

CHAPTER 116
LICENSING AND REGULATION OF RESIDENTIAL FACILITIES
FOR MENTALLY RETARDED CHILDREN

[Prior to 7/1/83, Social Services[770] Ch 116]

[Prior to 2/11/87, Human Services[498]]

441—116.1(237) Applicability. This chapter relates specifically to the licensing and regulation of residential facilities serving mentally retarded children. Refer to 441—Chapter 112 for basic licensing and regulation of all foster care facilities, 441—Chapter 114 for definitions and minimum standards for all group living foster care facilities, including community care facilities, and 441—Chapter 115 for definitions and standards for comprehensive residential facilities for children. Chapters 112 and 114 apply to community residential facilities for mentally retarded children and Chapters 112, 114 and 115 apply to comprehensive residential facilities for mentally retarded children with the exception of the areas discussed specifically in this chapter.

This rule is intended to implement Iowa Code chapter 237.

441—116.2(237) Definitions.

“Community residential facility for mentally retarded children” means a community residential facility as defined in rule 441—114.2(237) which serves children who meet the definition of mentally retarded as defined in Iowa Code chapter 222.

“Comprehensive residential facility for mentally retarded children” means a comprehensive residential facility as defined in rule 441—115.2(237) which serves children who meet the definition of mentally retarded as defined in Iowa Code chapter 222.

“Direct-service provider” means any employee of an agency whose primary responsibility is the care and programming of the children through direct interactions. The definition of “child care worker” in rule 441—114.2(237) and all other references to child care workers shall be replaced by this definition and the term “direct-service providers” when reading the other applicable rule chapters.

“Indirect-service provider” means an employee of an agency who supervises, coordinates and administers employees and program components. The definitions of “caseworker” and “casework supervisor” in rule 441—114.2(237) and all other references to caseworkers or casework supervisors shall be replaced by this definition and the term “indirect-service providers” when reading the other applicable rule chapters.

This rule is intended to implement Iowa Code section 237.1.

441—116.3(237) Qualifications of staff.

116.3(1) Direct-service providers. Direct-service providers shall be paraprofessionals or professionals meeting all of the following criteria:

a. Paraprofessionals shall:

- (1) Be at least 18 years of age.
- (2) Have graduated from high school or earned a high school equivalency degree.
- (3) Have completed the prescribed agency training program.
- (4) Be appropriate to the specific job description of the employing agency.

b. Professionals in the direct-service provider category shall:

- (1) Be at least 18 years of age.
- (2) Have a bachelor of arts degree in a related field; or an associate of arts degree in a related field and two years experience specific to the job responsibilities; or two years of higher education in a related field and two years’ experience specific to job responsibilities; or four years’ experience in programming specific to job responsibilities.

- (3) Have completed the prescribed agency training program.

- (4) Be appropriate to the specific job description of the employing agency.

116.3(2) Indirect-service providers. Indirect-service providers shall meet one of the following education and experience criteria:

- a. Have a master's in social work or a master of arts degree in a related field and one year of experience specific to job responsibilities.
 - b. Have a bachelor of arts degree in a related field and two years' experience specific to job responsibilities.
 - c. Have an associate of arts degree in a related field and four years' experience specific to job responsibilities.
 - d. Have five years' specific treatment program experience relating to the job responsibilities.
- This rule is intended to implement Iowa Code section 237.3.

441—116.4(237) Staff to client ratio. The number and qualifications of the staff will vary depending on the needs of the children. There shall be at least a one to four staff to client ratio during prime programming time.

This rule is intended to implement Iowa Code section 237.3.

441—116.5(237) Program components. In addition to the requirements of 441—subrule 114.8(3), the facility shall define in writing who is responsible for overseeing personal hygiene of children and maintaining general orderliness of the facility.

This rule is intended to implement Iowa Code section 237.3.

441—116.6(237) Restraint. In addition to the provisions of 441—Chapters 114 and 115, a restraint may be used as stated in the child's individual care plan as approved by the parent or guardian, caseworker, and facility as long as that facility meets the standards for utilizing that particular type of restraint.

This rule is intended to implement Iowa Code section 237.4.

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