumers. The program must also take into account any requirements for additional staffing that may be identified in a person's individual service plan or risk management plan.

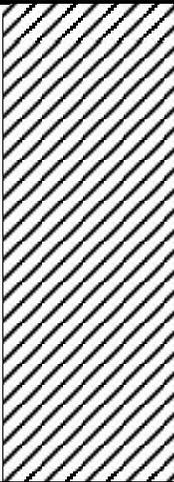
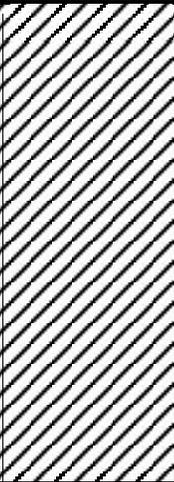
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LAW / RULE CITE	LICENSING STANDARD	RECORD 1	RECORD 2	RECORD 3	NOTES
245B.055, Subd. 3	<p><u>Staff Ratio Requirements</u> The license holder ensured that an assessment of the consumer's staff ratio requirements was determined as required.</p>				
	<p><u>Determining the Staff Ratio</u> The case manager, in consultation with the IDT determined at least once each year which of the ratios 1:4, 1:6, and 1:8 was appropriate for each person receiving services on the basis of the characteristics described in subdivisions 4, 5, and 6.</p>	Determined annually?	Determined annually?	Determined annually?	
	<p><u>Assigned Staff Ratio</u> The ratio assigned each person and the documentation of how the ratio was arrived at was kept in each person's ISP.</p> <ul style="list-style-type: none"> ▪ The ratio may be documented in the consumer's risk management plan instead of the ISP at the direction of the case manager. 	Ratio assigned? 1:4 1:6 1:8	Ratio assigned? 1:4 1:6 1:8	Ratio assigned? 1:4 1:6 1:8	
	<p><u>Documentation of Assigned Staff Ratio</u> Documentation included an assessment of the person with respect to the characteristics in subdivisions 4, 5, and 6, recorded on a standard assessment form required by the commissioner.</p> <ul style="list-style-type: none"> ▪ The DD Screening Document Manual, under the instructions for completing the Day Training & Habilitation Service Authorization Level under field 43 states in part that: "The [IDT] determines a person's staffing ratio using the [245B.055, subd. 4, 5, and 6] ratio criteria. Providers may develop their own form for compliance. Providing screening documents to DT&H providers is NOT a requirement. This Field should not be used for determining compliance to the Rule 38 staffing ratios." 	Ratio documented? Where?	Ratio documented? Where?	Ratio documented? Where?	

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245B.055, Subd. 7	<p><u>Minimum Staffing Requirements</u> The license holder ensured that the minimum number of direct service staff members were present as required.</p>				
	<p>PLEASE NOTE – IMPORTANT: The individual staff ratios assigned to consumers do not constitute the minimum staffing requirements. Meaning, an assigned staff ratio of 1:6 does not require one staff is present for six consumers assigned a 1:6 staffing ratio.</p> <p>The staffing ratio is used to calculate the minimum number of direct service staff the DT&H program is required to have present at any one time to meet the <u>combined</u> staff ratio requirements of the persons present at that time. This means the minimum staffing requirements are the same for all consumers present at any one time, unless an exception applies as identified under section 245B.055, subd. 8.</p> <p>To determine compliance you need to know the assigned staff ratio of the consumers present at the time and follow the steps in clauses (1) through (4) below.</p>				
245B.055, Subd. 7, (1)	Assign each person in attendance the three-digit decimal below that corresponds to the staff ratio requirement assigned to that person: 1:4 = 0.250; 1:8 = 0.125; 1:6 = 0.166; and 1:10 = 0.100.				
245B.055, Subd. 7, (2)	Add all of the three-digit decimals (one three-digit decimal for every person in attendance) assigned in clause (1);				
245B.055, Subd. 7, (3)	When the sum in clause (2) falls between two whole numbers, round off the sum to the larger of the two whole numbers; and				
245B.055, Subd. 7, (4)	The larger of the two whole numbers in clause (3) equals the number of direct service staff members needed to meet the staff ratio requirements of the persons in attendance.				

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245B.055, Subd. 8	<p><u>Additional Staff Requirements</u> The license holder ensured that additional direct service staff were present when required.</p>				
	<p>The license holder increased the number of direct service staff members present at any one time beyond [1:4] if necessary when any one or combination of the following circumstances was documented by the commissioner as existing:</p>				
245B.055, Subd. 8, (1)	<p>the health and safety needs of the persons receiving services could not be met by the number of staff members available under the staffing pattern in effect even though the number had been accurately calculated under subdivision 7; or</p>				
245B.055, Subd. 8, (2)	<p>the behavior of a person presented an immediate danger and the person was not eligible for a special needs rate exception under Minnesota Rules, parts 9510.1020 to 9510.1140.</p>				
245B.055, Subd. 9	<p><u>Minimum Supervision Requirements</u> The license holder ensured the minimum supervision requirements were met.</p>				
	<p>At no time was one direct service staff member assigned responsibility for supervision and training of more than ten persons receiving supervision and training, except as otherwise stated in each person's individual service plan or risk management plan.</p>				