

**RULES  
OF THE  
TENNESSEE DEPARTMENT OF INTELLECTUAL AND  
DEVELOPMENTAL DISABILITIES  
OFFICE OF LICENSURE**

**CHAPTER 0465-02-01  
DEFINITIONS**

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**0465-02-01-.01 DEFINITIONS OF TERMS USED IN ALL RULES.** Unless the context indicates otherwise, terms have the following meaning:

- (1) "Adaptive Behavior" means the effectiveness or degree with which a person supported meets the standard of personal independence, maturation, learning, and social responsibility expected for his/her age and cultural group.
- (2) "Agency" means a sole proprietorship, partnership, corporation, limited liability company or limited liability partnership providing personal support services or support coordination as defined below. Agency includes all entities that employ or subcontract with individuals who provide personal support services or support coordination for persons supported.
- (3) "Applicant or Licensee Applicant" means the proprietorship, partnership, association, governmental agency, or corporation which makes, or is required to make, application for the licensure of a facility/service determined to be under the licensure jurisdiction of the Department.
- (4) "Assessment" means a documented evaluation of a person supported for the purpose of determining prevention, treatment, and/or rehabilitation needs. An assessment may, but does not necessarily, include examinations and tests determined to be necessary by the service staff based on the presenting problems and symptoms of the person supported.
- (5) "Aversive Stimuli" means painful or noxious stimuli, which are employed to reduce the frequency of or to eliminate problem behaviors.
- (6) "Behavior Management Drugs" means a drug or medication used for the purpose of modifying, limiting, or eliminating problem behaviors. Included are antipsychotic drugs/antipsychotics, antianxiety drugs, and antidepressants. Excluded are drugs that may have behavior-modifying effects, but are not prescribed or administered for that purpose, such as anticonvulsants.
- (7) "Capable of Self-Preservation" means that a person supported is capable of responding to an approved emergency signal, including prompting by voice, by following a pre-taught evacuation procedure within a reasonable time limitation whether or not he/she is fully aware of the reasons for the action. A person supported is capable of self-preservation if they are able to transfer unassisted from a bed or another fixed position to an individualized means of mobility, which is continuously available, and able to demonstrate the ability to transverse a pre-defined means of egress from the facility or dwelling within a reasonable time limitation. Persons supported who have security measures imposed upon them beyond their control, which prevent their egress from the facility or dwelling, are not capable of self-preservation.

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- (8) "Caregiver" means a temporary care-giving adult individual with power of attorney or form provided by the Department of Children Services for care of minor child as defined by T.C.A. § 34-6-302.
- (9) "Case Management" means support provided for obtaining eligibility for service, assessment, development and evaluation and revision of the plan of care and the assistance with the selection and coordination of services and providers for persons who are supported, including those in the Self-Determination Waiver.
- (10) "Center Based Environment" means a congregate setting where services are rendered. This setting is subject to life safety inspections, which vary dependent upon the applicable occupancy classification.
- (11) "Chief Executive Officer or Director" means the individual appointed, designated, or hired by the governing body to be responsible for the licensee's day-to-day operation.
- (12) "Civil Rights" means the rights of personal liberty guaranteed to citizens by the Constitutions of the United States and the State of Tennessee, and by federal and state statutes. Licensees are encouraged to adopt the principles contained within the Universal Declaration of Human Rights found at [www.un.org](http://www.un.org).
- (13) "Community/Home Based Environment" means a non-congregate setting where services are rendered. This environment is not subject to life safety inspections, as the corporate office is the licensed setting.
- (14) "Community Living Skills" means the array of skills which enables a person supported to live independently in the community. These include, but are not limited to, skills in the following areas:
  - (a) Independent living;
  - (b) Educational/Vocational;
  - (c) Inter-personal;
  - (d) Social;
  - (e) Problem solving;
  - (f) Financial;
  - (g) Leisure time;
  - (h) Mobility in the community; and
  - (i) Use of community resources.
- (15) "Conservator" means an individual or individuals or a corporation appointed by the court to exercise the decision-making rights and duties of a person with a disability in one or more areas in which he/she lacks capacity as determined and required by the orders of the court.
- (16) "Corporal Punishment" means the application of painful stimuli to the body in an attempt to terminate behavior or as a penalty for behavior, but does not mean aversive stimuli.
- (17) "Chronic Condition" means a mental and/or physical impairment that is expected to last indefinitely.

(Rule 0465-02-01-.01, continued)

- (18) "Department" or "DIDD" means the Tennessee Department of Intellectual and Developmental Disabilities.
- (19) "Direct Support Staff" means licensee personnel who have, face-to-face contact with persons supported, excluding administrators, bookkeepers, accountants, secretaries, typists, clerks, or other clerical personnel, doctors, nurses, psychologists, speech and language therapists, pharmacy and other professional support personnel, maintenance, groundskeepers, cooks, bus drivers, or other personnel, teachers, trainers, social workers, and other professional personnel, unless such personnel are under specific assignment to direct services staff duties and then only for that amount of time devoted to direct support staff duties.
- (20) "DSM" means the current version of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association, a handbook for mental health professionals listing different categories of mental disorders and the criteria for diagnosing them.
- (21) "Education Services" means consultation provided by a licensed nurse to the person supported or primary family caregiver concerning a chronic condition.
- (22) "Emergency Procedures" means the use of procedures necessary to control severely aggressive or destructive behaviors that could not have been anticipated and that place the person supported or others in imminent danger.
- (23) "Emotional Abuse" means any threatening behavior or statement directed toward a person supported that causes emotional trauma or fear including, but not limited to, humiliation, harassment, threats of punishment or deprivation, intimidation or demeaning or derogatory communication (vocal, written, gestures), including verbal abuse, directed to or within eyesight or audible range of the person supported.
- (24) "Emotional Harm" means psychological distress which may include; fear, anxiety, stress, trauma, humiliation, depression or grief. Such a response may or may not be visible in people with intellectual or developmental disabilities.
- (25) "Exploitation" means any act intended to exploit, extort, or defraud a person supported including, but not limited to deliberate misplacement, misappropriation or wrongful temporary or permanent use of belongings or money (the loss of \$50.00 or more within a 60 day calendar period) with or without the consent of the person supported. The illegal or improper use of the resources or status of the person supported for another's benefit or advantage.
- (26) "Facility" means an institution, treatment resource, group residence, boarding home, sheltered workshop, activity center, rehabilitation center, hospital, or other entity by these or other names, providing intellectual and/or developmental disabilities services.
- (27) "Governing Body" means an individual or individuals with primary legal authority and responsibility for the overall operation and to whom a director/chief executive officer is responsible. Depending upon the organizational structure, this body may be an owner or owners, a board of directors or other governing members of the licensee, or state, city, or county officials appointed by the licensee, etc.
- (28) "Grievance Procedure" means a procedure for responding to an expression of a cause of distress believed by a person supported, or by acting on behalf of a person supported, to constitute a reason for complaint.

(Rule 0465-02-01-.01, continued)

- (29) "Guardian" means an individual or individuals appointed by a court to provide partial or full supervision, protection and assistance of the person or property, or both, of a minor as defined by T.C.A. § 34-1-101(9).
- (30) "Habilitation or Habilitative Services" means the structured process by which the service provider assists a person supported to acquire and maintain those life skills which enable them to cope more effectively with the demands of his/her disability and the environment, and to raise the physical, mental, and social skills. This process includes programs of formal, structured education and training as described in the ISP.
- (31) "Hold Out to the Public" means asserting expertise and availability through advertising, public notice, self-promotion, etc.
- (32) "Human Rights Committee" means a designated group of people which consists of at least three (3) members, one (1) of whom must be independent of the licensee. The committee's function is to review the licensee's activities to ensure that the rights of the person supported are not suppressed, neglected, or abused.
- (33) "ICD" means the current version of the International Statistical Classification of Diseases and Related Health Problems, published by the World Health Organization. The ICD provides codes to classify diseases and a wide variety of signs, symptoms, abnormal findings, complaints, social circumstances and external causes of injury or disease.
- (34) "Independent Living Skills" means the complete continuum of skills involved in increasing independence. These include, but are not limited to, the following areas: grooming/personal hygiene, selection/care of clothing, responsible self-medication, personal safety, housekeeping, nutritional/meal preparation, eating/table manners, use of telephone, and money/budgeting concepts.
- (35) "Individual Support Plan" (ISP) means a document developed by the ISP team/circle of support and the person supported, which identifies the needs of the person supported and specifies goals to be addressed in treatment and the interventions used to accomplish these goals. ISPs may also be referred to as a Plan of Care, Person Centered Support Plan, Support Plan, Individual Family Support Plan, etc.
- (36) "Intellectual and Developmental Disabilities Professional" means an individual with a bachelor's degree in a field related to developmental disabilities or an individual with a bachelor's degree and two (2) years of supervised work in the field of intellectual or developmental disabilities.
- (37) "Intellectual Disabilities / Developmental Disabilities Services" means all services pertaining to and incidental to the prevention, diagnosis, evaluation, treatment, domiciliary care, training, habilitation, counseling, or supervision of a person supported with intellectual and/or developmental disabilities.
- (38) "Legend Drugs" mean any item that federal law prohibits dispensing without a prescription from a licensed doctor, dentist, optometrist, or veterinarian, as defined in T.C.A. § 53-10-101.
- (39) "Licensed Clinical Psychologist" means a psychologist licensed to practice psychology in Tennessee with the certified competency in clinical psychology determined by the Board of Examiners in Psychology.
- (40) "Licensed Practitioner" means an individual who is licensed by the Tennessee Health Related Boards as a:
- (a) Physician (medical doctor or doctor of osteopathy);

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- (b) Certified nurse practitioner;
  - (c) Physician assistant;
  - (d) Nurse with a master's degree in nursing who functions as an Advanced Practice Nurse (APN);
  - (e) Psychologist with health service provider designation;
  - (f) Licensed professional counselor;
  - (g) Senior psychological examiner;
  - (h) Licensed marriage and family therapist;
  - (i) Licensed clinical social worker;
  - (j) Licensed psychological examiner; or
  - (k) Licensed alcohol and drug abuse counselor.
- (41) "Licensee" means the proprietorship, partnership, association, governmental agency, or corporation which provides a service under the licensure jurisdiction of the Department.
- (42) "Major Life Activities" means:
- (a) Self-care;
  - (b) Receptive and expressive language;
  - (c) Learning;
  - (d) Mobility;
  - (e) Self-direction;
  - (f) Capacity for independent living; or
  - (g) Economic self-sufficiency.
- (43) "Medication" means drug, either prescribed or available over the counter, intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease or condition.
- (44) "Medication Administration" means giving the person supported injections or any form of medication or administration that would only be appropriate and acceptable for individuals who are authorized to do so by T.C.A., Title 63 or rules and regulations of the Tennessee Board of Medical Examiners or the Tennessee Board of Nursing and in a manner prescribed under Departmental Rules.
- (45) "Medication Assistance" means providing medication reminders and opening medication packaging, but does not mean giving the person supported injections or any form of medication or medication administration that would only be appropriate and acceptable for individuals who are authorized to do so by Title 63, Chapter 7 of the T.C.A. Medication assistance includes, but is not limited to, any of the following:

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- (a) Loosening the cap on a pill bottle for oral medication;
  - (b) Opening a pill reminder box if the box is filled by the person supported, authorized representative, or licensed medical personnel practicing within the scope of his/her license;
  - (c) Placing medication within reach of the person supported;
  - (d) Holding the hand steady of the person supported, to help him/her with drinking liquid medication;
  - (e) Guiding the hand of the person supported, when he/she is applying eye/ear/nose drops and wiping the excess liquid;
  - (f) Helping the person supported with a nasal cannula or mask for oxygen, plugging the machine in and turning it on;
  - (g) Applying non-prescription creams and lotions purchased over-the-counter to external parts of the body of the person supported.
- (46) "Mobile Non-Ambulatory" means a person who is able, without other assistance, to transfer to and move about only with the aid of a wheelchair, walker, crutch, wheeled platform, or similar device.
- (47) "On-Duty and On-Site" means a staff person who is on the premises and has the obligation to carry out any job responsibilities designated in his/her job description.
- (48) "On-Site" means a staff person who is on the premises, but is only required to be on duty during an emergency.
- (49) "Person Supported" means a service recipient defined under T.C.A. § 33-1-101(23) as a person who is receiving services, has applied for services, or for whom someone has applied for or proposed services because the person has intellectual and/or developmental disabilities.
- (50) "Person Who is Ambulatory" means a person who is physically and mentally capable under emergency conditions of finding a way to safety without physical assistance from another person. A person who is ambulatory may use a cane, wheelchair or other supportive device and may require verbal prompting.
- (51) "Personal Care" means services provided to a person supported who does not require chronic or convalescent medical or nursing care. Personal care may include, but are not limited to, any of the following services:
- (a) Responsibility for the safety of the person supported;
  - (b) A daily awareness by the management and staff of the needs of the person supported;
  - (c) Knowledge of the whereabouts of the person supported;
  - (d) Reminding a person supported of appointments;
  - (e) The ability and readiness to intervene if a crisis arises for a person supported;
  - (f) Supervision of major life activities, self-care, self-direction, capacity for independent living, or economic self-sufficiency for the person supported;

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- (g) The safekeeping and supervision of the self-administration of prescription medication of the person supported; and/or
  - (h) Medication administration in a home and community based setting where the licensee is contracted with the Department and the staff are appropriately certified.
- (52) "Personal Support Services" means one or more of the following are services provided at the regular or temporary residence of the person supported to assist with activities of daily living. Personal support services include, but are not limited to:
- (a) Self-care assistance with tasks such as eating, dressing, toileting, bathing, mobility, transfer assistance and other services and supports to maintain health and wellness;
  - (b) Household assistance with tasks such as housekeeping, laundry, meal planning, meal preparation, shopping, bill paying, and use of telecommunication devices;
  - (c) Personal assistance to access community activities such as transportation, social, recreational or other personal activities; and
  - (d) Education services.
- (53) "Personal Support Services Agency" means a sole proprietorship (someone who owns an unincorporated business by him/herself), partnership, corporation, limited liability company, or limited liability partnership providing personal support services.
- (54) "Personal Support Services Worker" or "Worker" means a person licensed as a personal support services agency, or an employee for an individual subcontracted by a personal support services agency who is providing personal support services under an arrangement between a person supported and a personal support services agency.
- (55) "Physical Abuse" means actions including, but not limited to, any physical motion or action by which physical harm, pain or emotional harm. Also included is the use of excessive force when restraining a person supported (e.g., using methods to restrain them which are not outlined in staff training) and acts which constitute sexual activity.
- (56) "Physician" means a graduate of an accredited medical school authorized to confer upon graduates the degree of Doctor of Medicine (M.D.) who is duly licensed in Tennessee or an osteopathic physician who is a graduate of a recognized osteopathic college authorized to confer the degree of Doctor of Osteopathy (D.O.) and who is licensed to practice osteopathic medicine in Tennessee.
- (57) "Physician Assistant" means an individual who renders services, whether diagnostic or therapeutic, which are acts constituting the practice of medicine and, but for the provisions of T.C.A. § 63-6-204, could only be performed by a licensed physician.
- (58) "Policies and Procedures Manual" means a document that describes the philosophy, services, organization, policies, and procedures for the provision and implementation of services for the person supported provided by the licensee.
- (59) "PRN" means an order which is written to allow a medication or a treatment to be given on an as-needed basis.
- (60) "Psychiatrist" means a physician who specializes in the assessment and treatment of persons diagnosed with psychiatric disorders; is certified by the American Board of Psychiatry and

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Neurology or has the documented equivalent in education, training and/or experience; and who is fully licensed to practice medicine in the State of Tennessee.

- (61) "Psychotropic Drug/Medication" means a drug which exercises a direct effect upon the central nervous system and which is capable of influencing and modifying behavior. Drugs covered by these rules include but are not limited to:
- (a) Anti-depressants;
  - (b) Anti-psychotics;
  - (c) Agents for control of mania and depression;
  - (d) Anti-anxiety agents;
  - (e) Psychomotor stimulants; and
  - (f) Hypnotics.
- (62) "Qualified Dietician" means a person licensed as a dietician/nutritionist by the Tennessee Board of Dietician/Nutritionist Examiners.
- (63) "Qualified Food Service Manager" means a qualified dietician, a graduate of a dietetic technician or assistant training program approved by the American Dietetic Association, or a graduate of a state-approved course that provides ninety (90) or more hours of classroom instruction in food service supervision, who has experience as a supervisor in a health care institution with consultation from a qualified dietician.
- (64) "Qualified Medical Records Practitioner" means a record technician (ART) currently accredited by the American Medical Records Association, or a registered record administrator (RRA) currently registered by the American Medical Record Association, or others qualified by work experience.
- (65) "Qualified Prescribers" means individuals authorized to prescribe medications by the State of Tennessee Board of Medical Examiners or the Tennessee Board of Nursing.
- (66) "Quality Assurance" means a systematic procedure for the review and evaluation of the agency's functions, quality of services, and the utilization of resources in the provision of services.
- (67) "Reputable and Responsible Character" means having a personal and/or business history which suggests that the licensee can be trusted with responsibility for persons supported who are particularly vulnerable to neglect, and financial and sexual exploitation. Personal and/or business histories involving operation of substandard facilities and/or services and an arrest record resulting in a conviction for offense relating to theft, larceny, embezzlement, rape, assault, homicide, drugs, and pornography, are inherently inconsistent with "reputable and responsible character."
- (68) "Restraint" means measures taken to restrict the freedom of movement of a person supported, including:
- (a) "Chemical Restraint" - a medication that is prescribed to restrict the freedom of movement of the person supported for the control of extreme violent physical behavior. Chemical restraints are medications used in addition to, or in replacement of, his/her regular drug regimen to control extreme violent behavior. The medications that comprise the regular medical regimen (including PRN medications) of the person



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supported are not considered chemical restraints, even if the purpose of the medication is to control ongoing behavior;

- (b) “Mechanical Restraint” - the application of a mechanical device, material, or equipment attached or adjacent to the body of the person supported, including ambulatory restraints, which he/she cannot easily remove and that restricts freedom of movement or customary access to his/her body. Mechanical restraint does not include the use of:
1. Restrictive devices or manual methods employed by a law enforcement agent or other public safety officer to maintain custody, detention, or public safety during the transport of an individual under the jurisdiction of the criminal justice system or juveniles with charges in the juvenile justice system;
  2. Restraints for medical immobilization, adaptive support, or medical protection; or
  3. Restrictive devices administratively authorized to ensure the safety of the person supported or others when a person supported who is involuntary committed person must be transported.
- (c) “Physical Holding” - the use of bodily contact by staff with a person supported in order to restrict his/her freedom of movement or customary access to his/her body to prevent the behavior of the person supported from becoming dangerous to him/herself, others, or property. Physical holding does not include the use of:
1. Physical touch associated with prompting, comforting, or assisting that does not prevent freedom of movement or customary access to the body of the person supported;
  2. Physical escort, which means the temporary touching or holding of the hand(s), wrist(s), arm(s), shoulder, or back for the purpose of inducing the person supported to walk to a safe location; or
  3. Physical intervention for the temporary holding of the hand(s), wrist(s), arm(s), shoulders(s), or leg(s), which does not otherwise restrict freedom of movement or access to the body of the person supported, for the purpose of terminating unsafe behavior.
- (69) “Restrictive Procedure” means a treatment or procedure that limits the rights of the person supported for the purpose of controlling or modifying problem behavior, including but not limited to, time-out and restraint, and seeks to replace them with behaviors that are adaptive and appropriate.
- (70) “Schedule II Drugs” means drugs and other substances, by whatever name (official, common, usual, chemical, or brand) as defined in T.C.A. § 39-17-407 or listed in T.C.A. § 39-17-408.
- (71) “Seclusion” means the confinement of a person supported alone in a room or an area where he/she is prevented from leaving. This definition is not limited to instances in which a person supported is confined by a locked or a closed door. Seclusion does not include:
- (a) The segregation of a person supported for the purpose of managing biological contagion consistent with the Centers for Disease Control Guidelines;
  - (b) Confinement to a locked unit where other persons supported are present. Seclusion is not solely confinement of a person supported to an area, but separation of the person supported from other individuals; or

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- (c) Time-out, a behavior management procedure in which the opportunity for positive reinforcement is withheld, contingent upon the demonstration of undesired behavior. Time-out may involve the voluntary separation of a person supported from others.
- (72) "Self-Administration of Medication" means the ability of a person supported to take prescribed or over-the-counter medications without assistance from another individual.
- (73) "Shall or Must" means a mandatory provision.
- (74) "Should or May" means a suggestion or recommendation.
- (75) "Standard Precautions" means an approach to infection control based on the principle that broken skin and mucus membranes, as well as all blood, bodily fluids, and secretions (except sweat) may contain transmittable infectious agents. Standard precautions apply to all people regardless of suspected or confirmed infection status in any setting where care is provided. Current guidelines for standard precautions are published by the Centers for Disease Control and Prevention (CDC).
- (76) "Support Coordination" means the assessment, planning, implementation coordination and monitoring of services and supports that assist persons with intellectual and developmental disabilities to develop personal relationships, participate in their community, increase control over their own lives and develop the skills and abilities needed to achieve these goals as specified in the person-centered ISP of the person supported.
- (77) "Support Coordination Agency" means a sole proprietorship (someone who owns an unincorporated business by him/herself), partnership, corporation, limited liability company or limited liability partnership providing support coordination.
- (78) "Support Coordinator" means a person licensed as a support coordination agency, or an employee or an individual subcontracted by a support coordination agency who is providing support coordination under an arrangement between a person supported and a support coordination agency.
- (79) "Time-Out" means a behavior management procedure in which the opportunity for positive reinforcement is withheld, contingent upon the demonstration of undesired behavior. Time-out may involve the voluntary separation of a person supported from individuals.
- (80) "Treatment" means a therapeutic process to reduce or eliminate the symptoms and side effects of mental illness, alcohol and/or drug abuse, or dependency disorders through direct observation, assessment, examination, and therapeutic intervention. Treatment services include: screening; clinical assessment; diagnostic evaluation; treatment planning; therapeutic interventions, including individual, family, and group therapy; medication prescription and monitoring; and discharge planning and referral.
- (81) "Treatment Review Committee" means a committee to make decisions for a person supported who lacks capacity as defined by T.C.A. § 33-3-218. The composition, duties and responsibilities of Treatment Review Committees are defined by T.C.A. § 33-6-107.
- (82) "Vocational Services" means the services provided to persons supported, which involve remunerative work experiences and the provision of vocational activities.
- (83) "Volunteer" means an individual who is not paid by the licensee and whose varied skills are used by the licensee to support and supplement the efforts of the paid staff.
- (84) "Written" means, as applied to a licensee's records, any generally accepted format, including electronic or paper, used for retaining business or client records.

(Rule 0465-02-01-.01, continued)

**Authority:** T.C.A. §§ 4-4-103, 4-5-202, 33-1-201, 33-1-302, 33-1-303, 33-1-305, 33-1-309, 33-2-301, 33-2-302, 33-2-404, 33-2-407. **Administrative History:** New rules filed July 6, 2016; effective October 4, 2016.

**0465-02-01-.02 DEFINITION OF DISTINCT CATEGORIES OF INTELLECTUAL AND DEVELOPMENTAL DISABILITIES FACILITIES/SERVICES.**

- (1) "Intellectual Disabilities Adult Habilitation Day Facility/Services" means a non-residential facility or service which offers a variety of habilitative activities to adults with intellectual disabilities. Such habilitative activities may range from training activities in independent living to vocational skills depending on the needs of the person supported. This includes adult developmental training, work activity, and sheltered workshop programs, but does not include job placement and supported employment programs. This category is provided in either a center based or a community/home based environment. Each setting requires a separate license.
- (2) "Developmental Disabilities Adult Habilitation Day Facility/Service" means a non-residential facility or service which offers a variety of habilitative activities to adults with developmental disabilities. Such habilitative activities may range from training activities in independent living to vocational skills depending on the needs of the person supported. This includes adult developmental training, work activity, and sheltered workshop programs, but does not include job placement and supported employment programs. This category is provided in either a center based or a community/home based environment. Each setting requires a separate license.
- (3) "Intellectual and Developmental Disabilities Boarding Home Facility" means a residential facility that offers personal care services to persons with intellectual and/or developmental disabilities, including room, board, and supervision to two (2) or more persons supported unrelated by blood or marriage to the owner or operator. People living in such facilities are capable of self-preservation, able to care for basic self-help needs with minimal assistance, able to care for personal possessions, able to maintain personal living areas in a state of orderliness, able to recognize danger or threat to personal safety, able to maintain behavior which is generally tolerable to the community, and able to attend to minor health care needs.
- (4) "Intellectual and Developmental Disabilities Diagnosis and Evaluation Facility" means a non-residential service, which provides personnel and testing resources to perform diagnosis and evaluation of persons supported having, or suspected of having, intellectual and/or developmental disabilities.
- (5) "Intellectual and Developmental Disabilities Institutional Habilitation Facility" means a facility which offers, on a regular basis, health-related services for persons supported with intellectual and/or developmental disabilities who do not require the degree of care and treatment which a hospital or skilled nursing facility is designed to provide but, because of physical, intellectual, and/or developmental disabilities, require residential care and services (more than room and board) that involve health-related care under the supervision of a physician. Such a facility also offers an intensive program of habilitative services.
- (6) "Intellectual and Developmental Disabilities Placement Services" means a program which provides or arranges regular residential placements, for persons with intellectual and/or developmental disabilities, in the individual home of care providers who are recruited, trained, and supervised by the program. The entity licensed is the program delivering such services rather than the individual homes of the program's care providers. No more than three (3) persons supported may receive services in an individual care provider's home. Such programs are known as foster care, sponsor care, or family model residential care.

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- (7) "Developmental Disabilities Preschool Facility/Service" means a non-residential service which offers a program of training, habilitation, or care for children with developmental disabilities, or children at risk of developmental disabilities, not of the chronological mandatory age to be enrolled in services of the Department of Education, and which is designed to teach self-help, socialization, communication, or school readiness skills, or designed to train parents or surrogates in methods and techniques of habilitation. This category of service is provided in either a center based or community based environment. Each setting requires a separate license.
- (8) "Intellectual and Developmental Disabilities Residential Habilitation Facility" means a residential facility which provides room and board, and assistance in acquiring, retaining and improving self-help, socialization, adaptive skills, and any other services necessary for a person supported with intellectual and/or developmental disabilities to live in a community setting. No more than four (4) persons supported shall reside in the home unless the home was licensed on or before June 23, 2000. The facility shall provide training in the acquisition of, and assistance in completing skills related to, daily living, personal grooming, cleanliness, household chores, eating, meal preparation, and any other skills necessary based on the needs of the person supported. Any of these services shall be specified in the ISP with specific therapeutic goals. Any professional services delivered in the facility shall be provided by duly licensed staff and specified in the ISP.
- (9) "Intellectual and Developmental Disabilities Respite Care Services" means a program which provides or arranges for the temporary support of persons supported with intellectual and/or developmental disabilities in the care of staff recruited, trained, and supervised by the licensee for the purpose of giving relief to the regular caregiver or to provide other assistance to the person supported, his/her family, guardian, or care giver. The licensed entity is the program delivering such services rather than the individual homes of the program's providers. No more than three (3) people can receive this service in one (1) home.
- (10) "Intellectual Disabilities Semi-Independent Living Services" means a program which provides services for persons supported with intellectual disabilities, who are able to reside in a housing situation without program staff residing on site. The services of program staff support the home life style of the person supported in order to reside in such housing situations. The program offers and provides regular, and as needed, support services in procuring or monitoring adequate housing for persons supported, supervising home life styles, and assisting in development of higher-order independent living skills. The entity licensed is the program delivering the services rather than the individual dwellings for persons supported.
- (11) "Developmental Disabilities Semi-Independent Living Services" means a program which provides services for persons supported with developmental disabilities, who are able to reside in a housing situation without program staff residing on site. The services of program staff support the home life style of the person supported in order to reside in such housing situations. The program offers and provides regular, and as needed, support services in procuring or monitoring adequate housing for persons supported, supervising home life styles, and assisting in development of higher-order independent living skills. The entity licensed is the program delivering the services rather than the individual dwellings for persons supported.
- (12) "Intellectual and Developmental Disabilities Supported Living Services" means a service entity which provides support and assistance to individuals with intellectual and/or developmental disabilities, who live in their own homes or apartments but require staff support and assistance to reside in such housing situations. Service entity staff provides support and assistance on a regular basis in accordance with the needs of the person supported living in the home. No more than three (3) persons supported shall reside in the

(Rule 0465-02-01-.02, continued)

home. The service entity delivering the support is licensed rather than the homes of the person supported.

**Authority:** T.C.A. §§ 4-4-103, 4-5-202, 33-1-201, 33-1-302, 33-1-303, 33-1-305, 33-1-309, 33-2-301, 33-2-302, 33-2-404, 33-2-407. **Administrative History:** New rules filed July 6, 2016; effective October 4, 2016.