

## FADS Requirements Chart

(MN Statutes 245A.143 & MN Rules, Chapter 9543)

<b>REQUIREMENT</b>	
<b><u>Initial Licensing</u></b>	<ul style="list-style-type: none"> <li>• A separate license is not required to provide family adult day services in a licensed AFC home; however, the license holder must meet all requirements of 245A.143.</li> <li>• Separate study not required if also AFC. If stand-alone FADS program: BGS by DHS 245C.03, subd. 1 &amp; 245C.05, subd. 2b</li> </ul>
<b><u>Relicensing</u></b>	<ul style="list-style-type: none"> <li>• Home safety checklist is not required, but its' use is recommended at relicensing</li> </ul>
<b><u>Policies &amp; Procedures</u></b>	<ul style="list-style-type: none"> <li>• Drug and alcohol policy 245A.04, subd. 1(c)</li> <li>• Program grievance procedure 245A.04, subd. 1(d) &amp; 245A.143 subd. 3 (4)</li> <li>• Transportation policy</li> <li>• Meal/snack provision</li> <li>• Pet policy</li> <li>• Smoking policy</li> <li>• Handling and storage of harmful materials 245A.143, subd. 3 &amp; 10</li> </ul>
<b><u>Minimum Age of Providers</u></b>	<ul style="list-style-type: none"> <li>• License holder must be primary provider of care 245A.143, subd. 1 (b)</li> <li>• No age limitation for other staff persons</li> </ul>
<b><u>Chemical Use/Abuse</u></b>	<ul style="list-style-type: none"> <li>• 245A.04, subd. 1 (c)</li> </ul>
<b><u>References</u></b>	<ul style="list-style-type: none"> <li>• Three 9543.0040</li> </ul>
<b><u>Orientation Training</u></b>	<ul style="list-style-type: none"> <li>• One staff person must be present that is trained in first aid and certified in CPR and the treatment of obstructed airways 245A.143, subd. 11</li> <li>• License holder must ensure each new mandated reporter receives VAA training within 72 hours of providing direct care 245A.65, subd. 3</li> </ul>
<b><u>Ongoing Training</u></b>	<ul style="list-style-type: none"> <li>• License holder and staff must each complete 12 hours annually related to health, nutritional and social needs of participants</li> <li>• License holders with 6+ years as AFC provider must complete 6 hours annually</li> <li>• Annual training must include VAA</li> <li>• If serving participants who rely on medical monitoring equipment, must have training on medical equipment 245A.143, subd. 12</li> </ul>
<b><u>Fire Marshal Inspection</u></b>	<ul style="list-style-type: none"> <li>• Must be inspected by a fire marshal for compliance with R-3 occupancy provisions of State Fire Code 245A.143, subd. 13 (a)</li> <li>• For existing AFC programs, if the home has not made any changes that affect safety, a new fire safety inspection would not be required. If new or additional areas of the home will now be used that were not used for AFC, a new inspection should be completed.</li> </ul>
<b><u>Pets</u></b>	<ul style="list-style-type: none"> <li>• Must have policy governing the presence of pets in the home</li> <li>• 245.143A, subd. 3 (8)</li> </ul>
<b><u>Data Privacy</u></b>	<ul style="list-style-type: none"> <li>• Provider shall adopt and comply with a participant bill of rights, including confidentiality of participant information 245A.143, subd. 10 (4)</li> </ul>

<b><u>Physical Environment</u></b>	<ul style="list-style-type: none"> <li>• Must meet R-3 occupancy provision of State Fire Code</li> <li>• Minimum of 35 sq. ft. indoor space per participant, LH, staff</li> <li>• Hallways, stairways, closets, offices, restrooms, and utility and storage area cannot be considered usable space</li> <li>• Usable indoor space must include a room or area to be used as private space for personal hygiene/social services 245A.143, subd. 13</li> </ul>
<b><u>Capacity</u></b>	<ul style="list-style-type: none"> <li>• Maximum of 8 participants (including residents if AFC also) 245A.143, subd. 1 (b)</li> <li>• <b>Licensed capacity equals number of AFC residents plus number of non-residents. No more than 8 participants total.</b></li> </ul>
<b><u>Supervision</u></b>	<ul style="list-style-type: none"> <li>• Services provided in license holder's primary residence.</li> <li>• License holder primary provider of care</li> <li>• If 6, 7, or 8 participants present, must be second staff person present 245A.143, subd. 1b &amp; 11</li> </ul>
<b><u>Diet/Nutrition</u></b>	<ul style="list-style-type: none"> <li>• Must have policy for providing meals and snacks</li> <li>• Ensure that food served is nutritious and meets any special dietary needs of the participants as prescribed by doctor or dietitian as specified in the service delivery plan 245A.143, subd 3 (6) &amp; 8</li> </ul>
<b><u>Fire Safety &amp; Emergency Procedures</u></b>	<ul style="list-style-type: none"> <li>• Must have written plan for emergency evacuation of participants involving fire, weather and other disasters.</li> <li>• Plan must include instructions for evacuation or rescue of participants, identification of emergency shelter area, quarterly fire drill schedule, and staff responsibilities 245A.143, subd. 3</li> <li>• <b>Telephone may be a cell phone - land line is <u>not</u> required</b></li> </ul>
<b><u>Medication Administration</u></b>	<ul style="list-style-type: none"> <li>• Unless person is licensed health care practitioner qualified to administer medications, person responsible for med administration or assistance shall verify completion of trained medication aid program for unlicensed personnel</li> <li>• Must maintain record of all medications administered 245A.143, subd. 7 (b) (c)</li> </ul>
<b><u>Reporting Requirements: Provider must report to licensing agency</u></b>	<ul style="list-style-type: none"> <li>• Reporting of Maltreatment of Vulnerable Adults 626.557</li> <li>• For all licensed programs: if a background study is initiated &amp; information is received about possible criminal or maltreatment history of an individual who is subject to a background study, the information must immediately be provided to the commissioner 245C.05, subd. 6 (b)</li> </ul>
<b><u>Discipline/Behavior Guidance</u></b>	<ul style="list-style-type: none"> <li>• Ensure residents are protected from maltreatment through compliance with the VAA 9555.6195, subp. 1 &amp; 245A.143, subd. 3 (11)</li> <li>• Individual service plan 245A.143, subd. 6</li> </ul>
<b><u>Negative Actions</u></b>	<ul style="list-style-type: none"> <li>• As soon as licensing agency recommends negative action to DHS, notice must be sent to the legal representatives of persons in care and to the license holder</li> <li>• Once negative action has been ordered, notice must be sent to the legal representatives 9543.0100, subp. 6 &amp; 7</li> </ul>
<b><u>Agency Records</u></b>	<ul style="list-style-type: none"> <li>• 245A.143, subd. 3</li> </ul>
<b><u>Additional Annual Requirements</u></b>	<ul style="list-style-type: none"> <li>• Individual service plan must be dated and revised when needs change OR annually 245A.143, subd. 6 (b)</li> </ul>

\* Please note: Pursuant to Minnesota Statutes, 245A.143, subd. 14, the commissioner (the agency) may grant a variance to any of the requirements in this section if the conditions in section 245A.04, subdivision 9, are met.