Title 9--DEPARTMENT OF MENTAL HEALTH
Division 40--Licensing Rules
Chapter 6--Rules for Family Living Arrangements

PROPOSED RULE

9 CSR 40-6.001 Provider Requirements and Program Structure

PURPOSE: This rule identifies the licensure requirements and program structure for family living arrangements (FLA).

(1) Licensure Requirements. Applicants for licensure to provide services and supports in a FLA must have documentation of ownership of their home, or if renting, documentation of a current lease agreement and approval from the landlord to provide family living arrangements.

(A) Each applicant must—
   1. Be twenty-five (25) years of age or older;
   2. Have at least a high school diploma or equivalent certificate;
   3. Successfully complete all background screenings required by the department, including out-of-state background screenings and/or reference checks, if he or she has resided in Missouri for less than five (5) years;
   4. Submit to a home study, an interview and selection process, and licensure by the department; and
   5. Have safe, reliable transportation and appropriate insurance as required by Missouri statutes.

(B) Providers must complete specialized training required by the department. Training must be documented as specified in 9 CSR 40-1.060 subsection (3)(E).

(2) Regulations. In addition to the requirements of this rule, FLA providers shall comply with the following regulations as determined applicable by department licensure staff for services provided in a home setting:

(A) 9 CSR 40-1.015 Definitions;
(B) 9 CSR 40-1.055 Licensing Procedures;
(C) 9 CSR 40-1.060 Program Administration;
(D) 9 CSR 40-1.065 Individual Rights and Responsibilities;
(E) 9 CSR 40-1.070 Organized Record System;
(F) 9 CSR 40-1.075 Person-Centered Services;
(G) 9 CSR 40-1.080 Dietary Service; and
(H) 9 CSR 40-1.085 Environment.

(3) Fire Safety. FLA providers shall comply with 9 CSR 40-1.090 Fire Safety and Emergency Preparedness, with modifications as specified:

(A) Subsection (1)(A), Division of Fire Safety inspection is waived;
(B) Subsection (1)(D), evacuation routes do not need to be posted in the home. Documented training and education on safe exit from the home shall be provided for individuals served. Training and education must be documented, including dates and signature of provider; and
(C) Subsection (1)(M), notification and documentation from the local fire authority is waived.
(4) Program Structure. FLA providers will be trained, supervised, and supported by staff from the child/youth’s referring agency.

   (A) FLA providers shall have a primary role in the therapeutic interventions provided to the child/youth. The goal is to provide clinically effective treatment interventions so the child can return to his/her natural home or alternative community placement and avoid being removed from a community setting. Staff from the referring agency will monitor the child’s progress in treatment and provide adjunctive services in accordance with the child’s individual treatment plan (ITP).

   (B) The FLA provider shall participate in pre-placement meetings and ongoing meetings with the child’s treatment team, including the development of and regular updates to the child’s ITP.

      1. A copy of the child’s current ITP and crisis prevention plan, as applicable, shall be maintained in a manner so they are readily accessible.

   (C) The FLA provider shall be responsible for implementing the child’s ITP and maintaining contact with the child’s natural/adoptive parents or guardian.

   (D) Placement, duration, and intensity of services and supports provided in the FLA shall be based on admission criteria established by the department. The child’s behavior must be sufficiently under control to live safely in a community setting with appropriate support.

   (E) Services and supports provided to the child must be documentated as required by the department.

   (F) Supervision of the child/youth in the FLA shall be provided as specified in his or her ITP.

   (G) FLA providers shall ensure the home provides individualized space for the child and inclusion in daily family life/activities.
