

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

**CHAPTER 0465-02-09
MINIMUM PROGRAM REQUIREMENTS FOR INTELLECTUAL AND DEVELOPMENTAL
DISABILITIES DIAGNOSIS AND EVALUATION FACILITIES**

TABLE OF CONTENTS

0465-02-09-.01	Policies and Procedures	0465-02-09-.04	Assessment Records
0465-02-09-.02	Assessments	0465-02-09-.05	Personnel and Staffing
0465-02-09-.03	Assessment Team		

0465-02-09-.01 POLICIES AND PROCEDURES.

- (1) The governing body must ensure compliance with rule 0465-02-06-.02 Minimum Program Requirements for All Facilities/Services, Policies and Procedures.
- (2) An ongoing system must be provided for the collection and recording of accurate data about the person supported.
- (3) A procedure must be provided for allowing the person supported or his/her legal representative (conservator, parent, guardian, or legal custodian) a method of challenging any information entered into the record of the person supported. The procedure must also allow for the subsequent removal of successfully challenged information.

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.

0465-02-09-.02 ASSESSMENTS.

- (1) Assessments must be completed by using empirically reliable and valid instruments of diagnosis and evaluation.
- (2) Diagnosis and evaluation services must be capable of assessment in the following areas:
 - (a) Intellectual development;
 - (b) Sensorimotor development;
 - (c) Affective development;
 - (d) Social development;
 - (e) Communicative development; and
 - (f) Physical development.
- (3) Assessment of physical development must be completed by the following:
 - (a) Physical examination;
 - (b) Review of Medication history;

(Rule 0465-02-09-.02, continued)

- (c) Visual screening;
- (d) Audiological screening;
- (e) Nutritional screening; and
- (f) If determined necessary, a genetic evaluation.

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.

0465-02-09-.03 ASSESSMENT TEAM.

- (1) The licensee must ensure that an assessment team is identified and provided for each person supported. The team must minimally include:
 - (a) A designated individual who is responsible for each assessment;
 - (b) The active participation of each staff member or consultant who is responsible for the completion of the assessment; and
 - (c) The person supported or his/her legal representative (conservator, parent, guardian, or legal custodian).

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.

0465-02-09-.04 ASSESSMENT RECORDS.

- (1) The licensee must ensure that an individual record of the assessments is maintained for each person supported which includes the following:
 - (a) The reports of completed evaluations including the names and disciplinary status of the evaluating team members;
 - (b) The initial recommendations of the assessment team including the services needed for the person supported without consideration of the actual availability of such services;
 - (c) The availability of needed services and recommended service providers; and
 - (d) The documentation of efforts made in exploring resources for meeting the needs of the person supported identified by the team's recommendations.

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.

0465-02-09-.05 PERSONNEL AND STAFFING.

- (1) Professional staff must be provided who are capable of performing assessments and who are duly licensed, eligible for licensure, or duly certified to practice their profession in the State of Tennessee. The duties assigned in the performance of diagnosis and evaluation services

(Rule 0465-02-09-.05, continued)

- must be commensurate with the level of competence, training and experience of the staff so assigned.
- (2) Each employee must be provided with an initial orientation upon employment and with an annual in-service training activity which must be commensurate with the assigned duties of each employee.
 - (3) Employees with serious infectious diseases must not be permitted contact with persons supported.
 - (4) Employees shall be screened or tested for tuberculosis according to the procedures of the Tennessee Department of Health. Documentation of such screening or testing shall be maintained in the employee's personnel file.
 - (5) The licensee must be sufficiently staffed to the extent that they are not dependent upon volunteers or person supported in the delivery of services.
 - (6) The licensee must be sufficiently staffed to the extent that assistance is available from another staff member in the event of an emergency.

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.