

Chapter PW-MH 60

MENTAL HYGIENE

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Note: Sections PW-MH 60.02 through 60.05 were repealed, Register, September, 1979, effective October 1, 1979. Chapter HSS 60 created effective October 1, 1979 replaces the repealed chapters.

PW-MH 60.10 Minimum standards for community mental health clinics qualifying for state aid. (1) PROGRAM CONTENT. A community

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mental health clinic is a medical facility established to help prevent mental and emotional illness in the community and to diagnose and treat the mental and emotional illnesses of children and adults. In order to qualify for continuing state aid, each clinic must develop its range of services to cover the functions specified in section 51.36(4), Wis. Stats.

(2) **TIME COVERAGE.** The clinic shall be open for service not less than 35 hours per week.

(3) **STAFF.** (a) In order to perform the services required, the clinical staff team must include a psychiatrist, clinical psychologist, and psychiatric social worker, together with secretarial assistance.

(b) During the clinic's initial 4 years after approval, the following minimum standards of staff coverage will apply:

1. Full-time receptionist or secretary.
2. Full-time psychiatric social worker.
3. Half-time clinical psychologist.
4. Psychiatrist, equivalent of one full day per week.

(c) For continuing approval after 4 years, the following standards of staff coverage will apply:

1. Full-time receptionist or secretary.
2. Full-time psychiatric social worker.
3. Full-time clinical psychologist.
4. Not less than half-time psychiatrist.

(d) The foregoing standards may, in certain situations, be satisfied by combinations of persons for each listed position.

(e) After final approval, a clinic shall report to the state department of public welfare whenever its staff coverage falls below applicable minimum standards. Six months from the time of such report, there shall be a review of the clinic's efforts to fill necessary vacancies, and if at the end of one year such standards are not met, the clinic will no longer be eligible for state aid, except that the director of the state department of public welfare may in his discretion approve continuing eligibility on a temporary or emergency basis.

(4) **PROFESSIONAL QUALIFICATIONS.** (a) Minimum professional standards are herein prescribed for the positions listed, and state aid will not be available for professional personnel who do not meet the qualifications. The positions of staff psychiatrist and staff psychiatric social worker may be filled only in those situations where professional supervision in the respective disciplines is assured by the clinic staff.

1. *Psychiatrist, director*

a. A physician licensed to practice medicine and surgery in Wisconsin.

b. His credentials shall meet the formal requirements for eligibility for examination as a specialist in psychiatry as established by the American Board of Psychiatry and Neurology.

c. He shall have had at least 6 months of supervised work in a child psychiatry training program or equivalent experience in a child guidance program.

2. *Psychiatrist, staff*

a. A physician licensed to practice medicine and surgery in Wisconsin.

b. His credentials shall include completion of the formal training requirements as established by the American Board of Psychiatry and Neurology.

3. *Psychologist, supervisory (chief)*

a. A doctoral degree in psychology from an accredited college or university, with specialization in clinical psychology.

b. One year of post-doctoral experience in a setting providing services to children which utilizes a team approach of psychiatry, psychiatric social work and clinical psychology.

4. *Psychologist, staff*

a. A master's degree in psychology from an accredited college or university, with specialization in clinical psychology.

b. Two years of supervised experience in a setting providing a team approach of psychiatry, psychiatric social work and clinical psychology, preferably one year of which shall be in work with children.

5. *Psychiatric social worker, chief*

a. A master's degree from an accredited school of social work.

b. At least 2 years of supervised experience in a psychiatric setting following the master's training and an additional year of supervisory, consultative or administrative experience in social work.

6. *Psychiatric social worker, staff*

a. A master's degree from an accredited school of social work.

(b) For clinic personnel employed by clinics operating on August 23, 1959, the state department of public welfare shall, at the time of the original application for state aid, give consideration to the substitution of training and experience of personnel who do not meet the minimum as stated in 4 (a).

(c) When a clinic is uncertain about the eligibility for reimbursement of a prospective employe, the department of public welfare is responsible for evaluating the qualifications of the applicant and for determining whether or not they meet the intent of the standards.

(5) **PHYSICAL FACILITIES.** The board of directors and the director of the clinic shall be responsible for planning on a continuing basis for physical facilities which provide an adequate setting for professional work in carrying out the clinical program.

Recommended:

The clinic should have adequate space, light, ventilation, heat, plumbing and furnishings.

(a) The clinic should be located geographically where no undue hardship will be experienced in reaching it; i.e., it should be convenient to both public and private transportation; it should be situated within a setting which will not preclude its use by local residents, including accessibility to schools and other related community agencies.

(b) The clinic should have a waiting room.

(c) The secretary and/or receptionist should have space which is in or adjacent to the waiting room. There should be space for clinic records kept in locked files with appropriate safeguards for maintaining confidentiality.

(d) Professional staff. Each staff person should have an office which provides the patient with privacy to the degree that the patient

should not be seen or heard by other staff or patients during an interview. The furnishings of each office should be appropriate to its functions.

(e) **Play therapy room.** A separate play therapy room may be desirable dependent upon the number of professional persons engaged in this activity. It will also depend upon the size of the professional offices and the needs of the professional personnel.

Minimum play therapy room furnishings:

1. Storage space for play equipment.
2. Work-play space either in the form of a table and/or on top of storage cabinets.
3. Running water and sink with drain available.
4. Selected play equipment.

(f) **Conference room.** A separate conference room should be provided for staff and board meetings and for various teaching and consultative functions.

(6) **CLINIC RECORDS.** A case record shall be maintained on each patient accepted for evaluation or treatment. The clinic staff, with approval of the board of directors, shall determine the type and method of maintaining such case records consistent with the needs of the clinic and professional standards.

(7) **STATISTICAL REPORTS.** In addition to such special reports as the state department of public welfare may require, or the clinics may wish to submit, the following report shall be filed with the department: Annual report of clinic activity to clinic board and the community in accordance with section 51.36 (7) (d), Wis. Stats. 1959.

(8) **PERSONNEL.** Specific personnel practices and policies shall be determined by the clinic board in consultation with the director of the clinic and shall include such items as employment procedures, work hours, vacation, sick leave, insurance, termination and retirement. These shall be in written form and be made known to those responsible for the clinic program.

Recommended:

The details of personnel practices and policies should be consistent with those of the community in which the clinic is located. In situations where policies are not established, the clinic may adopt or adapt standards set forth under state civil service.

History: Cr. Register, September, 1960, No. 57, eff. 10-1-60.

PW-MH 60.20 Community mental health, mental retardation, alcoholism, and drug abuse services. (1) **ADMINISTRATIVE STRUCTURE.** The county board or boards of supervisors of any county or combination of counties shall establish a board of directors in accordance with section 51.42 (4), Wis. Stats. The board of directors shall appoint a director of the program, in accordance with section 51.42 (5), Wis. Stats.

(2) **UNIFORM COST ACCOUNTING.** There shall be a uniform cost accounting system for county hospitals as required in section 46.18 (8), (9), and (10), Wis. Stats. The uniform budgeting and reporting system established by department manuals for community mental health clinics and day care programs for the mentally handicapped shall apply.

(3) **ELIGIBILITY.** Any county or combination of counties eligible to receive aids under the provisions of sections 51.36, 51.38, 51.08, 51.24, and 51.26, Wis. Stats., or any combination thereof, shall be eligible for the state grants-in-aid and contribution to operate programs under these rules. The plan and budget to be submitted to the department shall include an annual comprehensive plan and budget of all funds necessary for the program and services authorized by section 51.42, Wis. Stats., in which priorities and objectives for the year are established as well as any modifications of long-range objectives; intermediate-range plans and budgets; and long-range goals. This plan shall include a description of the existing and planned services for each of the disability groups.

(a) *Mental retardation:*

1. Evaluation service
2. Diagnostic service
3. Treatment service
4. Day care service
5. Training service
6. Education service (nonschool)
7. Sheltered employment service
8. Recreation service
9. Personal care service
10. Domiciliary care service
11. Special living arrangements service
12. Counseling service
13. Information and referral service
14. Follow along service
15. Protective and other social and sociolegal service
16. Transportation

(b) *Mental health:*

1. Inpatient care
2. Outpatient services, including diagnostic services
3. Intermediate care services
4. Emergency services
5. Consultation and education
6. Rehabilitation services

(c) *Alcoholism and drug abuse:*

1. Emergency services
2. Inpatient services
3. Outpatient services
4. Intermediate care
5. Consultation and education services
6. Rehabilitation services

(d) Program of inservice training for board members

(e) Program of continuing education for the staff

(f) Program of research and evaluation

(4) **STANDARDS FOR QUALIFICATIONS AND SALARIES OF PERSONNEL.**

(a) *Administrative.* 1. Program director. a. The program director shall have been graduated from an accredited college with an advanced degree in medicine, psychology, social work, rehabilitation, special education, hospital administration or related field. He shall have had, in addition, 5 years of progressively responsible administrative experience in a relevant field.

b. An equivalent combination of training and experience may be substituted for these requirements, in considering personnel holding responsible administrative positions in county mental hospitals, community mental health clinics and day care programs for the mentally handicapped prior to the effective date of these rules.

2. Disability program coordinators. Graduation from an accredited college with an advanced degree in psychology, medicine, social work, rehabilitation, special education, hospital administration or related field. Additional years of supervisory experience in a related field may be substituted for the advanced degree requirement. A minimum of 4 years of relevant experience. An equivalent combination of training and experience may also be considered.

(b) Program personnel. Qualifications of program personnel are those established for approval of programs under sections 51.36, 51.38, 51.25, and 51.26, Wis. Stats. Standards for salaries approved under those sections shall apply under these rules.

(5) **QUALITY OF PROFESSIONAL SERVICES.** Standards established for approval of community mental health clinics, day care programs for the mentally handicapped, and county mental hospitals shall apply.

(6) **REQUIREMENTS FOR INSERVICE AND EDUCATIONAL LEAVE PROGRAMS FOR PERSONNEL.** Personnel policies shall incorporate provisions for inservice training and educational leave programs for program personnel.

(7) **PATIENT FEE SCHEDULES.** Each program shall establish fee schedules based on ability to pay, in accordance with sections 51.36 and 51.38, Wis. Stats. Liability for payment of services provided by county mental hospitals shall be determined in accordance with section 46.10, Wis. Stats.

(8) **ELIGIBILITY OF PATIENTS.** No person shall be denied service on the basis of age, race, color, creed, location, or inability to pay.

History: Cr. emerg. eff. 12-17-71; cr. Register, August, 1972, No. 200, eff. 9-1-72.

PW-MH 60.30 Standards, community day services program for mentally handicapped. (1) **ADMINISTRATIVE STANDARDS.** (a) The community day services center shall maintain individual and cumulative daily attendance records of clients. The center shall also maintain administrative records necessary for statistical reporting to the Division of Mental Hygiene, Department of Health and Social Services, 1 West Wilson Street, Madison, Wisconsin 53702. The following are included in those reports to be forwarded to the division of mental hygiene:

1. Report on persons actively receiving day services. This report provides a monthly statistical summary

2. Report on persons admitted to day services. This report provides information about the client, such as: age, sex, source of referral, nature of handicap, previous care and training, including type and amount of services.

3. Report on persons withdrawn from enrollment in day services centers. This report provides information about the major reason for withdrawal from enrollment.

(b) The center shall maintain necessary and adequate administrative records to provide sound fiscal budgeting and fiscal expenditures.

1. A monthly report of actual expenditures of the day services center shall be submitted to the Division of Mental Hygiene, Department of Health and Social Services, 1 West Wilson Street, Madison, Wisconsin 53702.

2. A total operating budget for the current year, the proposed budget for the next fiscal year, and the anticipated source of funds for the proposed budget shall be submitted. The completed budget forms shall be submitted with the original and each subsequent application. Centers whose budget year differs from the state's fiscal year of July 1 to June 30 are nevertheless required to submit their estimate on a July 1 to June 30 fiscal year basis.

3. The form indicating budget estimate of employees' salaries and travel shall list employees by name and position, with individual amounts budgeted for each employee's salary and travel. Salaries must be allocated to the proper program.

4. The form indicating budget estimate of community day care services board per diem and travel shall list board members by term, office held, and representative group with the individual amounts budgeted for per diem and travel. This form shall be submitted with the original and each subsequent application.

(c) A cumulative record shall be maintained for each client attending the center and shall include:

1. Name, birthdate, full names of both parents, and home and work addresses and telephone numbers of both parents

Note: The word parent shall mean guardian if appropriate and shall apply only if the client is minor/dependent.

2. Name, address, and telephone number of family physician. Name, address, and telephone number of person to be notified in case of emergency.

3. A form concerning:

a. Permission to contact the family or center physician in case of emergency.

b. Appropriate releases of information as deemed necessary.

4. Record of current physical examination(s), social, psychological and/or psychiatric evaluation(s) and of related health matters.

5. Date client enters and leaves program.

6. Record of daily attendance of each client.

7. Individual client objectives stated in measurable and meaningful terms, based upon the identified needs of the client.

8. Summary of each parent/family consultation.

9. Written documentation obtained from the superintendent of the local public educational agency, documenting legal excuse or exclusion from the public school program for school age persons.

10. Other pertinent information.

(d) The director of the section 51.38, Wis. Stats., program shall, in cooperation with the community day care services board, establish a policy respecting the confidentiality and use of client records.

(e) Each program shall have a written admission policy.

1. The policy shall include a statement of compliance with the 1964 Civil Rights Act.

2. The policy shall relate to those mentally handicapped individuals to be provided day services.

a. Those clients not of public school age.

b. Those mentally handicapped individuals of school age unable to benefit from and/or those not programmed for in the community public school. In the case of a school age person, written documentation that the individual has been legally excused, or excluded from school attendance, shall be obtained from the superintendent of the local public educational agency before an individual is formally admitted to a day services program.

3. An initial assessment of the type and degree of mental handicap shall be documented in writing and included in the client's records. The initial assessment shall include a physical examination by a licensed physician and an examination by a licensed psychologist and/or board eligible psychiatrist, whichever is applicable, preferably prior to admission but not later than 15 days after admission to the center. Each professional shall use a recognized nomenclature as a basis for diagnosis and reporting (APA, SRA, AAMD or WHO). Community mental health clinics should be utilized for testing and evaluation where possible.

Note: American Psychiatric Association, Rehabilitation Services Administration of Social and Rehabilitation Service, a division of the Department of Health, Education and Welfare, American Association on Mental Deficiency, World Health Organization.

4. An evaluation of the client's social and family background shall be obtained by a professionally trained social worker, preferably prior to admission but no later than 15 days after admission to the center.

(f) Minimum size of center. A center shall serve not less than 4 clients.

(g) Length of operation. 1. Each center shall meet section 51.38, Wis. Stats., program standards as defined in this chapter.

2. Each program shall operate a minimum of nine consecutive months per fiscal year.

(h) Personnel policies. Personnel policies including fringe benefits shall be established by the community day care services board and shall be submitted with the original application. Personnel policies shall comply with local, state and federal regulations. Salaries and fringe benefits shall be similar to equivalent positions in the local community and/or state.

(i) An organizational chart shall be submitted with the original application and when subsequent revisions are made.

(j) Job descriptions. A job description shall be prepared for each position and included in the original application; additions and revisions shall be included in annual reapplications.

(k) Fee schedule. A fee schedule established by the community day care services board shall be submitted with the original application and when subsequent revisions are made. Fees shall be based on ability to pay. An approved program under section 51.38, Wis. Stats., may not deny services to the residents of the area it serves on the basis of inability to pay.

(l) The day services director shall not leave the premises during the hours of operation without delegating necessary responsibilities to a competent adult. This adult shall not be a client of the day services center.

(m) Equipment. The center shall provide sufficient and appropriate equipment to meet the varied needs of the group being served.

(n) Physical plant. Each day service center shall comply with Wis. Adm. Code chapter Ind 57. There shall be an inspection of each center facility by the department of industry, labor and human relations or local building inspector to determine compliance with local and state regulations and codes; this inspector will file with the center a written statement of conformance to regulations. Department of health and social services approval in writing shall be received prior to admission of day services clients to the center. An annual review shall be conducted and confirmed in any subsequent reapplication.

(o) Health and safety. All state and local health, fire, and safety regulations shall be met. If a conflict in regulations exists, the highest standard shall prevail.

(p) Transportation. Transportation to and from the center should be arranged by the program.

(q) Insurance. Each center shall carry workmen's compensation insurance in accordance with Chapter 102, Wis. Stats., and the provisions of the federal social security act. Each center shall carry public liability and property damage insurance. Safety, health, and unemployment compensation insurance provisions shall be made by the center in accordance with state and local ordinances.

(r) Federal and state wage and hour regulations. Day services centers providing sheltered work activity shall comply with all federal and state wage and hour regulations and be certificated, where applicable, by the wage and hour and public contracts, division of the U.S. Department of Labor.

(s) Mentally handicapped clients under the auspices of division of mental hygiene who are being funded through Purchase of Care and Services (Title IV 1967 Amendment of Social Security Act of 1935) shall meet all requirements as identified in purchase of care and services contract and eligibility contingencies in addition to all section 51.38, Wis. Stats., requirements.

(2) PERSONNEL STANDARDS. (a) Not less than 2 persons, one of whom shall be a staff person, shall be in the center at all times during the hours of center operation; the other(s) may be a volunteer(s).

(b) Each day care services board shall appoint a day services administrator who shall be responsible to the day care services board in the operation of the program according to section 51.38(7), Wis. Stats. The day services administrator shall have a master's degree in a relevant field and 4 years of professional experience in working with the mentally handicapped. At least one of the 4 years shall be in an administrative or supervisory capacity. Additional years of administrative or supervisory experience in a related area may be substituted for the degree requirement.

(c) Each center day services director shall be at least 21 years old and shall have a minimum of a bachelor's degree. The director shall have had professional training and experience with the mentally handicapped and demonstrated supervisory and administrative ability. The director shall be responsible for the daily operation and administration of the day services program. The minimum education requirement may be waived by the secretary of the department of health and social services if the director has had 5 years of related

experience and has demonstrated supervisory and administrative ability.

(d) The assistant director shall have a minimum of 2 years formalized training beyond high school and appropriate experience in working with mentally handicapped clients or in a related area. Two years of experience may substitute for one year of formalized training.

(e) Staff members of the day services center shall have had education, training, and/or experience suitable for the position for which they are employed.

(f) Professional staff members shall meet the requirements of their recognized professional association, or if not applicable, shall have had education and experience in keeping with these standards and program needs.

(g) Consultative staff shall meet professional requirements of their profession and be specifically knowledgeable in the area for which their services are contracted.

(h) Volunteers, adequately supervised, may assist in the center's program. The director shall identify the orientation and training needs relative to the parameters of the day services program; the director shall continually provide for training and supervision.

(i) The day services center shall keep on file a record of a current (within the past 2 years) medical examination by a qualified physician of each staff person employed in the day services program of the operating agency. The record shall certify the staff person's freedom from communicable disease and attest to physical, mental and emotional competence to care for mentally handicapped clients. The day services centers may assume the matchable expense of necessary examinations. Where 4 or more children below age 7 are served, day services centers shall comply with Wis. Adm. Code section PW-CY 40.12 (1) (b). ✓

(j) Personnel are required to upgrade their present level of education and training through appropriate courses offered at accredited colleges or universities, summer institutes, inservice training programs, etc. Specific fiscal year recommendations include a minimum of 40 hours (time spent in formal training session) of advanced training in administration, special education, accounting, reporting, and/or other related services for the mentally handicapped, to be taken by the day services administrator, day services director, assistant director and program staff members. Inservice training for volunteers shall be provided on a regular basis by the director and/or appropriate specialists or consultants. Day services centers should assume the matchable expense of required inservice training.

(k) All inservice educational and training activities conducted by the agency shall be under the supervision and direction of the director. These activities shall be based on structured written guidelines.

(3) PROGRAM STANDARDS. (a) The intent of community day services shall be to assist mentally handicapped persons in the acquisition of knowledge and skills which will enable them to improve their personal, social, educational and vocational functioning and other persistent life needs to the maximum of their abilities.

(b) The objectives of a program shall be clearly stated in meaningful and measurable terms and based upon the needs of the clients served as indicated by initial and subsequent evaluation.

(c) The center's day to day operation shall be directed and supervised by a qualified, professionally-trained and experienced person who meets the job qualifications of a day services director

(d) The day services center shall comply with staffing patterns specified in this section.

(e) Each center shall provide instructional materials and equipment appropriate to program objectives and client needs.

(f) For a more effective program there shall be a social/functional evaluation and examination by the program staff in cooperation with a board eligible psychiatrist and/or licensed psychologist, at least annually, to include prognoses, progress and appropriate recommendations.

(g) Each day services center shall have a systematically planned and ongoing evaluation program. Program data collection and analysis to describe the functioning of the program shall be maintained, and program evaluation to determine the effectiveness of various services shall be carried out. This requires an explicit statement of objectives, identification of methods of measuring the extent to which these objectives are fulfilled, and implementation of procedures for taking measurements periodically.

(h) Ongoing evaluation of each client shall be based upon identified need.

(i) Community day care services shall comply with the following requirements for staff/client ratio and hours of operation:

| DIRECT STAFF TO CLIENT RATIO | GROUP SIZE | TIME OF OPERATION | |
|------------------------------|------------|---|-----------------------------------|
| Below chronological age 4 | 1:4 | No more than 8 in a group | 10 hours per week |
| 4-6 years | 1:7 | No more than 15 in a group | 16 hours per week |
| 6-20 years | 1:10 | Not more than 25 in a group | 20 hours per week |
| 21 & over | | Staff/client ratio shall be adjusted according to the ages of the clients in the group, the program activity, and the needs of the client | 20 hours per week |
| Field Staff—Home Services | | According to client, family needs | According to client, family needs |

(4) RESPONSIBILITIES OF THE COMMUNITY DAY CARE SERVICES BOARD.

(a) The powers and duties of the community day care services board as cited in section 51.38, Wis. Stats., are:

1. Appoint the administrator of the community day care program, who shall be responsible to the board in the operation of the program.

2. With the cooperation of the administrator, define the program and formulate the necessary policies to implement the program.

3. Establish salaries and personnel policies for the program.

4. Review and evaluate the services of the day care program to assure conformance with the basic plan and budget, including periodic reporting to the director, local public officials, the program

administrators and the public. When indicated, the board shall make recommendations for changes in program and services.

5. Assist in arranging and promoting local financial support for the program from private and public sources.

6. Assist in arranging cooperative working agreements with other public and private, health, vocational and welfare services, and with other related agencies.

7. Establish fee schedules based upon ability to pay.

8. Review the fiscal practices, the annual plan and budget, and make recommendations.

(5) **POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES.** (a) All records shall be available for review by appropriate department of health and social services' staff to ensure compliance with federal/state standards and statutes.

(b) The department shall review and evaluate local programs and approve all personnel and their performances. It shall have the power to withdraw funds from any program which is not being administered in accordance with the statutes, its eligibility rules, prescribed standards, approved plan, and approved budget.

(c) The department at its discretion may make exceptions to any standard when it is assured that the granting of such an exception will not be detrimental to the mentally handicapped person receiving the day services. All appeals to the department of health and social services shall be initiated through community day services board action.

(d) A new agency or program center added to a previously approved program in a community, that is, where a day care services board has already been established, shall be regarded by the state as program expansion and will be considered for funding only at the time of the yearly reapplication for the new fiscal year beginning each July 1.

History: Cr. Register, September, 1972, No. 201, eff. 10-1-72.

PW-MH 60.40 State aid for interest expense. (1) **PURPOSE.** The purpose of this rule is to define the term "mental health facilities" as used in section 51.40, Wis. Stats.

(2) **DEFINITION OF MENTAL HEALTH FACILITY.** For the purpose of obtaining state aid payable under section 51.40, Wis. Stats., to counties which have an existing obligation to pay interest on loans for the construction of mental health facilities, the term "mental health facilities" means a facility which provides services authorized under the provisions of chapter 51, Wis. Stats.

History: Cr. Register, October, 1972, No. 202, eff. 11-1-72.

PW-MH 60.50 Community developmental disabilities services. (1) **DEFINITIONS.** The following definitions shall be used for purposes of interpreting and administering the developmental disabilities services act:

(a) "Developmental disability"* means a disability attributable to mental retardation, cerebral palsy, epilepsy, or other neurological condition closely related to mental retardation or requiring treatment

*Definition is taken from chapter 322, Laws of 1971, published June 8, 1972.

similar to that required for mentally retarded, which disability has originated before the individual has attained 18 years of age, has continued or can be expected to continue indefinitely and constitutes a substantial handicap to the afflicted individual.

(b) "Services" means specialized services or special adaptations of generic services directed toward the alleviation of a developmental disability or toward the social, personal, physical or economic habilitation or rehabilitation of an individual with such a disability, and includes diagnosis, evaluation, treatment, personal care, day care, domiciliary care, special living arrangements, training, education, sheltered employment, recreation, counseling of the individual with a developmental disability and his family, protective and other social and sociolegal services, information and referral services, follow along services, and transportation services necessary to assure delivery of services to persons with developmental disabilities.

(2) ADMINISTRATIVE STRUCTURE. The county board or boards of supervisors of any county or combination of counties shall establish a community developmental disabilities services board in accordance with section 51.437 (2) and (4) or (5), Wis. Stats. The community developmental disabilities services board shall appoint a director of the program, in accordance with section 51.437 (6) (a), Wis. Stats.

(3) ELIGIBILITY. Any county or combination of counties shall be eligible for state grants-in-aid to operate programs under these rules, upon approval of their plan and budget. The plan and budget to be submitted shall include an annual comprehensive plan and budget of all funds necessary for the program and services authorized by section 51.437, Wis. Stats. This plan shall include a description of the existing and planned services for the developmentally disabled to include:

- (a) Evaluation service
- (b) Diagnostic service
- (c) Treatment service
- (d) Day care service
- (e) Training service
- (f) Education service (services not provided in public schools)
- (g) Sheltered employment service
- (h) Recreation service
- (i) Personal care service
- (j) Domiciliary care service
- (k) Special living arrangements service
- (l) Counseling service
- (m) Information and referral service
- (n) Follow along service
- (o) Protective and other social and sociolegal service
- (p) Transportation
- (q) Inservice training for board members
- (r) Continuing education for staff
- (s) Research and evaluation

(4) STANDARDS FOR QUALIFICATIONS AND SALARIES OF PERSONNEL.

(a) *Administrative*. 1. Director.

a. The director shall have been graduated from an accredited college with a graduate degree in psychology, social work, rehabilita-

tion, special education, hospital administration, medicine, or a related field. He shall have had, in addition, progressively responsible experience in this or a related field.

b. An equivalent combination of training and experience may be substituted for these requirements, in considering personnel having held responsible administrative positions in this or related fields.

(b) *Program personnel.* Qualifications of program personnel are those established for approval of programs under section 51.38, Wis. Stats., through Wis. Adm. Code section PW-MH 60.30.

(5) **QUALITY OF PROFESSIONAL SERVICES.** Services for the developmentally disabled provided under section 51.437, Wis. Stats., shall meet the standards established for such programs by Wis. Adm. Code section PW-MH 60.30, and other applicable codes.

(6) **REQUIREMENTS FOR INSERVICE AND EDUCATION LEAVE PROGRAMS FOR PERSONNEL.** Personnel policies shall incorporate provisions for inservice training and education leave programs for program personnel.

(7) **ELIGIBILITY OF CLIENTS.** No developmentally disabled person shall be denied service on the basis of race, color, sex, creed, location, or inability to pay.

History: Cr. Register, July, 1973, No. 211, eff. 8-1-73.

STANDARDS COMMUNITY MENTAL HEALTH INPATIENT SERVICES

PW-MH 60.61 Introduction and definitions. (1) **INTRODUCTION.** The following standards have been developed for community inpatient mental health services receiving state aids, whether directly operated by counties or contracted with private providers. The standards are intended to be consistent with those stated in *Standards for Psychiatric Facilities*, published by the American Psychiatric Association, 1969; with the psychiatric footnotes to the *Accreditation Manual for Hospitals*, published by the Joint Commission on Accreditation of Hospitals, December, 1970; and with recent federal court decisions in Wisconsin and other states. They are intended to insure that each mental health inpatient service will provide appropriate treatment to restore mentally disordered persons to an optimal level of functioning and return them to the community at the earliest possible date. In order to do this the service must:

(a) Have an ethical, competent staff responsible for carrying out a comprehensive treatment program;

(b) Integrate its services with those provided by other facilities in the county which serve the mentally ill, mentally retarded, and alcoholics and drug abusers;

(c) Preserve the dignity and rights of all its patients; and

(d) Be responsive to the needs of its community.

(2) **DEFINITIONS.** (a) Community mental health inpatient services (hereafter called Services) means a county-operated unit, general hospital psychiatric unit, or private psychiatric hospital whose primary objective is to provide care and intensive treatment for the mentally ill, alcoholics and drug abusers.

(b) Department means the department of health and social services.

(c) Patient means anyone receiving care in a community mental health inpatient service.

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PW-MH 60.62 Mental health treatment program. (1) **REQUIRED PERSONNEL.** (a) *Psychiatry.* Each mental health inpatient service shall have a psychiatrist who has completed an approved residency training program in psychiatry as its director of mental health services. This director shall be responsible for organization and maintenance of an active mental health treatment program and shall assume responsibility for the admission, treatment, discharge planning, and release of patients from the inpatient service. The director of mental health services and additional psychiatrists, as needed, shall be available for daily inpatient visits, in order to carry out an adequate treatment program. Additional provision shall be made for emergency contact between such visits. Each service shall provide for a minimum of .8 hour a week psychiatric treatment time per patient under care. The psychiatric staff will assume responsibility for patient care, utilizing the services of the medical staff for necessary general medical care.

(b) *Nursing service.* 1. Registered Nurses and Licensed Practical Nurses. Each service shall employ sufficient registered nurses and licensed practical nurses to provide full-time nursing service for each shift 7 days a week. All registered nurses and licensed practical nurses employed to provide nursing service must have a current Wisconsin certificate to practice as a RN or LPN, and appropriate experience and/or further education for the responsibility of the position. The following schedule of licensed nursing coverage is minimal, with the added provisions that at least one staff member on the day and evening shift be a registered nurse. In computing the number of licensed personnel needed on each shift, the totals should be rounded up if .5 or more, down if less than .5. There must always be at least one licensed person on duty on each shift, even if the number required is less than .5.

| <i>Day Shift</i> | <i>Evening Shift</i> | <i>Night Shift</i> |
|------------------|----------------------|--------------------|
| .32 hrs/pat/day | .16 | .16 |
| or | | |
| 2.24 hrs/pat/wk | 1.12 | 1.12 |

2. Aides and other paraprofessionals. Each service shall employ a sufficient number of aides or other paraprofessionals to provide a ratio of 1.25 hours of such time per patient per day. In computing this ratio, dietary, maintenance and housekeeping staff, volunteers or building watchmen shall not be included as aides. There shall be at least one aide or other treatment staff person on duty in each ward when patients are present to insure adequate patient supervision. In determining adequate care the department has the authority to determine what constitutes units of coverage. Paraprofessionals entitled mental health technicians or mental health workers may be employed. They shall be selected on the basis of their personal qualities and aptitude. They must have a period of orientation and inservice training, and work under the supervision designated treatment staff.