

**RULES
OF
THE TENNESSEE DEPARTMENT OF MENTAL HEALTH
AND SUBSTANCE ABUSE SERVICES**

**CHAPTER 0940-05-19
MINIMUM PROGRAM REQUIREMENTS FOR MENTAL HEALTH
SUPPORTIVE LIVING FACILITIES**

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0940-05-19-.01 POLICIES AND PROCEDURES FOR SUPPORTIVE LIVING FACILITIES.

- (1) The facility must maintain a written policies and procedures manual which contains the following elements:
 - (a) A policy and procedures which only allow the admittance of persons who are:
 1. Able to perform basic self-help activities including eating and bathing,
 2. Able to care for their own possessions and to maintain bedroom or living area in a reasonable state of orderliness and cleanliness.
 3. Able to recognize danger or threat to personal safety,
 4. Able to live comfortably within any limitations in the structure of the facility, and
 5. Generally able to maintain appropriate behaviors tolerable to the community;
 - (b) A policy and procedures which address the method for managing disruptive behavior; and
 - (c) A policy and procedures which state that Physical Holding must be implemented in such a way as to minimize any physical harm to the client and may only be used when the client poses an immediate threat under the following conditions:
 1. The client poses an immediate danger to self or others; and/or
 2. To prevent the client from causing substantial property damage.

Authority: T.C.A. § 33-2-504. **Administrative History:** Original rule filed May 26, 1988; effective July 11, 1988.

0940-05-19-.02 PERSONNEL AND STAFFING REQUIREMENTS FOR SUPPORTIVE LIVING FACILITIES.

- (1) The facility must provide adequate supervision by an adult who is knowledgeable of rules, policies and procedures relevant to the facility" operation.
- (2) During normal waking hours, all facilities must provide at least one (1) direct-care staff person on-duty/on-site for every sixteen (16) clients present in the facility. During normal sleeping hours, all facilities must provide at least one (1) direct-care staff person on-site in each building where clients are housed; and in any building housing more than sixteen (16) clients, facilities must provide one (1) additional, direct-care staff person on-duty/on-site for each additional sixteen (16) clients.
- (3) Clients must not be left unattended in the facility at any time.
- (4) Facility staff must be provided with annual training relevant to the operation of a supportive living facility. Such training is to be provided by the local community mental health center, the Tennessee Department of Mental Health and Substance Abuse Services, or other agencies able to provide training information relevant to the operation of the facility. The provision of training must be evidenced by documentation in the facility's records.

Authority: T.C.A. § 33-2-504. **Administrative History:** Original rule filed May 26, 1988; effective July 11, 1988. Administrative corrections made to agency names in December 2022 pursuant to Public Chapter 575 of 2012.

0940-05-19-.03 PROFESSIONAL SERVICES FOR CLIENTS OF SUPPORTIVE LIVING FACILITIES.

- (1) Utilizing community resources, the facility must make arrangements for qualified dental, medical, nursing and pharmaceutical care for clients of the facility including care for emergencies on a twenty-four (24) hours per day and seven (7) days per week basis; and allow clients or their families to have the option of choosing a personal professional for routine services.
- (2) The facility must provide or procure for each client a physical examination, which includes routine screening and special studies as determined by the examining physician, within thirty (30) days of admission unless the client has had a physical examination within ninety (90) days prior to admission. Subsequent physical examinations must be provided or procured as determined by the client's examining physician. The documentation of required physical examinations must be provided in the client's record and must include exact name of the examining physician, clinic, or hospital.
- (3) In consultation with the client, the facility must refer each mentally ill client for on-going mental health services and assist the client in keeping appointments and participating in treatment programs. Documentation of such referrals must be made in the client's record.

Authority: T.C.A. § 33-2-504. **Administrative History:** Original rule filed May 26, 1988; effective July 11, 1988.

0940-05-19-.04 CLIENT RECORD REQUIREMENTS FOR SUPPORTIVE FACILITIES. The individual record maintained for each client must contain the following information:

- (1) Marital status;
- (2) Social security number;
- (3) Medicaid or Medicare number;

(Rule 0940-05-19-.04, continued)

- (4) Legal competency status if available;
- (5) Source of financial support and financial arrangements for residing in the facility. This information must be updated when the client's financial status changes;
- (6) Name, address and telephone number of the physician or health agency providing medical services;
- (7) A list of each individual article of the client's personal property valued at fifty dollars (\$50) or more including its disposition, if no longer in use;
- (8) Written accounts of all monies received and disbursed on behalf of the client;
- (9) Report of medical problems, accidents, seizures and illnesses and treatments for such accidents, seizures and illnesses;
- (10) Report of significant behavior incidents; and
- (11) Notes made on a quarterly basis (every three [3] months) which minimally include a brief statement of the client's progress while residing in the facility. The notes must include the date that the note was written and the signature of the person making the note.

Authority: T.C.A. § 33-2-504. **Administrative History:** Original rule filed May 26, 1988; effective July 11, 1988.

0940-05-19-.05 CLIENT RIGHTS IN SUPPORTIVE LIVING FACILITIES.

- (1) Upon admission to the facility, each client must be provided an orientation which includes minimally the following:
 - (a) Explanation of the facility's services, activities, performance expectations, any rules and regulations and program descriptions;
 - (b) Familiarizing the client with the facility's premises, the neighborhood and public transportation systems; and
 - (c) Explanation of client rights and grievance procedures.
- (2) Clients must not be denied adequate food, treatment/rehabilitation activities, religious activities, mail or other contacts with families as punishment.
- (3) A client must not be confined to his/her room or other place of isolation as punishment. This does not preclude requesting individuals to remove themselves from a potentially harmful situation in order to regain self-control.

Authority: T.C.A. § 33-2-504. **Administrative History:** Original rule filed May 26, 1988; effective July 11, 1988.

0940-05-19-.06 MEDICATION ADMINISTRATION IN SUPPORTIVE LIVING FACILITIES.

- (1) The client's ability and training must be taken into consideration when supervising the administration of medication.
- (2) Prescription medications are to be taken only by clients for whom they are prescribed and in accordance with the directions of a physician.

(Rule 0940-05-19-.06, continued)

- (3) Drugs must be stored in a locked container which ensures proper conditions of security and sanitation and prevents accessibility to any unauthorized person.
- (4) Discontinued and outdated drugs and containers with worn, illegible, or missing labels must be disposed.
- (5) All medication errors, drug reactions, or suspected overmedication must be reported to the practitioner who prescribed the drug.
- (6) Evidence of the current prescription of each medication taken by a client must be maintained by the facility.

Authority: T.C.A. § 33-2-504. **Administrative History:** Original rule filed May 26, 1988; effective July 11, 1988.

0940-05-19-.07 RECREATIONAL PROVISIONS FOR CLIENTS OF SUPPORTIVE LIVING FACILITIES. The facility must provide opportunities for recreational activities appropriate to and adapted to the needs, interests and ages of the clients being served.

Authority: T.C.A. § 33-2-504. **Administrative History:** Original rule filed May 26, 1988; effective July 11, 1988.

0940-05-19-.08 HEALTH, HYGIENE AND GROOMING PROVISIONS FOR CLIENTS OF SUPPORTIVE LIVING FACILITIES.

- (1) The facility must assist clients in the independent exercise of health, hygiene and grooming practices.
- (2) The facility must encourage the use of dental appliances, eyeglasses and hearing aids if used by clients.
- (3) The facility must encourage each client to maintain a well groomed and clean appearance that is age and activity appropriate and within reason of currently acceptable styles of grooming, dressing and appearance.

Authority: T.C.A. § 33-2-504. **Administrative History:** Original rule filed May 26, 1988; effective July 11, 1988.

0940-05-19-.09 CLOTHING PROVISIONS FOR CLIENTS OF SUPPORTIVE LIVING FACILITIES.

- (1) The facility must provide indirect supervision of clients in the selection and purchase of their clothes and in the selection of dressing manner and change of clothes.
- (2) Any marking of clients' clothes for identification purposes must be done in an inconspicuous manner
- (3) The facility must allow clients to select and purchase their clothes and to dress themselves at appropriate times.

Authority: T.C.A. § 33-2-504. **Administrative History:** Original rule filed May 26, 1988; effective July 11, 1988.

0940-05-19-.10 DAY ACTIVITIES FOR CLIENTS OF SUPPORTIVE LIVING FACILITIES. The facility must assist clients in making use of daily activities according to the age levels, interests and abilities of the clients. Such day services may include, but are not limited to, part-time and full-time employment,

(Rule 0940-05-19-.10, continued)

attendance at a day activity center, participation in a vocational rehabilitation program, senior citizens involvement and regularly scheduled recreational activities.

Authority: T.C.A. § 33-2-504. **Administrative History:** Original rule filed May 26, 1988; effective July 11, 1988.