



Rules of
Department of Mental Health
Division 50—Admission Criteria
Chapter 2—Mental Health Services

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**Title 9—DEPARTMENT OF
MENTAL HEALTH
Division 50—Admission Criteria
Chapter 2—Mental Health Services**

**9 CSR 50-2.010 Admissions to Children's
Supported Community Living**

PURPOSE: This rule prescribes admissions criteria, the application process, and placement procedures for Children's Supported Community Living (SCL) funded by the Division of Behavioral Health. This rule applies to administrative agents.

(1) Definitions. Terms defined in sections 630.005 and 632.005, RSMo, shall be used in the interpretation and enforcement of this rule. Unless the Division of Behavioral Health's (DBH) supported community living (SCL) contract clearly requires otherwise, the following other terms used in this rule shall mean:

(A) Administrative agent, an organization and its approved designee(s) authorized by the department as an entry and exit point into the state mental health service delivery system for a geographic service area defined by the department;

(B) Applicant, a minor for whom placement services in SCL has been requested;

(C) Chief of Children's Community Operations (CCCO), DBH staff who oversee services and supports for children and youth in assigned regions of the state;

(D) Community psychiatric rehabilitation (CPR), an array of community-based, outpatient mental health services for children, youth, and adults who have been diagnosed with a severe, disabling mental illness or serious emotional disturbance. Administrative agents or affiliates are responsible for providing these services to eligible individuals in their designated service area(s);

(E) Domicile administrative agent, the service area in which a child's legal guardian resides or, if the child is under the jurisdiction of a juvenile court, the service area of the juvenile court that has assumed jurisdiction of the child;

(F) Regional community operations, the DBH office responsible for processing SCL placement funds for the administrative agent(s) in that region; and

(G) SCL placement, placement of a child/youth who has a diagnosed serious emotional disturbance (SED) into an out-of-home setting when determined clinically necessary by staff of the referring administrative agent. These settings include Professional Parent Homes (PPH), Treatment Family

Homes (TFH), and residential treatment facilities where services are provided to address the psychosocial and medical needs of youth with the goal of moving them into a less restrictive level of care.

(2) Application for SCL. The application for placement in SCL shall be made by the child's parents/legal guardian by completing the application form included herein. The application shall be submitted to the administrative agent overseeing the child's care.

(3) Eligibility Criteria. Children's SCL is a time-limited placement resource for children/youth under the age of eighteen (18) who have been determined by administrative agent staff to be eligible for clinical treatment services in a PPH, TFH, or residential treatment facility due to a demonstrated inability to function in any less restrictive setting.

(A) Exceptions for SCL services for individuals up to age twenty-one (21) may be granted by the CCCO in the domicile county/region where the youth resides.

(B) Children/youth requiring SCL shall have been diagnosed with a SED as specified in 9 CSR 30-4.005(7) unless an exception is granted by the CCCO. These children may be unable to consistently function in a public school, may present a chronic runaway risk, and may present a history of emotional dysregulation which may include physical aggression toward self and/or others.

(4) Ineligible Applicants. Children/youth shall be considered ineligible for SCL if—

(A) There is no primary psychiatric diagnosis as specified in 9 CSR 30-4.005(6);

(B) The child has a medical condition that requires considerable supervision and ongoing treatment which inhibits effective clinical treatment for his/her psychiatric disorder;

(C) It has been established that appropriate services are otherwise available through alternative resources;

(D) The application is submitted solely for the purpose of securing residential placement for a school-aged child as defined in Chapter 162, RSMo, to receive an appropriate education; or

(E) The child's symptoms meet acute definition.

(5) Screening. Applicants for admission to SCL shall be screened by staff of the administrative agent to determine eligibility for services and placement need, if any. Screenings shall be conducted in settings that ensure privacy and confidentiality for individuals served.

(6) Registered Sex Offenders and Youth Identified on the Juvenile County Registry.

(A) Youth who are identified on the Missouri State Highway Patrol Sex Offender Registry shall not be placed in a youth residential treatment facility. Placement in a TFH or PPH may be considered if other children residing in the home, in any capacity, are over the age of eighteen (18) and do not have a diagnosed intellectual or developmental disability. Requirements for the proximity of the TFH or PPH to a school, childcare facility, public park, or public swimming pool as defined in the department's out-of-home placement protocol shall be followed.

(B) For a youth who is identified as a juvenile sex offender on the juvenile county registry, placement in a TFH or PPH may be considered if all of the other individuals residing in the home, in any capacity, are over the age of eighteen (18) and do not have a diagnosed intellectual or developmental disability. There shall be no one under the age of eighteen (18) in the home, including the provider's natural, adopted, or other children living in the home. Placement can be made in a residential facility as long as the requirements in the department's out-of-home placement protocol are followed and clinical judgment is exercised.

(C) If a registered sex offender or identified juvenile sex offender is being considered for SCL, the administrative agent shall comply with the department's established out-of-home placement protocol and notification procedures.

(7) Notification to the Applicant. The administrative agent shall communicate acceptance or denial of the application to the child's parent/guardian. Notification shall be documented and a record of the communication shall be maintained by the administrative agent.

(A) If the parent/guardian disagrees with a decision of ineligibility for admission, they shall be informed of the grievance process of the administrative agent managing the referral.

(8) Appropriate Placement. Before placing a child in SCL, the administrative agent shall consider each of the following:

(A) The best interest of the child;

(B) The least restrictive environment for care and treatment consistent with needs and conditions of the child;

(C) The capacity of the proposed residential setting to provide necessary care and treatment for the child which is of comparable quality to existing care and treatment based upon investigation of the alternative facility and its program of care and treatment;



and

(D) The relationship of the child to family, guardian, or friends/natural supports and the ability to maintain those relationships and encourage visits beneficial to the child.

(9) Consent for Placement.

(A) If the applicant is a minor or has a legal guardian, the administrative agent shall obtain consent of the parent or guardian before placement.

(B) If the application is for a child who is an involuntary commitment under Chapter 211 or Chapter 632, RSMo, the administrative agent shall notify the court of competent jurisdiction of the proposed placement and allow ten (10) working days for the court to object.

(C) Notwithstanding the provisions of sections 211.151, 211.161, and 211.181, RSMo, and any other provision of law contrary to this section, the juvenile court may not order that children be detained by, committed to, or otherwise placed in the Department of Mental Health for periods longer than thirty (30) days except as provided in sections 211.201 to 211.207, RSMo.

(10) Release of Information. The administrative agent shall obtain appropriate releases of referral information signed by the parent or guardian. The referral information shall include appropriate psychiatric, medical, and social information.

(11) Admission Procedures. If the administrative agent approves the applicant for admission into children's SCL, staff shall follow DBH procedures for admission.

(A) A staff person of the administrative agent shall be assigned to coordinate services with the child and his or her parents/guardian, family members/natural supports, and other agencies, as appropriate.

(B) Administrative agent staff shall assist the child's parent/guardian in applying for Medicaid and submitting verification of the application to the designated DBH regional community operations office.

(C) Selection of the SCL provider shall be coordinated with the child's parent/guardian, including an interview and pre-placement visit with the proposed provider, as appropriate.

(D) The administrative agent shall maintain documentation in the child's record regarding his/her placement in SCL including, but not limited to:

1. Signed acknowledgement of notice of privacy and practices;
2. SCL application form;

3. Results of the comprehensive clinical assessment;

4. Evaluation including diagnosis, IQ test results (if available), current level of functioning, recommended services/supports, and psychosocial history within the past six (6) months performed by a qualified mental health professional;

5. Educational evaluation and school records, including cumulative record, diagnostic summary, individualized education plan (IEP) or 504 plan, or documentation from the home school district that the child does not have an IEP or 504 plan;

6. Immunization record;

7. Physical examination by a licensed healthcare provider within the past six (6) months, including any laboratory tests or imaging ordered;

8. Document of legal guardianship or copy of birth certificate, divorce decree, or court order verifying custody, as applicable;

9. Completed and scored standard means test;

10. Notice of cost;

11. Consent agreement for SCL services (must be signed by the parent/legal guardian and staff of the administrative agent managing the placement);

12. Notification of change report, including any co-payment from any other source(s) and/or ancillary funds associated with the placement such as personal spending allowances, transportation assistance, or special needs (must be submitted to the designated DBH regional community operations office within five (5) calendar days after the placement is made); and

13. Juvenile sex offender background check and Missouri State Highway Patrol sex offender background check.

(E) Copies of the documentation specified in paragraphs (11)(D)1.-13. of this rule shall be sent to the SCL provider prior to or at the time of the child's admission to the program. This information shall be available for review by department staff and other authorized representatives upon request.

(F) Within five (5) calendar days of the child's placement in SCL, the administrative agent shall provide the DBH regional community operations office with completed copies of the SCL application, consent and agreement to SCL, notice of change, standard means test, notice of cost, and face sheet, including the child's demographic information and diagnosis.

(12) Out-of-Region Placements. All referrals and placements with a children's SCL provider outside the administrative agent's designated service area shall be managed by

the domicile administrative agent, including funding for such placements.

(A) Staff of the domicile administrative agent shall provide continued monitoring of the child to ensure appropriate services are provided, including participating in monthly treatment team meetings, reviewing assessment/evaluation information and progress reports, and participating in discharge planning to ensure continuity of services when the child is placed back into his/her domicile region.

(B) The administrative agent shall notify the DBH domicile region CCCO of any out-of-region placements to ensure the SCL provider is addressing the child's needs and meeting department contract requirements.

(C) The domicile administrative agent shall send the documentation specified in paragraphs (11)(D)1.-13. of this rule to the out-of-region SCL provider prior to or at the time of the child's admission to the program.

(13) Inpatient Psychiatric Placements. Referrals to a DBH inpatient psychiatric facility shall be made directly by the domicile administrative agent.

(A) The administrative agent shall inform the DBH domicile region CCCO when such referrals are made.

(B) Upon placement into the DBH facility, the domicile CCCO shall notify the CCCO in the region where the inpatient psychiatric facility is located.

(C) Staff of the domicile administrative agent shall monitor the child's clinical care by participating in monthly treatment team meetings, reviewing assessment/evaluation information and progress reports, and participating in discharge planning to ensure continuity of services when the child is placed back into his/her domicile region.

(14) Service Delivery. Responsibilities of the administrative agent overseeing the child's care and treatment while in SCL shall include, but are not limited to:

(A) Ensuring the child's parent/guardian is advised of all appropriate services and placement resources in order to give informed parental consent, including the opportunity to interview staff and tour residential treatment programs;

(B) Facilitating and participating in development of the child's treatment plan for residential services to ensure the plan includes measurable goals, participating in treatment plan reviews and discharge planning, and maintaining a copy of the treatment plan in the administrative agent's clinical record;

(C) Documenting the child's progress on a monthly basis, at a minimum, to ensure



he/she is safe, healthy, and progressing in clinical treatment, including the addition of measureable actions and steps to address any concerns noted in regard to his/her achievement of treatment goals;

(D) Assuring appropriate services are provided to the child;

(E) Communicating with the parent/guardian, court, and/or other agency staff involved in the child's services and supports, as applicable;

(F) Coordinating and assisting in securing necessary clothing, personal items, and transportation, if needed, in accordance with personal spending guidelines;

(G) Coordinating and assisting in obtaining needed services, such as medical care and outpatient psychiatric services;

(H) Arranging for hospitalization for appropriate psychiatric services, if needed;

(I) Arranging for transfer to another residential treatment provider, if needed;

(J) Reporting any issues or concerns to the DBH regional CCCO;

(K) Ensuring personal spending is consistent with the child's needs as identified in the treatment plan;

(L) Ensuring there is progress toward achievement of individual and family-based goals identified in the treatment plan, which may include pursuing other treatment options if progress is not occurring; and

(M) Ensuring discharge planning begins at the time of admission and the discharge plan has clear objectives consistent with the overall goals identified in the individual treatment plan, and that necessary coordination and linkages with appropriate family members/natural supports and community resources are included and documented in the plan.

(15) Funding. Funding for SCL will be approved by the CCCO or designee for an applicant based on the—

(A) Applicant's acceptance by a proposed SCL provider; and

(B) Availability of funds.



YOUTH COMMUNITY PLACEMENT APPLICATION FORM

REFERRAL AGENCY		DATE
REFERRAL WORKER	PHONE	E-MAIL

1. CLIENT DATA							
NAME			DOB	GENDER	DMH ID#	SS#	
ADDRESS			CITY	STATE	ZIP	COUNTY	
INSURANCE			POLICY NUMBER				
INSURANCE			POLICY NUMBER				
CURRENT SCHOOL				PHONE	GRADE	IQ	
IEP Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, reason							
2. PARENT/GUARDIAN							
PARENT/GUARDIAN NAME				RELATIONSHIP			
ADDRESS			CITY	STATE	ZIP		
COUNTY	HOME PHONE		CELL PHONE		WORK PHONE		
3. HOUSEHOLD MEMBERS							
NAME				RELATIONSHIP TO YOUTH			
4. PHYSICAL HEALTH							
CURRENT PHYSICIAN			PHONE	DATE OF LAST VISIT			
IMMUNIZATIONS CURRENT Yes <input type="checkbox"/> No <input type="checkbox"/>		DATE OF LAST EYE EXAM		DATE OF LAST DENTAL EXAM			
MEDICAL DIAGNOSIS							
ALLERGIES Yes <input type="checkbox"/> No <input type="checkbox"/>		IF YES, LIST ALLERGIES				EPI PEN REQUIRED Yes <input type="checkbox"/> No <input type="checkbox"/>	



5. MENTAL HEALTH			
CURRENT PSYCHIATRIST	PHONE	DATE OF LAST VISIT	
CURRENT THERAPIST(S)	PHONE	DATE OF LAST VISIT	
6. DSM-5 DIAGNOSIS			
ICD-10-CM	DISORDER	SEVERITY	
7. MEDICATIONS			
MEDICATION NAME	DOSAGE	PRESCRIBER	
8. BEHAVIORS <i>(Please identify all behaviors)</i>			
Mild	Moderate	Severe	Behavior
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Breaks rules or get in trouble
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Impulsive or hyperactive
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Youth does things that are risky or dangerous
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Has unrealistic thoughts, fears or worries
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Has sleeping problems
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Has social problems
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Development is delayed
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Has eating or body image problems
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Has repetitive, rigid or strange behaviors
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is moody or sad
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	May be abusing tobacco, alcohol or drugs
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Has suicidal thoughts/behaviors or tries to hurt him/herself
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Picks fights, bullies, hurts or threatens others
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Destroys property
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Runs away
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Problem sexual behaviors



<p>Please explain any behaviors marked moderate or severe.</p>
<p>Please explain trauma history of youth, as applicable.</p>
<p>Family plan for involvement with youth while out of home.</p>
<p>Reason for out-of-home referral (previous interventions, resources utilized/in place, placement goals).</p>
<p>Discharge/placement goals.</p>



AUTHORITY: sections 630.050 and 630.705, RSMo 2016. Original rule filed Feb. 29, 1988, effective July 25, 1988. Amended: Filed March 30, 1992, effective Jan. 15, 1993. Amended: Filed July 17, 1995, effective March 30, 1996. Amended: Filed Feb. 9, 2021, effective Aug. 30, 2021.*

**Original authority: 630.050, RSMo 1980, amended 1993, 1995, 2008 and 630.705, RSMo 1980, amended 1982, 1984, 1985, 1990, 2000, 2011, 2014.*

9 CSR 50-2.020 Guidelines for Conditional Release

PURPOSE: This rule sets guidelines for implementation of section 632.385, RSMo and applies to all department facilities and private mental health facilities certified by the Division of Comprehensive Psychiatric Services to provide outpatient treatment.

(1) The head of a mental health facility or designee may conditionally release a client who is involuntarily detained pursuant to Chapter 632, RSMo for twenty-one (21) days, ninety (90) days or one (1) year, for a period not to exceed one (1) year, under written conditions provided by the facility. The facility shall have a continuing responsibility to assist the client in following the written conditions and, as provided in section (6) of this rule, may revoke the client's conditional release and return the client to the facility for further inpatient treatment.

(2) The head of the facility or designee shall develop written conditions for the client's release. These conditions may include, but are not limited to, the following:

- (A) Where the client will reside;
- (B) What medications the client must take to treat the mental illness;
- (C) When and where the client will receive required psychotherapy, day treatment, supported community living services or other required care and treatment necessary to continue the client on conditional release;
- (D) Which behaviors the client is expected to exhibit or avoid; and
- (E) Any other conditions necessary for the client to comply with to reasonably assure success.

(3) The client, the head of the facility or designee and the persons providing services to the client while on conditional release shall agree to the conditions of the release agreement.

(4) The head of the releasing facility or

designee may modify the client's conditions for release when s/he believes that these changes are in the best interest of the client. Suggested modifications to the conditional release agreement may be made to the head of the releasing facility or designee by the client or the persons providing services. Any modifications shall be given to the client in writing and as required in sections (3) and (5) of this rule.

(5) The signed conditional release shall be filed by the head of the facility or designee with the probate division of the circuit court that committed the client. Copies of the conditional release shall be given to—

- (A) The client;
- (B) The facility that conditionally released the client;
- (C) The person(s) providing for the conditions of release;
- (D) The client's last attorney of record; and
- (E) The prosecuting attorney, county counselor or circuit attorney, as appropriate.

(6) If the client violates one (1) or more conditions of the release, the head of the facility or designee that conditionally released the client shall be notified. After review the head of the facility or designee may revoke the client's conditional release and return the client to the hospital if there is reason to believe that—

- (A) The client has violated one (1) or more of the conditions of release;
- (B) The client requires resumption of full-time hospitalization; or
- (C) The safety of the client or public may be in jeopardy if the client is not hospitalized.

(7) If a decision to revoke the client's conditional release is made by the head of the facility or designee, s/he shall notify and give written notice as to the conditions that were violated, how they were violated and reasons for returning the client to inpatient hospitalization within ninety-six (96) hours of the client's return to the mental health facility to the following:

- (A) The client;
- (B) The person(s) providing services which are called for by the conditions of release;
- (C) The court of jurisdiction;
- (D) The client's last attorney of record; and
- (E) The prosecuting attorney, county counselor or circuit attorney, as appropriate.

(8) If, after given notice, the client refuses to return to the facility, the head of the facility or designee may take the written notice to the

probate division of the circuit court where the conditional release was filed and request that the probate division of the circuit court issue a warrant for the client's apprehension and return to the facility. The court may consider the request on an *ex parte* basis. Any court costs related to revocation shall be paid as provided in section 632.415, RSMo.

(9) When the client is returned to the facility, the head of the facility or designee shall give written notification to the client that if the client disagrees with the revocation that the client may ask the court to hold a hearing on the matter. Upon readmission to the facility, the client shall be given notice of his/her commitment rights as if s/he were detained for the initial ninety-six (96)-hour period and be given the name and phone number of his/her attorney who represented him/her in the last commitment hearing. The attorney who represented the client on the last commitment hearing shall continue to be the attorney of record unless the client has obtained other legal counsel. If the attorney of record is unable to represent the client, a new attorney shall be designated by the facility from the list of attorneys.

(10) The period of inpatient hospitalization shall not exceed the period of time left on the previous commitment without further hearings for the next appropriate period of commitment. The head of the facility placing the client on conditional release shall keep adequate records to assure that the client is not involuntarily treated as an inpatient for a longer period than necessary while on conditional release.

AUTHORITY: section 630.050, RSMo 2000. Original rule filed Aug. 4, 1988, effective Jan. 13, 1989. Amended: Filed Jan. 31, 2006, effective Aug. 30, 2006.*

**Original authority: 630.050, RSMo 1980, amended 1993, 1995.*

9 CSR 50-2.510 Admissions to Adult Community Residential Settings

PURPOSE: This rule prescribes eligibility and admission criteria, the application process, and notification procedures for adult community residential settings funded by the Division of Behavioral Health (DBH). This rule applies to administrative agents, affiliates, and community residential settings.

(1) Definitions. Terms defined in sections 630.005 and 632.005, RSMo, shall be used in the interpretation and enforcement of this



rule. Unless the Division of Behavioral Health (DBH) residential services contract clearly requires otherwise, the following other terms, as used in this rule, shall mean:

(A) Administrative agent, an organization and its approved designee(s) authorized by the department as an entry and exit point into the state mental health service delivery system for a geographic service area defined by the department;

(B) Affiliate, an organization that is contracted with the department to provide specific community psychiatric rehabilitation (CPR) services for adults in a designated geographic area;

(C) Applicant, an individual for whom admission to a community residential setting has been requested;

(D) Charged consumer, an individual who has been permanently determined to lack capacity to understand the proceedings against him/her or to assist in his/her own defense under section 552.020, RSMo, for offenses the individual would otherwise have been required to register as an offender on or after January 1, 1995, under sections 589.400 to 589.425, RSMo;

(E) Charged consenting consumer, a charged consumer whose guardian has given consent to the DBH regional community operations office to disclose such legal charges against his/her ward to other individuals (guardian, if appointed) who may or will be residing with the charged consumer;

(F) Community Psychiatric Rehabilitation (CPR), an array of community-based, outpatient mental health services for children, youth, and adults who have been diagnosed with a severe, disabling mental illness or serious emotional disturbance. Administrative agents or their affiliates are responsible for providing these services to eligible individuals in their designated service area(s);

(G) DBH-funded community residential setting (used interchangeably in this rule with residential setting), living arrangements in the community designated for adults who meet the admission criteria specified in this rule. These settings include, but are not limited to, Psychiatric Individualized Supported Living (PISL), Intensive Residential Treatment Settings (IRTS), clustered apartments, residential care facilities, assisted living facilities, and intermediate care facilities;

(H) Forensic client, a person who is a client of the Division of Behavioral Health pursuant to sections 552.030 and 552.040, RSMo;

(I) General notification, written notification to an individual (guardian, if appointed) receiving DBH funding in a residential set-

ting or other community dwelling, such as an apartment setting, of the potential to reside with a registered offender or charged consumer;

(J) Regional community operations, the DBH office responsible for overseeing DBH-funded community residential settings in assigned regions of the state;

(K) Registered offender, a person who is registered or will be registered by law enforcement upon discharge from a DBH-operated inpatient psychiatric facility or correctional facility pursuant to sections 589.400 to 589.425, RSMo; and

(L) Specific notification, written notification to an individual (guardian, if appointed) receiving DBH funding in a residential setting or other community dwelling, such as an apartment setting, when a registered offender or charged consenting consumer has been referred for admission to the same setting, as well as when a registered offender or charged consenting consumer currently resides in the same setting, regardless of whether the offender or charged consenting consumer requires DBH funding. Specific notification is managed by the DBH regional community operations office. Specific notification of a registered offender includes the name of the offender, physical description, registerable offense(s), associated date(s) of offense(s), and the name of the residential setting where the offender is referred to or resides. The specific notification of a charged consenting consumer includes the name of the charged consumer, offense(s) and associated date(s) of offense(s), and the name of facility the charged consenting consumer is referred to or resides.

(2) Forensic Clients. All forensic clients shall have priority for admission to a DBH-funded residential setting appropriate to their service and support needs.

(3) Individuals in DBH Inpatient Psychiatric Facilities. All adults being served in a DBH inpatient psychiatric facility who are referred to an administrative agent/affiliate shall receive priority consideration for admission to a DBH-funded residential setting appropriate to their service and support needs.

(4) Other Eligibility Criteria. An applicant who does not meet the criteria of section (2) or (3) of this rule shall meet all of the following criteria to be eligible for admission to a residential setting:

(A) Be at least eighteen (18) years of age;

(B) Qualify for admission to a CPR program as specified in 9 CSR 30-4.005(6); and

(C) Have a mental disorder that constitutes

substantial impairment in social role functioning and daily living skills based upon the clinical judgment of the administrative agent/affiliate, which must include documentation that the individual cannot function successfully outside a mental health facility without appropriate services and supports in a community residential setting. Substantial impairment may include, but is not limited to, the following behavioral characteristics:

1. Substantial need for mental health treatment and social services;

2. History of inability or unwillingness to participate in treatment, including taking medications as prescribed;

3. Inadequate living skills to provide for basic necessities of food, clothing, shelter, safety, personal care, and health care without assistance;

4. Inadequate social skills, which may be exhibited in aggressive or withdrawn behavior;

5. Frequent personal crises requiring emergency treatment or support and assistance;

6. Inability to effectively access community services and supports;

7. Lack of a personal support system (for example, family or other natural supports) to assist in accessing services/supports; and

8. Lack of sustained employment.

(5) Ineligible Applicants. The administrative agent/affiliate's staff shall consider an applicant ineligible for admission to a residential setting if—

(A) The primary diagnosis is a substance use disorder, intellectual disability, or developmental disability;

(B) Medical needs supersede the psychiatric disorder and require considerable supervision and ongoing treatment for a medical condition;

(C) Risk of harm to self or others is not manageable according to clinical judgment;

(D) The primary diagnosis is dementia; or

(E) Appropriate services have been established that are otherwise available through alternative resources.

(6) Screening. Applicants for admission to a residential setting shall be screened by the administrative agent/affiliate to determine eligibility. Screenings shall be conducted in settings that ensure privacy and confidentiality for individuals served.

(7) Eligibility Determination. The administrative agent/affiliate shall determine if an applicant is eligible for admission to a residential setting. Priority shall be given to individuals identified in sections (2) and (3) of



this rule.

(A) The administrative agent/affiliate shall communicate acceptance or denial of the application to the referral source. Notification shall be documented and a record of the communication shall be maintained by the administrative agent/affiliate.

(B) If an individual (guardian, if appointed) disagrees with a decision of ineligibility for admission, he/she shall be informed of the grievance process of the administrative agent/affiliate managing the referral.

(8) Appropriate Residential Setting. Prior to admitting an individual to a residential setting, the administrative agent/affiliate shall ensure the setting meets the individual's needs.

(A) Each of the following shall be considered to ensure the proposed residential setting is appropriate:

1. The best interest of the individual;
2. The least restrictive environment for care and treatment, consistent with needs of the individual;
3. The capacity of the proposed residential setting to provide necessary care and treatment for the individual;
4. The relationships of the individual to family, guardian, friends, and other natural supports and the ability to maintain those relationships and encourage visits beneficial to the individual; and
5. The preferences of the individual (guardian, if appointed) in the residential setting chosen.

(B) If a residential care facility, assisted living facility, or intermediate care facility is determined to be the appropriate residential setting for the individual, the facility must be licensed by the department and the Department of Health and Senior Services as specified in 9 CSR 40-1.055.

(9) Release of Information. The administrative agent/affiliate staff shall obtain appropriate releases of referral information signed by the individual (guardian, if appointed). The administrative agent/affiliate staff shall submit the referral information to the proposed residential setting including appropriate psychiatric, medical, and social information.

(10) Admissions. The administrative agent/affiliate shall follow DBH procedures to manage admissions to residential settings.

(11) Notification Procedures. Department requirements shall be followed for notifying individuals (guardians, if appointed) referred to a residential setting who may reside with or may themselves be a registered offender

under sections 589.400 to 589.425, RSMo, or charged consumer under section 552.020, RSMo, for offenses they would otherwise have been required to register as an offender under sections 589.400 to 589.425, RSMo.

(A) The following procedures shall be followed when an individual requiring DBH funding for housing or Intensive CPR (ICPR) services is referred to or residing in a residential setting or other community living arrangement, such as a single or multiple occupancy dwelling:

1. Prior to admission, a query with the Missouri State Highway Patrol shall be completed by the administrative agent/affiliate or DBH regional community operations office to verify the referred individual's status as a registered offender. If the administrative agent/affiliate manages the query, staff must comply with department policies and procedures related to the offender query process;

2. Prior to admission, general notification must be provided to each individual (guardian, if appointed) referred to inform him/her of the potential to reside with a registered offender(s) or charged consumer(s).

A. General notification to the individual (guardian, if appointed) referred shall be issued by the administrative agent/affiliate or DBH regional community operations office. If the administrative agent/affiliate manages the general notification, staff must comply with department policies and procedures related to the general notification process. The general notice must be received by the individual (guardian, if appointed) prior to admission to the residential setting;

3. Specific notification involving a registered offender will be issued by the DBH regional community operations office.

A. The administrative agent/affiliate shall notify the DBH regional community operations office that specific notification is required when they refer a registered offender requiring DBH funding to a residential setting, or the individual being referred will be residing in the same residential setting as a registered offender.

B. Specific notification will be issued by the DBH regional community operations office prior to the admission of each individual (guardian, if appointed) referred who requires DBH funding and will be residing in the same setting as a registered offender, regardless of whether the registered offender receives DBH funding.

C. Specific notification is also issued by the DBH regional community operations office prior to admission of each individual (guardian, if appointed) requiring DBH funding in a residential setting or dwelling when a registered offender is referred for admission

to the same setting, regardless of whether the referred offender requires DBH funding.

D. Individuals who require DBH funding shall not be admitted to the residential setting or dwelling until the DBH regional community operations office completes the specific notification process and notifies the administrative agent/affiliate that the individual can be admitted; and

4. Specific notification of a charged consenting consumer shall be issued by the DBH regional community operations office to each individual (guardian, if appointed) referred who requires DBH funding and will be residing in the same setting as a charged consenting consumer, regardless of whether the charged consenting consumer receives DBH funding.

A. The administrative agent/affiliate shall notify the DBH regional community operations office that specific notification is required if the administrative agent/affiliate is aware the referred individual is a charged consumer, or if the referred individual will be residing in the same setting as a charged consenting consumer.

B. The DBH regional community operations office will determine if the charged consumer (guardian, if appointed) consents to release information of his/her charged status to DBH-funded individuals residing in the residential setting or dwelling, including the individual's name and nature and date(s) of the crime(s) for which the charged consumer would have been required to register if he/she had been convicted.

(I) Regardless of whether consent to disclose these charges is obtained, the charged consumer may be admitted to the residential setting or dwelling.

(II) If consent is obtained, the DBH regional community operations office will send specific notification to DBH-funded individuals referred to or residing in the residential setting or dwelling.

C. Individuals who require DBH funding shall not be admitted to the residential setting or dwelling until the DBH regional community operations office completes the specific notification process and notifies the administrative agent/affiliate that the individual may be admitted.

(B) Offender notification procedures shall be followed by DBH-contracted residential settings prior to admitting a registered offender or charged consumer who does not receive services from an administrative agent/affiliate or funding from DBH.

1. When a residential setting intends to admit a registered offender, and the individual is not involved with an administrative agent/affiliate and does not require DBH



funding, staff of the residential setting shall notify the DBH regional community operations office. The notification must be prior to the individual's admission if DBH-funded individuals currently reside at the residential setting. The DBH regional community operations office will verify the registered offender's criminal offense(s) and date(s) for which registration is required with the Missouri State Highway Patrol.

2. When the residential setting intends to admit a charged consumer, and the individual is not involved with an administrative agent/affiliate and does not require DBH funding, staff of the residential setting shall notify DBH. The DBH regional community operations office will obtain records to verify the charged consumer's name and nature of the crime(s) for which the charged consumer would have been required to register if he/she had been convicted. Following verification of individual's charged crime(s) and date(s), the DBH regional community operations office will request consent of the charged consumer (guardian, if appointed) to disclose his/her name and nature of the crime(s) to individuals requiring DBH funding who are referred to or residing at the residential setting. If consent is obtained, the individual is considered a charged consenting consumer.

3. If there are individuals funded by DBH who are referred to or residing at the residential setting, specific notification procedures as specified in this rule must be completed by the DBH regional community operations office prior to the admission of a registered offender or charged consenting consumer.

4. Registered offenders or charged consumers shall not be admitted to the residential setting until the DBH regional community operations office completes the specific notification process and notifies staff of the residential setting that the individual may be admitted.

A. If there are no individuals referred to or residing at the residential setting who require DBH funding, notifications are not required and the registered offender, charged consumer, or charged consenting consumer may be admitted to the residential setting.

B. Staff of the residential setting shall notify the DBH regional community operations office of the registered offender or charged consumer's admission and discharge date. The department will provide this information to the administrative agent/affiliate in the service area where the residential setting is located.

(C) The administrative agent/affiliate shall maintain a record of all DBH-funded and/or contracted residential settings in their service

area(s) where registered offenders and charged consenting consumers are residing in order to inform DBH regional community operations staff when specific notification is required.

(D) The administrative agent/affiliate shall maintain a record of individuals receiving DBH funding in residential settings and dwellings.

(12) Prescribed Medication. At the time of admission to a residential setting, the administrative agent/affiliate shall ensure the individual has access to his/her prescribed medication.

(13) Bedrooms. Individuals receiving DBH funding to live in a community residential setting shall not share a bedroom with more than one (1) person unless the administrative agent/affiliate provides adequate justification for other arrangements to the DBH regional community operations office and prior approval is granted for such arrangements.

(A) Single occupancy bedrooms are required for clustered apartments, Intensive Residential Treatment Settings (IRTS), and Psychiatric Individualized Supported Living (PISL).

(B) Further restrictions regarding sharing of bedrooms may be required based on individual needs, preferences, and least restrictive environment considerations.

(14) Discharge. DBH funding for an individual's personal needs and room and board shall be discontinued if there are other sufficient financial resources to cover these costs.

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**Original authority: 630.050, RSMo 1980, amended 1993, 1995, 2008.*