

MANAGING TEXAS HEALTH AND HUMAN SERVICE COMMISSION

TRAINING MANDATES

SUBSTANCE USE DISORDER COMPLIANCE GUIDANCE LETTER

This amended guidance letter replaces the previous GL-22-3001, to notify providers that effective **May 22, 2022**, the Health and Human Services Commission (HHSC) extended the emergency rule amendments to §448.603, Training, in Texas Administrative Code Title 25 (25 TAC), Chapter 448, Subchapter F for an additional 60 days. The emergency rule extension is effective until **July 20, 2022**. Under the emergency rule amendments currently licensed chemical dependency treatment facilities (CDTFs) are temporarily permitted to provide abuse, neglect, and exploitation (ANE) training and Nonviolent Crisis Intervention (NVCi) training to staff through live, interactive, instructor-led, electronic means, in addition to in person. HHSC has indicated that they will **not extend this rule after July 20, 2022**. As such all CDFT facilities will need to return to live, in-person instructor led training as detailed below beginning July 21, 2022.

NEW EMPLOYEE ORIENTATION

TAC 448.603(c) requires that prior to performing their duties and responsibilities, the facility provide and orientation to newly hired staff, volunteers, and students. This orientation shall include information addressing:

- (1) HHSC rules;
- (2) facility policies and procedures;
- (3) client rights;
- (4) client grievance procedures;
- (5) confidentiality of client-identifying information (42 C.F.R. pt. 2; HIPAA);
- (6) standards of conduct; and
- (7) emergency and evacuation procedures.

Although not implicitly stated in the rules, HHSC licensure division, in recent inspections, has required that this orientation be specific to the agency. To address this issue, BHC has revised the certificate to reflect the most recent interpretation of this regulation. Moreover, we recommend that as part of orienting your employees to the agency, you meet with them in person to discuss these topics and provide them with an employee handbook, client handbook, information on accessing agency policy and procedure and information on accessing Texas Administrative Code Chapter 448.

ABUSE, NEGLECT & EXPLOITATION/ NON-VIOLENT CRISIS INTERVENTION

CDFT must facilitate ANE and NVCi using a live, in-person instructor. Residential treatment programs must provide 8 (eight) hours of ANE and 4 (four) hours of NVCi training within 90 day of hire and 2hrs of NVCi annual thereafter. Outpatient treatment programs must provide 2 (two) hours of ANE and 4 (four) hours of NVCi of training within 90 day of hire and 2hrs of NVCi annual thereafter.

INSTRUCTOR REQUIREMENTS

In addition to the above requirements, NVCi must be provided by a NVCi certified instructor. The type of certification does not matter-there are several. BHC has an approved instructor course, information is on our home page at www.bhctraining.com.

INTAKE, SCREENING AND ADMISSION AUTHORIZATION

TAC 448.603(6) requires that all staff who conduct intake, screening and authorize admissions for applicants receiving program services shall complete training in the program's screening and admission procedures. The training shall include two hours of DSM diagnostic criteria for substance-related disorders, and other mental health diagnoses.

(A) The initial training shall be eight hours in length.

(B) Staff shall complete eight hours of annual training thereafter.

(C) The training shall be completed before staff screen or authorize applicants for admission.

Although not implicitly stated in the rules, HHSC licensure division, in recent inspections, has required that there be an agency specific Inservice component. To address this issue, BHC has revised the certificate to reflect the most recent interpretation of this regulation. Moreover, we recommend that as part orienting your employees to the agency, you meet with them in person to discuss these specific practice/processes in your agency.

MEDICATION SELF ADMINISTRATION

TAC 448.603(7) requires that all staff responsible for supervising clients in self-administration of medication, who are not credentialed to administer medication, shall complete this training before performing this task. Staff shall complete two hours initial one time training. The training shall be provided by **a physician, pharmacist, physician assistant, or registered nurse** before administering medication and shall include:

- (i) prescription labels;
- (ii) medical abbreviations;
- (iii) routes of administration;
- (iv) use of drug reference materials;
- (v) storage, maintenance, handling, and destruction of medication;
- (vi) documentation requirements; and
- (vii) procedures for medication errors, adverse reactions, and side effects.

HHSC licensure division, in recent inspections, will only accept in-service training from one of the above licensed healthcare professionals. BHC has an online module that reviews the state rules regarding medication self administration, general/best practice procedures, documentation requirements, and types of medications. We recommend that you have any employee who is responsible for supervising client medication complete both the online module and the in-service provided by your licensed health professional.