

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

Home and Community-Based Services Licensed under Minnesota Statutes, chapter 245D

USING THE SELF-MONITORING CHECKLISTS

Programs licensed under Minnesota Statutes, chapter 245D to provide home and community-based services (HCBS) to people with disabilities and those ages 65 and older may use these checklists to self-monitor their compliance with the 245D licensing standards.

Some standards are included on more than one checklist where a requirement applies to more than one area. For example, the same standard may appear as a requirement for service delivery to a person and as a policy requirement.

The checklists can be used in their entirety or individually. Each checklist begins with general information that guides the license holder in applying the checklist to an individual program or a person receiving services. Some definitions are included to assist the license holder when using the checklist. Additional definitions found in statute that may assist the license holder are found in:

- Section 245A.02, related to the Human Services Licensing Act;
- Section 245C.02, related to the Department of Human Services Background Studies Act;
- Section 245D.02, related to HCBS Standards;
- Section 626.556, subdivision 2, related to Reporting of Maltreatment of Minors; and
- Section 626.5572, related to Reporting of Maltreatment of Vulnerable Adults.

Each checklist includes the statute or rule cite where the licensing requirement can be found, the actual language from the requirement, columns to record whether compliance was met or not (+ / -) and notes. The beginning of each individual requirement is indicated by bold text with a bold border for that row. Additional information is • bulleted or is *italicized* text in [brackets] to further clarify the context of a licensing standard.

DHS has developed additional resources to assist license holders. Visit the DHS Licensing Division website at www.DHS.state.mn.us/Licensing. Select DHS Licensed Programs and then select Home and Community-Based Services to access such resources such as sample policies and forms and frequently asked questions (FAQs). The HCBS Unit of the Licensing Division also maintains an email box where license holders may ask questions about 245D licensing standards. License holders may direct questions about 245D licensing standards to DHS.245Dlicensehelp@state.mn.us. Additionally, license holders are encouraged to directly contact their HCBS licenser with any question or concern.

These checklists were developed to assist license holders in monitoring their compliance with the 245D licensing standards. The information obtained from the checklists may assist license holders in identifying the need to take corrective action to gain or maintain compliance.

License holders remain responsible for reading, understanding, and ensuring applicable rules, statutes, and law to maintain compliance with licensing requirements. The Office of the Revisor of Statutes maintains the Laws of Minnesota, Minnesota Statutes, and Minnesota Rules. License holders can access these at www.revisor.mn.gov.

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INDIVIDUAL CHECKLISTS

RECORDS & PRIVACY

245D.095, Subd. 1	Record-Keeping Systems
245D.095, Subd. 2	Admission and Discharge Register
245D.095, Subd. 3	Service Recipient Record
245D.095, Subd. 4	Access to Service Recipient Record
245D.095, Subd. 5	Personnel Records
245A.041, Subd. 3	Record Retention
245A.041, Subd. 4	Electronic Records
245D.11, Subd. 3	Data Privacy Policy
245D.04, Subd. 1, 3	Record and Privacy Protection Rights

ADMISSION & SERVICE INITIATION

245D.095, Subd. 2	Admission and Discharge Register
245D.11, Subd. 4	Admission Criteria
245D.10, Subd. 4	Policies and Procedures
245D.04, Subd. 1	Service Recipient Rights
245A.65, Subd. 1	Vulnerable Adult Maltreatment Orientation
245A.56, Subd. 2	Abuse Prevention Plans
245D.07, Subd. 2	Initial Service Planning, Basic
245D.071, Subd. 3	Initial Service Planning & Assessment, Intensive
245D.071, Subd. 4	Service Outcomes and Supports
245D.09, Subd. 4a	Emergency Service Initiation
245D.06, Subd. 4	Handling Service Recipient Funds
243.166, Subd. 4b	Admission of Registered Predatory Offender

SERVICE DELIVERY & EVALUATION FOR BASIC SERVICES

245D.07, Subd. 1	Provision of Services
245D.07, Subd. 1a	Person-Centered Service Delivery
245D.07, Subd. 3	Written Reports
245D.081, Subd. 1	Program Coordination and Evaluation
245D.081, Subd. 2	Coordination of Individual Service Delivery
245D.081, Subd. 3	Program Management and Oversight

245D.081, Subd. 1	Program Coordination, Eval & Oversight
245D.081, Subd. 2	Coordination of Individual Service Delivery
245D.081, Subd. 3	Program Management and Oversight

SERVICE DELIVERY & EVALUATION FOR INTENSIVE SERVICES

245D.07, Subd. 1	Provision of Services
245D.07, Subd. 1a	Person-Centered Service Delivery
245D.07, Subd. 3	Written Reports
245D.071, Subd. 5	Progress Reviews
245D.071, Subd. 2	Abuse Prevention
245D.071, Subd. 3	Assessment and Initial Service Planning
245D.071, Subd. 4	Service Outcomes and Supports
245D.071, Subd. 5	Progress Reviews
245D.081, Subd. 1	Program Coordination, Eval & Oversight
245D.081, Subd. 2	Coordination of Individual Service Delivery
245D.081, Subd. 3	Program Management and Oversight

SERVICE RECIPIENT HEALTH NEEDS

245D.05, Subd. 1	Meeting Health Needs
245D.05, Subd. 1a	Medication Setup
245D.05, Subd. 1b	Medication Assistance
245D.05, Subd. 2	Medication Administration
245D.05, Subd. 4	Reviewing & Reporting Med & Treatment Issues
245D.05, Subd. 5	Injectable Medications
245D.051, Subd. 1	Psychotropic Medication Administration
245D.051, Subd. 2	Refusal to Authorize Psychotropic Medication
245D.06, Subd. 2	Staff Trained in First Aid and CPR
245D.09, Subd. 1	Staffing Requirements
245D.09, Subd. 3	Staff Qualifications
245D.09, Subd. 4a	Staff Orientation
245D.011, Subd. 2	Policies & Procedures for Med Administration

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EMERGENCY AND INCIDENT RESPONSE & REPORTING

245D.11, Subd. 2, (5) & (7)	Emergency Response and Reporting
245D.06, Subd. 1, (a)	Incident Response
245D.06, Subd. 1, (b)-(f)	Incident Reporting and Review
245D.11, Subd. 2, (7)	Emergency and Incident Record Keeping
245D.081, Subd. 3, (a), (3)	Evaluation of Emergencies and Incidents

MALTREATMENT REPORTING

626.557, Subd. 4a	Alleged and Suspected Maltreatment of Vulnerable Adults Reported
245A.65, Subd. 1, (b)	Internal Review Completed When Maltreatment of Vulnerable Adult Reported
245A.66, Subd. 1	Internal Review Completed When Maltreatment of Minor Reported

EMERGENCY USE OF MANUAL RESTRAINTS (EUMR)

245D.06, Subd. 5	Prohibited Procedures
245D.06, Subd. 6	Restricted Procedures
245D.06, Subd. 7, (a)	Permitted Actions and Procedures
245D.06, Subd. 7, (b)	Instructional Techniques
245D.06, Subd. 7, (c)	Intervention Procedures
245D.06, Subd. 7 (d)	Adaptive Aids, Orthotics, Medical Equipment
245D.06, Subd. 8	Positive Support Transition Plan
245D.061, Subd. 1	Standards for EUMR
245D.061, Subd. 2	Conditions for EUMR
245D.061, Subd. 4	Monitoring EUMR
245D.061, Subd. 5	Reporting EUMR
245D.061, Subd. 6	Internal Review
245D.061, Subd. 7	Expanded Support Team Review
245D.061, Subd. 8	External Review and Reporting
245D.061, Subd. 9	EUMR Policy and Procedures

SERVICE RECIPIENT RIGHTS

245D.04, Subd. 1	Exercise and Protection of Rights
245D.04, Subd. 2	Service-Related Rights
245D.04, Subd. 3, (a) &(b)	Protection-Related Rights
245D.04, Subd. 3, (c)	Restriction of Rights

FUNDS & PROPERTY and LEGAL REPRESENTATIVE RESTRICTIONS

245A.04, Subd. 13, (a)	Use and Availability of Funds and Property
245A.04, Subd. 13, (b)	Separation of Funds
245A.04, Subd. 13, (c)	Documentation
245D.06, Subd. 4, (a)	Authorization and Survey
245D.06, Subd. 4, (b)	Powers of Attorney
245D.06, Subd. 4, (c)	Legal Representation Restrictions
245D.06, Subd. 4, (d)	Transfer or Death
245A.04, Subd. 13, (d)	Prohibitions on Use and Handling

SERVICE SUSPENSION & TERMINATION

245D.10, Subd. 3, (b)	Service Suspension and Termination
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STAFF QUALIFICATIONS, ORIENTATION & TRAINING

245D.09, Subd. 1 - 3	Staff Qualifications
245D.081, Subd. 2, (b)	Designated Coordinator Qualifications
245D.081, Subd. 3, (b)	Designated Manager Qualifications
245D.09, Subd. 4 & 4a	Staff Orientation
245D.09, Subd. 5 & 4a	Annual Staff Training
245D.09, Subd. 5a	Alternative Sources of Training
245D.09, Subd. 6	Subcontractors and Temporary Staff
245D.09, Subd. 7	Volunteers
245D.09, Subd. 8	Orientation and Training Plan
245D.06, Subd. 2, (1), (iv)	Staff Trained in First Aid and CPR
245A.65, Subd. 3	Vulnerable Adults Orientation & Training

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DAY SERVICE FACILITY STAFFING AND SUPERVISION

245D.31, Subd. 3-6	Staff Ratio Requirements
245D.31, Subd. 7	Minimum Staffing Requirements
245D.31, Subd. 9	Additional Staff Requirements
245D.31, Subd. 10	Minimum Supervision Requirements

BACKGROUND STUDIES

245C.04, Subd. 1, (h),	When to Submit BGS
245C.04, Subd. 5	Staff from Outside Agencies
245C.07	Staff Working Across Multiple Programs
245C.13, Subd. 2	Continuous Direct Supervision
245C.20	BGS Records
245C.30	BGS Variances

PHYSICAL ENVIRONMENT – COMMUNITY RESIDENTIAL SETTING

245D.21, Subd. 2	Inspections and Code Compliance
245D.22, Subd. 1	General Maintenance
245D.22, Subd. 2	Hazards
245D.22, Subd. 3	Storage and Disposal of Meds
245D.22, Subd. 4	First Aid and CPR, Training and Kits
245D.22, Subd. 5	Emergency Plans and Drills
245D.22, Subd. 6	Emergency Equipment
245D.22, Subd. 7	Telephone and Posted Numbers
245D.06, Subd. 2, (1), (i)	Safe and Hazard-Free Environment
245D.06, Subd. 2, (1), (ii)	Toxic Substances and Dangerous Items
245D.06, Subd. 2, (1), (ii)	Locked Doors
245D.06, Subd. 2, (1), (iv)	First Aid and CPR
245D.06, Subd. 2, (2)	Equipment, Vehicles, Supplies & Materials
245D.06, Subd. 2, (3)	Safe Transportation
245D.06, Subd. 2, (4)	Emergency Preparation & Response
245D.06, Subd. 2, (5)	Universal Precautions
245A.65, Subd. 1, (d)	Posting VA Reporting Policy

PHYSICAL ENVIRONMENT – DAY SERVICE FACILITY

245D.21, Subd. 2	Inspections and Code Compliance
245D.22, Subd. 1	General Maintenance
245D.22, Subd. 2	Hazards
245D.22, Subd. 3	Storage and Disposal of Meds
245D.22, Subd. 4	First Aid and CPR, Training and Kits
245D.22, Subd. 5	Emergency Plans and Drills
245D.22, Subd. 6	Emergency Equipment
245D.22, Subd. 7	Telephone and Posted Numbers
245D.28, Subd. 1	Facility Capacity and Usable Space
245D.28, Subd. 2	Individual Personal Articles
245D.29, Subd. 1	Refrigeration
245D.29, Subd. 2	Drinking water
245D.29, Subd. 3	Individuals Who Become Ill During the Day
245D.29, Subd. 4	Safety Procedures
245D.06, Subd. 2, (1), (i)	Safe and Hazard-Free Environment
245D.06, Subd. 2, (1), (ii)	Toxic Substances and Dangerous Items
245D.06, Subd. 2, (1), (ii)	Locked Doors
245D.06, Subd. 2, (1), (iv)	First Aid and CPR
245D.06, Subd. 2, (2)	Equipment, Vehicles, Supplies & Materials
245D.06, Subd. 2, (3)	Safe Transportation
245D.06, Subd. 2, (4)	Emergency Preparation & Response
245D.06, Subd. 2, (5)	Universal Precautions
245A.65, Subd. 1, (d)	Posting VA Reporting Policy
245A.65, Subd. 2 (a)	Program Abuse Prevention Plan

POLICIES AND PROCEDURES

245A.04, Subd. 1, (c)	Prohibition on Being Under the Influence
245D.10, Subd. 2	Complaint Procedures
245D.10, Subd. 3	Service Suspension and Termination
245D.11, Subd. 2, (1)	Universal Precautions
245D.11, Subd. 2, (2)	Health Service Coordination
245D.11, Subd. 2, (3)	Medication Assistance and Administration
245D.11, Subd. 2, (4)	Safe Transportation

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245D.11, Subd. 2, (5)	Safety in Emergencies	245A.65, Subd. 1, (a), (b)	Reporting Maltreatment of Vulnerable Adults
245D.11, Subd. 2, (6)	Incident Response		Conducting Internal Reviews of VA
245D.11, Subd. 2 (7)	Incident Reporting		Maltreatment Reports
245D.11, Subd. 3	Data Privacy	245D.10, Subd. 4	Availability of Policies and Procedures
245D.11, Subd. 4	Admission Criteria	245A.04, Subd. 14, (b), (3)	Monitoring Staff Implementation of Policies and Procedures
245D.061, Subd. 9	Emergency Use of Manual Restraints	245A.04, Subd. 14, (c)	Staff Access to Policies and Procedures