

***Bureau of Community & Health Systems
(BCHS)***

***Substance Use Disorder (SUD)
Administrative Rules***

OUTLINE OF ADMINISTRATIVE RULES

- Part 1: Definitions
- Part 2: State Agency Requirements
- Part 3: Substance Use Disorder Services Program Requirements
- Part 4: Special Requirements by Service Categories
- Part 5: Recipient Rights

PART 1: Definitions

- Applicability
 - Provides statutory reference within the Public Act and Mental Health Code
- Definitions
 - Provides definitions of terms used within the administrative rules that are not already defined within statute

PART 2: STATE AGENCY REQUIREMENTS

- Licensing (application, licensing requirement, application review process, license renewal process, etc.)
- Complaints and Complaint Investigations
- Enforcement and Hearings (denial or revocation of license, Suspension of license, etc.)
- Administration (ownership/licensee, policies and procedures, program evaluation, data reporting, emergency preparedness plan, etc.)

PART 3: SUD PROGRAM REQUIREMENTS

- Staffing
 - Personnel management, Program Director, staffing, staff development and training, Medical Director (Detoxification, Inpatient and MAT programs only)
- Services
 - Program services & support and referral services
- Recipient and Administrative Records (excluding CAIT & SARF)
 - Maintain a record for each recipient that includes: treatment plans, controlled substances and medication records, administrative records, storage, confidentiality, and daily census
- Supplies & Physical Plant
 - Physical plant, supplies, equipment, furnishings, security of controlled substances/medications, and dispensing area

PART 4: PROGRAM SERVICE CATEGORIES

- Licensees are issued a license; the category or specialization is identified with each SUD license and can have multiple categories. SUD Categories are as follows:
 - Prevention (CAIT)
 - Screening, Assessing, Referral, Follow-up (SARF)
 - Outpatient
 - Residential
 - Residential Detoxification
 - Inpatient
 - Medication Assisted Treatment (MAT)

CAIT

- No Staffing Requirements – No ratio
- Prevention Log (group name/title, type of service provided, date of delivery, name of staff providing service)

SARF

- Licensed or Certified Counselor – No Ratio
- Recipient Records
 - Documentation of interview, psychological test, other diagnostic tools used to assess patient
 - Date and method of referral
 - SUD diagnosis
 - Summary or referral

REDUCTION IN REGULATIONS

CAIT

Staff

Old Rules

Only a fully licensed counselor could provide prevention services

New Rules

No requirement for staffing

SARF

Treatment Staff

Old Rules

Only a fully licensed counselor could provide counseling services

New Rules

Expanded to licensed counselor, limited licensed counselor, license master social worker, limited license master social worker, license psychologist, post-doctoral education limited license psychologist, temporary license psychologist & certified counselor

OUTPATIENT

- Employs fully Licensed Master Social Worker (LMSW), Licensed Professional Counselor (LPC) or Licensed Psychologist
 - Licensed (Fully Licensed or Limited Licensed) or Certified Counselor - Ratio 1:65
 - Counselor or Certified Counselor onsite when counseling services are offered
- Recipient Records
 - Assessment/Biosocial
 - Treatment Plan – Initial and 120 day review
 - Discharge Summary

REDUCTION IN REGULATIONS

Staff to Patient Ratios

Old Rules

Counselors: Outpatient 1:40

New Rules

Counselors: Outpatient 1:65

Treatment Staff

Old Rules

Only a fully licensed counselor could provide counseling services

New Rules

Expanded to licensed counselor, limited licensed counselor, license master social worker, limited license master social worker, license psychologist, post-doctoral education limited license psychologist, temporary license psychologist & certified counselor

Employment/Hour Requirements

Old Rules

Counselor required to be on site full time

New Rules

Only requires counselors to be onsite while counseling services are being offered

Treatment Plan Review

Old Rules

Review treatment plan every 90 days

New Rules

Review treatment plan every 120 days

RESIDENTIAL

- Employs Fully Licensed LMSW, LPC or Licensed Psychologist
 - Licensed (fully or limited licensed) or Certified Counselor - Ratio 1:20
- Staff Member Onsite at All Times
- Policy & Procedure for Leave and Return of Recipients
- 15 hours of Support & Rehabilitative Services per Week with at 3 Least Hours of Counseling
- Recipient Records
 - Assessment/Biosocial
 - Treatment Plan – Initial and 120 day review
 - Discharge Summary

REDUCTION IN REGULATIONS

Staff to Patient Ratios

Old Rules

Counselors: Residential 1:10

New Rules

Counselors: Residential 1:20

Treatment Staff

Old Rules

Only a fully licensed counselor could provide counseling services

New Rules

Expanded to licensed counselor, limited licensed counselor, license master social worker, limited license master social worker, license psychologist, post-doctoral education limited license psychologist, temporary license psychologist & certified counselor

RESIDENTIAL DETOXIFICATION

- Employs Full-Time Licensed LMSW, LPC or Psychologist
 - Licensed (fully or limited licensed) or Certified Counselor - Ratio 1:20
- Medical Director (MD/DO) – Board Certified or Trained
 - Continuing Education - 30 hours every 3 years related to substance use disorders
- Licensed Health Care Professionals Onsite During All Hours of Operation
- MD/DO, PA, or NP assessment of recipient every 72 Hours
- Recipient Medical & Drug History and Physical Examination
- Policy & Procedure for Leave and Return of Recipients
- 15 hours/wk. of Support & Rehabilitative Services (3 hours of counseling)
- Recipient Records
 - Assessment/Biosocial
 - Treatment Plan – Initial and 120 day review
 - Discharge Summary
- Policy and Procedure for Drug Test (initial drug test must be completed)
- Informed Consent Prior to Treatment

REDUCTION IN REGULATIONS

Staff to Patient Ratios

Old Rules

Counselors: Residential 1:10

New Rules

Counselors: Residential 1:20

Treatment Staff

Old Rules

Only a fully licensed counselor could provide counseling services

New Rules

Expanded to licensed counselor, limited licensed counselor, license master social worker, limited license master social worker, license psychologist, post-doctoral education limited license psychologist, temporary license psychologist & certified counselor

Medical Staff

Old Rules

Only allowed for a MD/DO (not a PA or NP)

New Rules

Expanded to also include Physician Assistant and Nurse Practitioner

INPATIENT

- Compliance With Part 215 (must be in a hospital)
- Employs Full-Time Licensed LMSW, LPC or Psychologist
 - Licensed (fully or limited licensed) or Certified Counselor - Ratio 1:20
- Medical Director (MD/DO) – Board Certified or Trained
 - Continuing Education - 30 hours every 3 years related to substance use disorders
- Licensed Health Care Professionals Onsite During All Hours of Operation
 - MD/DO, PA, NP, RN or LPN (under supervision)
- Separate and Distinct Physical Location
- Maintain Nursing Care and Medical Resources
- Information Consent Prior to Treatment
- Recipient Records
 - Assessment/Biosocial
 - Treatment Plan – Initial and 120 day review
 - Discharge Summary

REDUCTION IN REGULATIONS

Staff to Patient Ratios

Old Rules

Counselors: Residential 1:10

New Rules

Counselors: Residential 1:20

Treatment Staff

Old Rules

Only a fully licensed counselor could provide counseling services

New Rules

Expanded to licensed counselor, limited licensed counselor, license master social worker, limited license master social worker, license psychologist, post-doctoral education limited license psychologist, temporary license psychologist & certified counselor

Medical Staff

Old Rules

Only allowed for a MD/DO (not a PA or NP)

New Rules

Expanded to also include Physician Assistant and Nurse Practitioner

MEDICATION ASSISTED TREATMENT (MAT)

- Employs fully licensed LMSW, LPC or Licensed Psychologist
 - Licensed (fully or limited licensed) or Certified Counselor - Ratio 1:65
 - Counselor or Certified Counselor Onsite when Counseling Services are Offered
 - Counseling services can be contracted out except within methadone programs
- Medical Director (MD/DO) – Board Certified or Trained
 - Continuing Education - 30 hours every 3 years related to substance use disorders
- Medical Staff
 - During all hours of medication dispensing a MD/DO, PA, NP, RN or LPN is required to be onsite
- Medical & Drug History and Physical Examination
- Informed Consent Prior to Treatment
- Policy & Procedure for Labeling Take-Home Medications
- Policy & Procedure for Medication Withdrawal (titration)

MAT CONTINUED

- Drug Testing
 - Bi-weekly testing
 - After 6 months, monthly testing if recipient maintains drug-free result
 - Positive drug test results weekly testing until 3 consecutive weekly drug test
- Treatment Plan Review
 - 30, 60, 90 days and then every 90 days meet with recipient for treatment plan review done by medical director, a physician, physician's assistant, or advanced practice registered nurse
- Take Home Medication Methadone Only
 - Policy & Procedure for Eligibility
 - Schedule
- Recipient Records
 - Assessment/Biosocial
 - Treatment Plan – Initial and 120 day review
 - Discharge Summary

REDUCTION IN REGULATIONS

Staff to Patient Ratios

Old Rules	New Rules
Counselors: Outpatient & Methadone 1:40	Counselors: Outpatient & Methadone 1:65
Physicians: Methadone 1:300	Physicians: No ratios
Registered Nurse: 2:300	Registered Nurse: No ratios

Treatment Staff

Old Rules	New Rules
Only a fully licensed counselor could provide counseling services	Expanded to licensed counselor, limited licensed counselor, license master social worker, limited license master social worker, license psychologist, post-doctoral education limited license psychologist, temporary license psychologist & certified counselor

Treatment Plans

Old Rules	New Rules
Clinical - 90 day reviews	Clinical - 120 day review
Medical - 60 day reviews	Medical - 90 day reviews (after the first 30 & 60 days)

REDUCTION IN REGULATIONS CONTINUED

Medical Staff

Old Rules	New Rules
Only allowed for a MD/DO (not a PA or NP)	Expanded to also include Physician Assistant & Nurse Practitioner
Only allowed for Registered Nurses	Expanded to also include for NP and LPN

Employment/Hour Requirements

Old Rules	New Rules
Required MD/DO to be onsite full time regardless of activity being performed (Methadone)	Requires medical professional (MD/DO, NP, PA, RN or LPN) to be onsite during medication administration
Required 2 or more full-time RN's to be onsite at least 35 hours/wk regardless of activity being performed	Requires a medical professional (MD/DO, NP, PA, RN or LPN) to be onsite during medication administration
Counselor required to be on site full time	Only requires counselors to be onsite while counseling services are being offered

REDUCTION IN REGULATIONS CONTINUED

Drug Testing

Old Rules

Urinalysis Only

Weekly Urinalysis for 6 months
 Monthly testing thereafter

New Rules

Allows program to choose type of testing

Bi-weekly testing for 6 months
 Monthly testing thereafter

Take Home Medications in Methadone Programs

Old Rules

1 take-home dose in a week for days 1-90
 2 take-home doses in a week for days 91-730
 3 take-homes doses in a week after 731 days
 No more further take homes allowed

New Rules

1 take-home dose in a week for days 1-90
 2 take-home doses in a week for days 91-180
 3 take-home doses in a week for days 181-365
 4 take-home doses in a week for days 366-730
 5 take-home doses in a week for days 731-1,095
 6 take-home doses in a week for days 1,096-1,825
 13 take-home doses for 2 weeks after day 1,826

Questions and Answers

Thank you for your time and input.