

## **Rule 14. Professional Qualifications and Requirements**

[460 IAC 6-14-1](#) Applicability

[460 IAC 6-14-2](#) Requirement for qualified personnel

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[460 IAC 6-14-4](#) Training

[460 IAC 6-14-5](#) Requirements for direct care staff

[460 IAC 6-14-6](#) Policies and procedures for conflicts of interest

[460 IAC 6-14-7](#) Policies and procedures for code of ethics

### **460 IAC 6-14-1 Applicability**

Authority: [IC 12-9-2-3](#); [IC 12-11-1.1-9](#); [IC 12-11-2.1-12](#)

Affected: [IC 12-11-1.1](#); [IC 12-11-2.1](#)

Sec. 1. This rule applies to all supported living services and supports. (*Division of Disability and Rehabilitative Services*; 460

*IAC 6-14-1*; filed Nov 4, 2002, 12:04 p.m.: 26 IR 771; readopted filed Sep 26, 2008, 11:11 a.m.: [20081015-IR-460080618RFA](#);

readopted filed Aug 11, 2014, 11:20 a.m.: [20140910-IR-460140241RFA](#); readopted filed Nov 9, 2020, 3:08 p.m.: [20201209-IR-460200501RFA](#))

### **460 IAC 6-14-2 Requirement for qualified personnel**

Authority: [IC 12-9-2-3](#); [IC 12-11-1.1-9](#); [IC 12-11-2.1-12](#)

Affected: [IC 12-11-1.1](#); [IC 12-11-2.1](#)

Sec. 2. A provider shall ensure that services provided to an individual:

- (1) meet the needs of the individual;
- (2) conform to the individual's ISP; and
- (3) are provided by qualified personnel as required under this article.

(*Division of Disability and Rehabilitative Services*; 460 *IAC 6-14-2*; filed Nov 4, 2002, 12:04 p.m.: 26 IR 771; readopted filed Sep

26, 2008, 11:11 a.m.: [20081015-IR-460080618RFA](#); readopted filed Aug 11, 2014, 11:20 a.m.: [20140910-IR-460140241RFA](#);

readopted filed Nov 9, 2020, 3:08 p.m.: [20201209-IR-460200501RFA](#))

### **460 IAC 6-14-3 Documentation of qualifications**

Authority: [IC 12-9-2-3](#); [IC 12-11-1.1-9](#); [IC 12-11-2.1-12](#)

Affected: [IC 12-11-1.1](#); [IC 12-11-2.1](#)

Sec. 3. A provider shall maintain documentation that:

- (1) the provider meets the requirements for providing services under this article; and

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- (2) the provider's employees or agents meet the requirements for providing services under this article.

(*Division of Disability and Rehabilitative Services*; 460 *IAC 6-14-3*; filed Nov 4, 2002, 12:04 p.m.: 26 IR 771; readopted filed Sep

26, 2008, 11:11 a.m.: [20081015-IR-460080618RFA](#); readopted filed Aug 11, 2014, 11:20 a.m.: [20140910-IR-460140241RFA](#);

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### **460 IAC 6-14-4 Training**

Authority: [IC 12-9-2-3](#); [IC 12-11-1.1-9](#); [IC 12-11-2.1-12](#)

Affected: [IC 12-11-1.1](#); [IC 12-11-2.1](#)

Sec. 4. (a) A provider shall train the provider's employees or agents in the protection of an individual's rights, including how to:

- (1) respect the dignity of an individual;
- (2) protect an individual from abuse, neglect, and exploitation;
- (3) implement person centered planning and an individual's ISP; and
- (4) communicate successfully with an individual.

(b) A provider that develops training outcomes and objectives for an individual shall train the provider's employees or agents

in:

- (1) selecting specific objectives;
- (2) completing task analysis;
- (3) appropriate locations for instruction; and
- (4) appropriate documentation of an individual's progress on outcomes and objectives.
- (c) A provider shall train direct care staff in providing a healthy and safe environment for an individual, including how to:
  - (1) administer medication, monitor side effects, and recognize and prevent dangerous medication interactions;
  - (2) administer first aid;
  - (3) administer cardiopulmonary resuscitation;
  - (4) practice infection control;
  - (5) practice universal precautions;
  - (6) manage individual-specific treatments and interventions, including management of an individual's:
    - (A) seizures;
    - (B) behavior;
    - (C) medication side effects;
    - (D) diet and nutrition;
    - (E) swallowing difficulties;
    - (F) emotional and physical crises; and
    - (G) significant health concerns; and
  - (7) conduct and participate in emergency drills and evacuations.
- (d) Applicable training as required in this section shall be completed prior to any person working with an individual.

*(Division*

*of Disability and Rehabilitative Services; 460 IAC 6-14-4; filed Nov 4, 2002, 12:04 p.m.: 26 IR 771; filed Aug 29, 2003, 10:30 a.m.:*

*27 IR 111; readopted filed Sep 26, 2008, 11:11 a.m.: [20081015-IR-460080618RFA](#); readopted filed Aug 11, 2014, 11:20 a.m.:*

*[20140910-IR-460140241RFA](#); readopted filed Nov 9, 2020, 3:08 p.m.: [20201209-IR-460200501RFA](#))*

#### **460 IAC 6-14-5 Requirements for direct care staff**

Authority: [IC 12-9-2-3](#); [IC 12-11-1.1-9](#); [IC 12-11-2.1-12](#)

Affected: [IC 12-11-1.1](#); [IC 12-11-2.1](#)

Sec. 5. All direct care staff working with individuals shall meet the following requirements:

- (1) Be at least eighteen (18) years of age.
- (2) Demonstrate the ability to communicate adequately in order to:
  - (A) complete required forms and reports of visits; and
  - (B) follow oral or written instructions.

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- (3) Demonstrate the ability to provide services according to the individual's ISP.
- (4) Demonstrate willingness to accept supervision.
- (5) Demonstrate an interest in and empathy for individuals.

*(Division of Disability and Rehabilitative Services; 460 IAC 6-14-5; filed Nov 4, 2002, 12:04 p.m.: 26 IR 772; readopted filed Sep*

*26, 2008, 11:11 a.m.: [20081015-IR-460080618RFA](#); readopted filed Aug 11, 2014, 11:20 a.m.: [20140910-IR-460140241RFA](#);*

*readopted filed Nov 9, 2020, 3:08 p.m.: [20201209-IR-460200501RFA](#))*

#### **460 IAC 6-14-6 Policies and procedures for conflicts of interest**

Authority: [IC 12-9-2-3](#); [IC 12-11-1.1-9](#); [IC 12-11-2.1-12](#)

Affected: [IC 12-11-1.1](#); [IC 12-11-2.1](#)

Sec. 6. A provider shall develop and enforce policies and procedures regarding conflicts of interest and the disclosure of

possible conflicts of interest for all of the provider's employees or agents. *(Division of Disability and Rehabilitative Services; 460*

*IAC 6-14-6; filed Apr 16, 2004, 10:00 a.m.: 27 IR 2724; readopted filed Sep 26, 2008, 11:11 a.m.: [20081015-IR-460080618RFA](#);*

*readopted filed Aug 11, 2014, 11:20 a.m.: [20140910-IR-460140241RFA](#); readopted filed Nov 9, 2020, 3:08 p.m.: [20201209-IR-](#)*

[460200501RFA](#))

**460 IAC 6-14-7 Policies and procedures for code of ethics**

Authority: [IC 12-9-2-3](#); [IC 12-11-1.1-9](#); [IC 12-11-2.1-12](#)

Affected: [IC 12-11-1.1](#); [IC 12-11-2.1](#)

Sec. 7. A provider shall develop and enforce policies and procedures regarding a code of ethics for agents and employees.

The policies and procedures shall be consistent with 460 IAC 6-36. (*Division of Disability and Rehabilitative Services*; 460 IAC

6-14-7; filed Apr 16, 2004, 10:00 a.m.: 27 IR 2724; readopted filed Sep 26, 2008, 11:11 a.m.: [20081015-IR-460080618RFA](#);

readopted filed Aug 11, 2014, 11:20 a.m.: [20140910-IR-460140241RFA](#); readopted filed Nov 9, 2020, 3:08 p.m.: [20201209-IR-](#)

[460200501RFA](#))

**Rule 15. Personnel Records**

[460 IAC 6-15-1](#) Applicability

[460 IAC 6-15-2](#) Maintenance of personnel files

**460 IAC 6-15-1 Applicability**

Authority: [IC 12-9-2-3](#); [IC 12-11-1.1-9](#); [IC 12-11-2.1-12](#)

Affected: [IC 12-11-1.1](#); [IC 12-11-2.1](#)

Sec. 1. This rule applies to all supported living services and supports. (*Division of Disability and Rehabilitative Services*; 460

IAC 6-15-1; filed Nov 4, 2002, 12:04 p.m.: 26 IR 772; readopted filed Sep 26, 2008, 11:11 a.m.: [20081015-IR-460080618RFA](#);

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[460200501RFA](#))

**460 IAC 6-15-2 Maintenance of personnel files**

Authority: [IC 12-9-2-3](#); [IC 12-11-1.1-9](#); [IC 12-11-2.1-12](#)

Affected: [IC 12-11-1.1](#); [IC 12-11-2.1](#)

Sec. 2. (a) A provider shall maintain in the provider's office files for each employee or agent of the provider.

(b) The provider's files for each employee or agent shall contain the following:

(1) A negative tuberculosis screening prior to providing services and updated in accordance with recommendations of Centers

for Disease Control.

(2) Cardiopulmonary resuscitation certification and recertification, updated every two (2) years, for each employee or agent

who works with individuals.

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(3) Auto insurance information, updated when it is due to expire, if the employee or agent will be transporting an individual

in the employee's or agent's personal vehicle.

(4) Limited criminal history information that meets the requirements of 460 IAC 6-10-5 with the information updated at least

every three (3) years.

(5) Professional licensure, certification, or registration, including renewals, as applicable.

(6) A copy of the employee's or agent's driver's license, updated when the driver's license is due to expire.

(7) Copies of:

(A) the employee's time records; or

(B) the agent's invoices for services.

(8) Copies of the agenda for each training session attended by the employee or agent, including the following:

(A) Subject matter included in each training session.

(B) The date and time of each training session.

(C) The name of the person or persons conducting each training session.

(D) Documentation of the employee's or agent's attendance at each training session, signed by:

(i) the employee or agent; and

(ii) the trainer.

*(Division of Disability and Rehabilitative Services; 460 IAC 6-15-2; filed Nov 4, 2002, 12:04 p.m.: 26 IR 772; filed Apr 16, 2004,*

*10:00 a.m.: 27 IR 2724; readopted filed Sep 26, 2008, 11:11 a.m.: [20081015-IR-460080618RFA](#); readopted filed Aug 11, 2014,*

*11:20 a.m.: [20140910-IR-460140241RFA](#); readopted filed Nov 9, 2020, 3:08 p.m.: [20201209-IR-460200501RFA](#))*

## **Rule 16. Personnel Policies and Manuals**

[460 IAC 6-16-1](#) Applicability

[460 IAC 6-16-2](#) Adoption of personnel policies

[460 IAC 6-16-3](#) Policies and procedures documentation

[460 IAC 6-16-4](#) Operations manual

### **460 IAC 6-16-1 Applicability**

Authority: [IC 12-9-2-3](#); [IC 12-11-1.1-9](#); [IC 12-11-2.1-12](#)

Affected: [IC 12-11-1.1](#); [IC 12-11-2.1](#)

Sec. 1. (a) This rule applies to a provider who uses employees or agents to provide services.

(b) This rule applies to all supported living services and supports. *(Division of Disability and Rehabilitative Services; 460*

*IAC 6-16-1; filed Nov 4, 2002, 12:04 p.m.: 26 IR 772; readopted filed Sep 26, 2008, 11:11 a.m.: [20081015-IR-460080618RFA](#);*

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### **460 IAC 6-16-2 Adoption of personnel policies**

Authority: [IC 12-9-2-3](#); [IC 12-11-1.1-9](#); [IC 12-11-2.1-12](#)

Affected: [IC 12-11-1.1](#); [IC 12-11-2.1](#)

Sec. 2. (a) A provider shall:

- (1) adopt and maintain a written personnel policy;
- (2) review and update the personnel policy as appropriate; and
- (3) distribute the personnel policy to each employee or agent.

(b) The written personnel policy required by subsection (a) shall include at least the following:

- (1) A job description for each position, including the following:
  - (A) Minimum qualifications for the position.
  - (B) Major duties required of the position.
  - (C) Responsibilities of the employee in the position.
- (D) The name and title of the supervisor to whom the employee in the position must report.

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(2) A procedure for conducting reference, employment, and criminal background checks on each prospective employee or agent.

(3) A prohibition against employing or contracting with a person convicted of the offenses listed in 460 IAC 6-10-5.

(4) A process for evaluating the job performance of each employee or agent at the end of the training period and annually

thereafter, including a process for feedback from individuals receiving services from the employee or agent.

(5) Disciplinary procedures.

(6) A description of grounds for disciplinary action against or dismissal of an employee or agent.

(7) A description of the rights and responsibilities of employees or agents, including the responsibilities of administrators and supervisors.

*(Division of Disability and Rehabilitative Services; 460 IAC 6-16-2; filed Nov 4, 2002, 12:04 p.m.: 26 IR 772; readopted filed Sep*

*26, 2008, 11:11 a.m.: [20081015-IR-460080618RFA](#); readopted filed Aug 11, 2014, 11:20 a.m.: [20140910-IR-460140241RFA](#);*

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### **460 IAC 6-16-3 Policies and procedures documentation**

Authority: [IC 12-9-2-3](#); [IC 12-11-1.1-9](#); [IC 12-11-2.1-12](#)

Affected: [IC 12-11-1.1](#); [IC 12-11-2.1](#)

Sec. 3. (a) A provider shall:

- (1) adopt and maintain a written training procedure;
  - (2) review and update the training procedure as appropriate; and
  - (3) distribute the training procedure to the provider's employees or agents.
- (b) The written training procedure required by subsection (a) shall include at least the following:
- (1) Mandatory orientation for each new employee or agent to assure the employee's or agent's understanding of, and compliance with:
    - (A) the mission, goals, organization, and practices of the provider; and
    - (B) the applicable requirements of this article.
  - (2) A system for documenting the training for each employee or agent, including:
    - (A) the type of training provided;
    - (B) the name and qualifications of the trainer;
    - (C) the duration of training;
    - (D) the date or dates of training;
    - (E) the signature of the trainer, verifying the satisfactory completion of training by the employee or agent; and
    - (F) the signature of the employee or agent.
  - (3) A system for ensuring that a trainer has sufficient education, expertise, and knowledge of the subject to achieve listed outcomes required under the system.
  - (4) A system for providing annual in-service training to improve the competence of employees or agents in the following areas:
    - (A) Protection of individual rights, including protection against abuse, neglect, or exploitation.
    - (B) Incident reporting.
    - (C) Medication administration if the provider administers medication to an individual.

*(Division of Disability and Rehabilitative Services; 460 IAC 6-16-3; filed Nov 4, 2002, 12:04 p.m.: 26 IR 773; readopted filed Sep*

*26, 2008, 11:11 a.m.: [20081015-IR-460080618RFA](#); readopted filed Aug 11, 2014, 11:20 a.m.: [20140910-IR-460140241RFA](#);*

*readopted filed Nov 9, 2020, 3:08 p.m.: [20201209-IR-460200501RFA](#))*

#### **460 IAC 6-16-4 Operations manual**

Authority: [IC 12-9-2-3](#); [IC 12-11-1.1-9](#); [IC 12-11-2.1-12](#)

Affected: [IC 12-11-1.1](#); [IC 12-11-2.1](#)

Sec. 4. (a) A provider shall compile the written policies and procedures required by sections 1 and 2 of this rule into a written operations manual.

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- (b) The operations manual shall be regularly updated and revised.
- (c) Upon the request of the BDDS, the provider shall:
- (1) supply a copy of the operations manual to the BDDS or other state agency, at no cost; and
  - (2) make the operations manual available to the BDDS or other state agency for inspection at the offices of the provider.

*(Division of Disability and Rehabilitative Services; 460 IAC 6-16-4; filed Nov 4, 2002, 12:04 p.m.: 26 IR 773; readopted filed Sep*

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