

CHAPTER 43
RESIDENTIAL FACILITIES
[Prior to 3/20/91, Corrections Department[291]]

201—43.1(905,907,908,910) Residential facilities.

43.1(1) The facility shall admit residents only on an order of the court or in accordance with a contract with the department of corrections, federal correctional agencies or a county board of supervisors.

43.1(2) At the time of intake, the facility staff shall discuss with each resident, program goals, services available, rules governing conduct in the facility, disciplinary procedures, client fiscal management and residents' rights and communication privileges and shall obtain written documentation from the resident that these matters were discussed.

43.1(3) The district department shall have written policies and procedures governing when and how a resident's property is inventoried and recorded, and the same shall be utilized for all residents.

43.1(4) The district department shall have written policies and procedures which ensure a case record is maintained on each resident of the facility.

43.1(5) The district department shall have written policies and procedures which ensure that an individual case plan is maintained on each resident which includes an assessment of client needs and resources utilized to meet those needs.

43.1(6) The district department shall have written policies which establish facility rules, possible sanctions, and appeal procedures for all residents.

43.1(7) The district department shall have written policies which establish a grievance procedure for residents which applies to activities other than disciplinary action.

43.1(8) The district department shall have written policies and procedures establishing criteria governing the use of and reporting of the use of physical force by facility staff which conform to appropriate statutes or regulations.

43.1(9) The district department shall have written policies and procedures for searching residents and their property and for seizure of resident property or contraband.

43.1(10) The district department shall have a written policy which ensures that at least one staff member is awake, dressed, in the facility, and readily available to residents 24 hours a day. Facility staff shall know the whereabouts of all residents.

43.1(11) The district department staff shall assure the provision and maintenance of a safe environment for the residents, including compliance with fire, building, health, and safety regulations or standards applicable in the local jurisdiction.

43.1(12) The district department shall provide for a medical examination of any resident suspected of having a communicable disease, which safeguards both residents and employees. Employees who contract a communicable disease, except common colds, should not be permitted to work in a facility until the danger of contagion is ended. For purposes of this rule, communicable disease shall mean any disease which is transmittable from one person to another and is either temporarily or permanently debilitating.

43.1(13) The district department shall have written policies and procedures which govern the medical care of residents in case of emergencies, sudden illnesses, or accidents.

43.1(14) The district department shall have written policies and procedures governing the method of handling prescription and nonprescription drugs.

43.1(15) The district department shall have policies and procedures which assure that all residents have access to three meals a day during the week and two meals on weekend days and that meals provided at the facility meet recognized minimum daily nutritional requirements.

43.1(16) The district department shall have written policies which ensure that if food service is provided, all facilities including kitchen equipment and food handlers comply with applicable health and safety laws and regulations as evidenced by a certificate of rating from the Iowa department of agriculture or local restaurant inspection unit.

43.1(17) The district department shall have written policies and procedures for recommending the revocation of resident status at the facility.

43.1(18) The district department shall have written policies and procedures for discharge from the facility and which require a recommendation for discharge when it is clear that the resident has met the requirements of the court, is no longer believed to be a threat to the community, or cannot benefit substantially from further supervision.

43.1(19) The district department shall have written policies and procedures which ensure that a case auditing system is developed and utilized according to established auditing standards which shall include a Level of Service Inventory-Revised (LSI-R), CMC/Jesness and Case File Audit System. The district department shall use the statewide case management system to ensure that offender risk and criminogenic needs are identified and addressed in an effort to lower risk and reduce victimization. The system should be designed to focus the majority of resources on moderator- and high-risk offenders and shall include the following elements: ongoing risk and need assessment, responsivity, case planning, case plan follow-up and documentation, transfer of records, staff training, and quality assurance. Districts shall ensure that all case management staff, i.e., staff whose job duties include administering the LSI-R or using the LSI-R to develop case plans, become certified to administer and score the LSI-R.

43.1(20) Rescinded IAB 12/8/04, effective 1/12/05.

This rule is intended to implement Iowa Code section 907.3 and chapters 905, 908 and 910.

[Filed emergency 9/9/83—published 9/28/83, effective 10/1/83]

[Filed 11/18/83, Notice 9/28/83—published 12/7/83, effective 1/11/84]

[Filed emergency 2/20/91—published 3/20/91, effective 2/20/91]

[Filed 11/17/04, Notice 9/15/04—published 12/8/04, effective 1/12/05]