

Minnesota Rule, Chapter 2960 Restrictive Procedure Summary

Scope of 2960: Chapter 2960 was created through a joint effort between DHS and the Department of Corrections. It is known as the Children’s Residential Facility Licensing Rule (formerly, The Umbrella Rule). The following settings are licensed under Chapter 2960:

- Group Residential Settings
- Detention Settings
- Secure Programs
- Shelters
- Transitional Living Programs
- Residential Mental Health Settings
- Foster Residences
- Treatment Foster Care Services
- Correctional Program Services

Restrictive Procedures Certification: Minnesota Rule, Part 2960.0710 provides restrictive procedure guidelines. Any of the programs that wish to use restrictive procedures must gain certification to do so.

Allowable Procedures: Physical Escort Seclusion
Physical Holding Limited Use of Mechanical Restraint only for Transporting Clients

Procedures Allowable when: “Physical holding and seclusion are behavior management techniques which are used in emergency situations as a response to imminent danger to the resident or others and when less restrictive interventions are determined to be ineffective.”

Restrictive Procedures Plan: The license holder must have a restrictive procedures plan that is approved by the Commissioner. It must state:

- The restrictive procedures and physical holding techniques used by the program
- How the license holder will monitor and control the emergency use of restrictive procedures
- A description of the training that staff using the procedures must have prior to use
- That the license holder prepares a written review of the use of procedures annually
- That the license holder ensures the resident receives treatment for any injuries caused

Staff Training Requirements: Must be trained before implementation and every two years after initial training. Training covers documentation, the impact of procedures, how to monitor for signs of distress, symptoms of asphyxia, time limits for procedures, relationship building, alternatives to restrictive interventions, de-escalation methods, avoiding power struggles...

Review Requirements: The license holder must complete an administrative review within 3 days after use. Record of review must be kept. A mental health professional or program director must supervise review. Quarterly, the license holder must review the patterns of the use of the restrictive procedures. The review is done by the facility’s advisory committee. The review must consider:

- Any patterns or problems indicated by [environmental issues]
- Any injuries resulting from the use of procedures
- Actions needed to correct deficiencies in the program’s implementation or procedures
- Assessment of opportunities missed to avoid using the procedure
- Proposed actions to be taken to minimize the use of physical holding and seclusion

