

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

**CHAPTER 0465-02-03
APPLICATION OF RULES FOR DISTINCT SERVICE CATEGORIES**

TABLE OF CONTENTS

0465-02-03-.01	Intellectual Disabilities Adult Habilitation Day Facilities/Services	0465-02-03-.06	Residential Habilitation Facilities
0465-02-03-.02	Developmental Disabilities Adult Habilitation Day Facilities/Services	0465-02-03-.07	Boarding Home Facilities
0465-02-03-.03	Developmental Disabilities Preschool Facilities/Services	0465-02-03-.08	Placement Services
0465-02-03-.04	Diagnosis and Evaluation Facilities	0465-02-03-.09	Respite Care Services
0465-02-03-.05	Institutional Habilitation Facilities	0465-02-03-.10	Semi-Independent Living Services
		0465-02-03-.11	Personal Support Services Agencies
		0465-02-03-.12	Supported Living Services Facilities
		0465-02-03-.13	Support Coordination Agencies

0465-02-03-.01 INTELLECTUAL DISABILITIES ADULT HABILITATION DAY FACILITIES/SERVICES.

- (1) The governing body of a center based Intellectual Disabilities Adult Habilitation Day Facility/Service, which provides services for four (4) or more persons who are not capable of self-preservation must provide services and facilities, which comply with the following rules:
 - (a) Rule 0465-02-04-.02(2) Health Care Occupancies;
 - (b) Chapter 0465-02-05 Adequacy of Environment and Services;
 - (c) Chapter 0465-02-06 Minimum Program Requirements for All Facilities/Services; and
 - (d) Chapter 0465-02-07 Minimum Program Requirements for Intellectual Disabilities Adult Habilitation Day Facilities/Services.

- (2) The governing body of a center based Intellectual Disabilities Adult Habilitation Day Facility/Service must provide services and facilities which comply with the following rules:
 - (a) As determined by the Department's Office of Licensure:
 1. Rule 0465-02-04-.03 Educational Occupancies;
 2. Rule 0465-02-04-.05 Industrial Occupancies; and
 3. Rule 0465-02-04-.09 Daycare Occupancies.
 - (b) Chapter 0465-02-05 Adequacy of Environment and Services;
 - (c) Chapter 0465-02-06 Minimum Program Requirements for All Facilities/Services;
 - (d) Chapter 0465-02-07 Minimum Program Requirements for Intellectual Disabilities Adult Habilitation Day Facilities/Services; and
 - (e) If services are to be provided to one (1) or more mobile non-ambulatory person, Rule 0465-02-04.07 Mobile Non-Ambulatory.

(Rule 0465-02-03-.01, continued)

- (3) The governing body of a community/home based Intellectual Disabilities Adult Habilitation Day Facility/Service must provide services, which comply with the following rules:
- (a) Rule 0465-02-04-.04 Business Occupancies;
 - (b) Chapter 0465-02-05 Adequacy of Environment and Services;
 - (c) Chapter 0465-02-06 Minimum Program Requirements for All Facilities/Services; and
 - (d) Chapter 0465-02-07 Minimum Program Requirements for Intellectual Disabilities Adult Habilitation Day Facilities/Services.

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.

0465-02-03-.02 DEVELOPMENTAL DISABILITIES ADULT HABILITATION DAY FACILITIES/SERVICES.

- (1) The governing body providing Developmental Disabilities Adult Habilitation Day under this chapter shall comply with the following rules:
- (a) Chapter 0465-02-08 Minimum Program Requirements for Developmental Disabilities Adult Habilitation Day Facilities/Services;
 - (b) Applicable Life Safety Rules for Educational Occupancies found in Chapter 0465-02-04;
 - (c) Chapter 0465-02-06 Minimum Program Requirements for All Facilities/Services;
 - (d) Rule 0465-02-04-.07 Mobile Non-Ambulatory Rule, if applicable; and
 - (e) Applicable rules in Chapter 0465-02-05 Adequacy of Environment and Services.

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.

0465-02-03-.03 DEVELOPMENTAL DISABILITIES PRESCHOOL FACILITIES/SERVICES.

- (1) The governing body of a center based Developmental Disabilities Preschool Facility/Service must provide services and facilities, which comply with the following rules:
- (a) Rule 0465-02-04-.03(2) Educational Occupancies;
 - (b) Chapter 0465-02-05 Adequacy of Environment and Services;
 - (c) Chapter 0465-02-06 Minimum Program Requirements for All Facilities/Services; and
 - (d) Chapter 0465-02-20 Minimum Program Requirements for Developmental Disabilities Preschool Facilities/Services.
- (2) The governing body of a community based Developmental Disabilities Preschool Facility/Service must provide services and facilities which comply with the following rules:
- (a) Rule 0465-02-04-.04 Business Occupancies;

(Rule 0465-02-03-.03, continued)

- (b) Chapter 0465-02-05 Adequacy of Environment and Services;
- (c) Chapter 0465-02-06 Minimum Program Requirements for All Facilities/Services; and
- (d) Chapter 0465-02-20 Minimum Program Requirements for Developmental Disabilities Preschool Facilities/Services.

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.

0465-02-03-.04 DIAGNOSIS AND EVALUATION FACILITIES.

- (1) The governing body of an Intellectual and Developmental Disabilities Diagnosis and Evaluation facility must provide services and facilities, which comply with the following rules:
 - (a) Rule 0465-02-04-.04(2) Business Occupancies;
 - (b) Chapter 0465-02-05 Adequacy of Environment and Services;
 - (c) Chapter 0465-02-06 Minimum Program Requirements for All Facilities/Services; and
 - (d) Chapter 0465-02-09 Minimum Program Requirements for Intellectual and Developmental Disabilities Diagnosis and Evaluation Facilities.

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.

0465-02-03-.05 INSTITUTIONAL HABILITATION FACILITIES.

- (1) The governing body of an Intellectual and Developmental Disabilities Institutional facility must provide services and facilities, which comply with the following rules:
 - (a) Rule 0465-02-04-.02(2) Health Care Occupancies;
 - (b) Chapter 0465-02-05 Adequacy of Environment and Services;
 - (c) Chapter 0465-02-06 Minimum Program Requirements for All Facilities/Services; and
 - (d) Chapter 0465-02-10 Minimum Program Requirements for Intellectual and Developmental Disabilities Institutional Habilitation Facilities.

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.

0465-02-03-.06 RESIDENTIAL HABILITATION FACILITIES.

- (1) The governing body of an Intellectual and Developmental Disabilities Residential Habilitation facility which provides services for four (4) or more persons who are not capable of self-preservation must provide services and facilities, which comply with the following rules:
 - (a) Rule 0465-02-04-.02(2) Health Care Occupancies;

(Rule 0465-02-03-.06, continued)

- (b) Chapter 0465-02-05 Adequacy of Environment and Services;
 - (c) Chapter 0465-02-06 Minimum Program Requirements for All Facilities/Services; and
 - (d) Chapter 0465-02-11 Minimum Program Requirements for Intellectual and Developmental Disabilities Residential Habilitation Facilities/Services.
- (2) The governing body of an Intellectual and Developmental Disabilities Residential Habilitation facility which provides services for one to three (1-3) persons who are not capable of self-preservation must provide services and facilities, which comply with the following rules:
- (a) Rule 0465-02-04-.11 Residential Occupancies;
 - (b) Chapter 0465-02-05 Adequacy of Environment and Services;
 - (c) Chapter 0465-02-06 Minimum Program Requirements for All Facilities/Services; and
 - (d) Chapter 0465-02-11 Minimum Program Requirements for Intellectual and Developmental Disabilities Residential Habilitation Facilities.
- (3) The governing body of an Intellectual and Developmental Disabilities Residential Habilitation facility which provides services to one to three (1-3) persons must provide services and facilities, which comply with the following rules:
- (a) Rule 0465-02-04-.11 One and Two-Family Dwellings Occupancies;
 - (b) Chapter 0465-02-05 Adequacy of Environment and Services;
 - (c) Chapter 0465-02-06 Minimum Program Requirements for All Facilities/Services;
 - (d) Chapter 0465-02-11 Minimum Program Requirements for Intellectual and Developmental Disabilities Residential Habilitation Facilities; and
 - (e) If services are to be provided to one (1) or more persons who are mobile non-ambulatory, Rule 0465-02-04.07 Mobile Non-Ambulatory.
- (4) The governing body of an Intellectual and Developmental Disabilities Residential Habilitation facility providing services to four (4) or more persons must provide services and facilities, which comply with the following rules:
- (a) Rule 0465-02-04-.06(2) Residential Occupancies - Board and Care;
 - (b) Chapter 0465-02-05 Adequacy of Environment and Services;
 - (c) Chapter 0465-02-06 Minimum Program Requirements for All Facilities/Services;
 - (d) Chapter 0465-02-11 Minimum Program Requirements for Intellectual and Developmental Disabilities Residential Habilitation Facilities; and
 - (e) If services are to be provided to one (1) or more persons who are mobile non-ambulatory, Rule 0465-02-04.07 Mobile Non-Ambulatory.

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.

(Rule 0465-02-03-.06, continued)

0465-02-03-.07 BOARDING HOME FACILITIES.

- (1) The governing body of an Intellectual and Developmental Disabilities Boarding Home facility which provides services to two (2) or three (3) persons must provide services and facilities, which comply with the following rules:
 - (a) Rule 0465-02-04.10 One and Two-Family Dwellings Occupancies;
 - (b) Chapter 0465-02-05 Adequacy of Environment and Services;
 - (c) Chapter 0465-02-06 Minimum Requirements for All Facilities/Services;
 - (d) Chapter 0465-02-11 Minimum Program Requirements for Intellectual and Developmental Disabilities Residential Habilitation Facilities; and
 - (e) If services are to be provided to one (1) or more persons who are mobile non-ambulatory, Rule 0465-02-04.07 Mobile Non-Ambulatory.

- (2) The governing body of an Intellectual and Developmental Disabilities Boarding Home facility providing services to four (4) or more persons must provide services and facilities, which comply with the following rules:
 - (a) Rule 0465-02-04-.06(2) Residential Occupancies - Board and Care;
 - (b) Chapter 0465-02-05 Adequacy of Environment and Services;
 - (c) If services are to be provided to one (1) or more persons who are mobile non-ambulatory, Rule 0465-02-04.07 Mobile Non-Ambulatory.
 - (d) Chapter 0465-02-12 Minimum Program Requirements for Intellectual and Developmental Disabilities Boarding Home Facilities; and
 - (e) If services are to be provided to one (1) or more persons who are mobile non-ambulatory, Rule 0465-02-04.07 Mobile Non-Ambulatory.

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.

0465-02-03-.08 PLACEMENT SERVICES.

- (1) The governing body of an Intellectual and Developmental Disabilities Placement Services must provide services, which comply with the following rules:
 - (a) Rule 0465-02-04-.04 Business Occupancies, for the location from which the licensed program services are to be delivered. The licensed program services may be delivered from a location which is used for other purposes, such as a facility licensed by the Department, if such facility meets the provisions of Rule 0465-02-04-.01 Life Safety Requirements for the primary use of the building;
 - (b) Chapter 0465-02-06 Minimum Program Requirements for All Facilities/Services; and

(Rule 0465-02-03-.08, continued)

- (c) If services are to be provided to one (1) or more persons who are mobile non-ambulatory, Rule 0465-02-04-.07 Mobile Non-Ambulatory.

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.

0465-02-03-.09 RESPITE CARE SERVICES.

- (1) The governing body of an Intellectual and Developmental Disabilities Respite Care Services facility must provide services which comply with the following rules:
 - (a) Rule 0465-02-04-.04 Business Occupancies, for the location from which the licensed program services are to be delivered. The licensed program services may be delivered from a location which is used for other purposes, such as a facility licensed by the Department, if such facility meets the provisions of Rule 0465-02-04-.01 Life Safety Requirements for the primary use of the building;
 - (b) Chapter 0465-02-.06 Minimum Program Requirements for All Facilities/Services;
 - (c) Chapter 0465-02-.14 Minimum Program Requirements for Intellectual and Developmental Disabilities Respite Care Services; and
 - (d) If services are to be provided to one (1) or more persons who are mobile non-ambulatory, Rule 0465-02-04.07 Mobile Non-Ambulatory.

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.

0465-02-03-.10 SEMI-INDEPENDENT LIVING SERVICES.

- (1) The governing body of an Intellectual and Developmental Disabilities Semi-Independent Living services provider must provide services and facilities which comply with the following rules:
 - (a) Rule 0465-02-04-.04 Business Occupancies, for the location from which the licensed program services are to be delivered. The licensed program services may be delivered from a location which is used for other purposes, such as a facility licensed by the Department, if such facility meets the provisions of Rule 0465-02-04-.01 Life Safety Requirements for the primary use of the building;
 - (b) Chapter 0465-02-.06 Minimum Program Requirements for All Facilities/Services;
 - (c) Chapter 0465-02-.15 Minimum Program Requirements for Intellectual Disabilities Semi-Independent Living Services; and
 - (d) If services are to be provided to one (1) or more persons who are mobile non-ambulatory, Rule 0465-02-04.07 Mobile Non-Ambulatory.

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.

0465-02-03-.11 PERSONAL SUPPORT SERVICES AGENCIES.

- (1) The licensee providing personal support services under this chapter shall comply with and provide services that comply with the following rules:
 - (a) Chapter 0465-02-06 Minimum Program Requirements for All Facilities/Services;
 - (b) Chapter 0465-02-02 Licensure Administration and Procedures;
 - (c) Chapter 0465-02-17 Minimum Program Requirements for Intellectual and Developmental Disabilities Personal Support Services Agencies; and
 - (d) Chapter 0465-02-06-.03 Minimum Program Requirements for All Facilities/Services, Financial Management.

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.

0465-02-03-.12 SUPPORTED LIVING SERVICES.

- (1) The governing body of an Intellectual and Developmental Disabilities Supported Living Services provider must comply with and provide services, which comply with the following rules:
 - (a) Rule 0465-02-04-.04 Business Occupancies, for the location from which the licensed program services are to be delivered. The licensed program services may be delivered from a location which is used for other purposes including, but not limited to a facility licensed by the Department, if such facility meets the provisions of Rule 0465-02-04-.01, Life Safety Requirements for the primary use of the building;
 - (b) Chapter 0465-02-06 Minimum Program Requirements for All Facilities/Services;
 - (c) Chapter 0465-02-18 Minimum Program Requirements for Intellectual and Developmental Disabilities Supported Living Services; and
 - (d) If services are to be provided to one (1) or more persons who are mobile non-ambulatory, Rule 0465-02-04-.07 Mobile Non-Ambulatory.

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.

0465-02-03-.13 SUPPORT COORDINATION AGENCIES.

- (1) The licensee providing support coordination shall comply with and provide services that comply with the following rules:
 - (a) Chapter 0465-02-02 Licensure Administration and Procedures;
 - (b) Chapter 0465-02-04-.04 Life Safety Licensure Rules, Business Occupancy;
 - (c) Chapter 0465-02-05 Adequacy of Environment and Services;

(Rule 0465-02-03-.13, continued)

- (d) Chapter 0465-02-06 Minimum Program Requirements for All Facilities/Services; and
- (e) Chapter 0465-02-19 Minimum Program Requirements for Intellectual and Developmental Disabilities Support Coordination Agencies.

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.