

**641—162.1(135) Definitions.**

*“Admission”* means the point in an individual’s relationship with the problem gambling treatment program at which the problem gambling treatment screening process has been completed and the individual is eligible to receive problem gambling treatment services.

*“Affiliation agreement”* means a written agreement between the governing body of the problem gambling treatment program and another organization under the terms of which specified services, space or personnel are provided to one organization by the other, but without exchange of moneys.

*“Applicant”* means any problem gambling treatment program that has applied for a license or for license renewal.

*“Application”* means the process through which a problem gambling treatment program applies for a license or for license renewal as outlined in rule 641—162.5(135).

*“Assessment”* means the ongoing process of identifying a diagnosis, ruling out other diagnoses, and determining the care needed by the problem gambling client. The assessment shall evaluate the problem gambling client’s strengths and needs for the purpose of defining a course of treatment, including collecting additional client information in order to develop a treatment plan.

*“Client”* means an individual whose problem gambling treatment screening identifies a need for problem gambling treatment services.

*“Clinical director”* means the person(s) designated by the problem gambling treatment program who provides clinical oversight and who, by virtue of education, training and experience, is capable of supervising the screening and assessment of the problem gambling client to approve the treatment plan most appropriate for the client.

*“Clinical oversight”* means oversight provided by an individual who, by virtue of education, training and experience, is capable of supervising the clinical staff members who assess the psychosocial history of a problem gambling client to determine the treatment plan most appropriate for the client. The problem gambling treatment program shall designate the person who shall provide clinical oversight.

*“Concerned person”* means a person affected by the problem gambling behavior of an individual who needs problem gambling treatment services or a person willing to become involved in the treatment of an individual who gambles excessively. The concerned person may be either a relative or nonrelative of the individual.

*“Confidentiality”* means the confidentiality of records to be maintained by a problem gambling treatment facility, which shall conform to the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and other relevant provisions of federal and state law.

*“Contract”* means a formal legal document adopted by the governing body of the problem gambling treatment program and any other organization, agency, or individual which specifies services, personnel or space to be provided to the problem gambling treatment program as well as the moneys to be expended in the exchange.

*“Counselor”* means a licensed or certified practitioner in a counseling-related field including: an advanced certified alcohol and drug counselor (ACADC) or certified alcohol and drug counselor (CADC) or CADC equivalent; a certified criminal justice professional (CCJP); a gambling counselor certified by the National Council on Problem Gambling (NCPG); a gambling treatment counselor (CGTC) certified by the Iowa board of certification (IBC); a licensed bachelor social worker (LBSW), a licensed independent social worker (LISW), and a licensed master social worker (LMSW) licensed under Iowa Code chapters 154C and 147; a licensed marital and family therapist (LMFT) licensed under Iowa Code chapters 154D and 147; a licensed mental health counselor (LMHC) licensed under Iowa Code chapters 154D and 147; an advanced registered nurse practitioner (ARNP) licensed under Iowa Code chapters 152 and 147; a psychologist licensed under Iowa Code chapters 154B and 147; a board-certified psychiatrist; or another licensed or certified professional approved by the department.

*“Culturally and environmentally specific”* means integrating into the problem gambling assessment and treatment process the ideas, customs, beliefs, and skills of a given population, as well as an acceptance, awareness, and celebration of diversity regarding conditions, circumstances and influences surrounding and affecting the development of an individual or group.

*“Department”* means the Iowa department of public health.

*“Designee”* means the staff person or counselor who is delegated tasks, duties and responsibilities normally performed by the clinical director, executive director or department director.

*“Director”* means the director of the Iowa department of public health.

*“Discharge planning”* means the process, beginning at the time of the client’s admission for treatment in a problem gambling treatment program, of determining a client’s continued need for problem gambling treatment services and of developing a plan to address the ongoing posttreatment needs of the client. Discharge planning may include a document identified as a discharge plan.

*“Division”* means the division of behavioral health and professional licensure in the Iowa department of public health.

*“Division director”* means the director of the division of behavioral health and professional licensure in the Iowa department of public health.

*“Executive director”* or *“program director”* means an individual who is hired by the problem gambling treatment program governing body to manage the overall operations of the program in accordance with the governing body’s established policies.

*“Facility”* means a hospital, institution or program licensed under Iowa Code section 135.150 providing treatment for problem gamblers. *“Facility”* also means the physical areas including grounds, buildings, or portions of buildings under direct administrative control of the program.

*“Governing body”* means the individual(s), group, or agency that has ultimate authority and responsibility for the overall operation of the problem gambling treatment facility.

*“HIPAA”* means the Health Insurance Portability and Accountability Act of 1996.

*“Intake”* means gathering additional problem gambling treatment information at the time of the problem gambling assessment process.

*“Licensee”* means any problem gambling treatment program licensed by the department.

*“Licensure”* means the issuance of a license by the department which validates the licensee’s compliance with problem gambling treatment program standards set forth in 641—Chapter 162 and authorizes the licensee to operate a problem gambling treatment program in the state of Iowa.

*“Licensure weighting report”* means the problem gambling treatment program report that is used to determine the type of license for which a problem gambling treatment program qualifies based on point values assigned to licensure standards reviewed and the total number of points attained. In addition, the problem gambling treatment program shall attain a minimum percent value in each of three categories to qualify for a license as follows: 95 percent or higher rating in clinical, administrative and programming for a three-year license; 90 percent or higher rating in clinical, administrative and programming for a two-year license; or less than 90 percent but not less than 70 percent rating in clinical, administrative and programming for a one-year license.

*“Outpatient treatment”* means an organized problem gambling outpatient, nonresidential treatment service. Services usually are provided in regularly scheduled individual, group and family sessions.

*“Physician”* means any individual licensed under Iowa Code chapter 148, 150, or 150A.

*“Primary care modality”* means a problem gambling treatment component or modality, including problem gambling outpatient treatment.

*“Problem gambler”* means an individual affected by problem gambling who has been assessed as habitually lacking impulse control while gambling to the extent that the individual’s life is substantially endangered or that the individual’s social or economic functioning is substantially disrupted.

*“Problem gambling”* means a pattern of gambling behavior which may compromise, disrupt or damage family, personal or vocational pursuits.

*“Program”* means any partnership, corporation, association, governmental subdivision or public or private organization that provides problem gambling treatment services.

*“Protected class”* means any class of people that requires special legislation to ensure equality.

*“Quality improvement”* means the process of objectively and systematically monitoring and evaluating the quality and appropriateness of problem gambling treatment program services to improve client care and resolve identified problems.

*“Rehabilitation”* means the restoration of a client to the fullest physical, mental, social, vocational, and economic functioning of which the client is capable. Rehabilitation may include, but is not limited

to, medical treatment, counseling and therapy, occupational training, job counseling, social and domestic rehabilitation and education.

*“Relapse”* means the recurrence of symptoms of problem gambling after a period of improvement. Relapse may include the resumption of problem gambling or worsening of symptoms.

*“Screening”* means the process by which a client is determined appropriate and eligible for admission to a particular problem gambling treatment program.

*“Sentinel event”* means any event which occurs at a problem gambling treatment program or to program staff members or clients who are currently active or within one week of discharge from the program. Sentinel events include the unexpected incidence or serious risk of death or serious physical or psychological injury or any event which may be subject to litigation.

*“Staff member”* means any person who provides services to the problem gambling treatment program on a regular basis as a paid employee, agent or consultant or as a volunteer.

*“Standards”* means criteria that represent the minimal qualifications required of a problem gambling treatment program for the issuance of a license.

*“Substance abuse”* means any use of illegal chemical substances or the abuse of legal substances or the use of chemical substances to the extent that the person’s health is substantially impaired or endangered or that the person’s social or economic functioning is substantially disrupted.

*“Treatment”* means the broad range of planned and continuing problem gambling treatment services, including diagnostic screening and assessment, counseling, medical, psychiatric, psychological, and social services, which may be extended to problem gambling clients or concerned persons, and which is geared toward influencing the behavior of clients or concerned persons in order to facilitate rehabilitation.