

*****Proposed Revisions to Existing Rule - October 19, 2016*****

5123:2-5-01 Adult services certification standards.

(A) Purpose

~~The purpose of this rule is to establish~~ This rule establishes minimum qualifications through certification standards for staff employed in adult services positions at county boards of developmental disabilities. These certification standards shall apply to persons, directly providing or supervising the provision of adult services, who are employed by county boards of developmental disabilities. Staff of entities under contract with a county board of developmental disabilities to provide adult services are not required to hold adult services certification.

(B) Definitions

- (1) "Accredited college or university" means a college or university accredited by a national or regional association in the United States or a foreign college or university of comparable standing.
- (2) "Adult services" has the same meaning as in section 5126.01 of the Revised Code.
- (3) "Certification" means:
 - (a) Certification issued to a "management employee" or a "professional employee" as those terms are defined in section 5126.20 of the Revised Code; and
 - (b) Registration issued to a "service employee" as that term is defined in section 5126.20 of the Revised Code and who is required to hold registration pursuant to section 5126.25 of the Revised Code.
- (4) "Continuing professional education" means training approved by the department or a superintendent required for renewal of adult services worker and adult services supervisor certification.
- (5) "County board" means a county board of developmental disabilities.
- (6) "Department" means the Ohio department of developmental disabilities.
- (7) "Superintendent" means a person certified by the department in accordance with rule 5123:2-5-03 of the Administrative Code and employed in that capacity by a county board or for purposes of issuing certifications and/or approving continuing professional education in accordance with this rule, a person who is authorized in writing by the superintendent to perform those functions.

(C) Description

There are two levels of adult services certification:

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(1) Adult services worker

(a) A superintendent may issue adult services worker certification for an initial period of five years to an employee of the county board who:

(i) Is at least eighteen years of age; and

(ii) Holds a high school diploma or general education development certificate.

~~(b) Within ninety days of employment as an adult services worker, the employee shall successfully complete or provide evidence of having successfully completed either:~~

~~(i) The "Ohio Alliance of Direct Support Professionals Professional Advancement Through Training and Education in Human Services (PATHS) Certificate of Initial Proficiency" program; or~~

(b) The superintendent shall ensure that adult services workers successfully complete, no later than ninety calendar days after hire,

~~(ii) An an orientation program of at least eight hours that addresses, but is not limited to:~~

(a) Organizational background of the county board, including:

(i) Mission, vision, values, principles, and goals;

(ii) Organizational structure;

(iii) Key policies, procedures, and work rules;

(iv) Ethical and professional conduct and practice;

(v) Avoiding conflicts of interest; and

(vi) Working effectively with individuals, families, and other team members.

(b) Components of quality care for individuals served, including:

(i) Interpersonal relationships and trust;

(ii) Cultural and personal sensitivity;

(iii) Effective communication;

(iv) Person-centered philosophy, planning, and practice;

(v) Development of individual service plans;

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- (vi) Roles and responsibilities of team members; and
 - (vii) Recordkeeping including progress notes and incident/accident reports.
- (c) Health and safety, including:
- (i) Signs and symptoms of illness or injury and procedure for response;
 - (ii) Building/site-specific emergency response plans; and
 - (iii) Program-specific transportation safety.
- (d) Positive ~~behavior~~ behavioral support, including:
- (i) Principles of positive ~~intervention~~ culture;
 - (ii) Role of ~~direct service staff~~ adult services worker in creating a positive culture;
 - (iii) General requirements for ~~behavior support plans and intervention and behavioral support~~ strategies and ~~direct service staff~~ adult services worker's role including documentation;
 - (iv) ~~Behavior support review and human~~ Human rights committees established in accordance with rule 5123:2-2-06 of the Administrative Code; and
 - (v) Crisis intervention techniques.
- (e) Services that comprise adult services.
- (c) ~~During the first year of employment as an adult services worker, the employee shall:~~ The superintendent shall ensure that adult services workers (other than those who have at least one year of experience providing adult services at the point of hire) during the first year after hire, are
- ~~(i) Be assigned and have access to a mentor employed by the county board; and,~~
- (d) The superintendent shall ensure that adult services workers (other than those who have at least one year of experience providing adult services at the point of hire) no later than one year after hire, successfully complete at least eight hours of training specific to the provision of adult services that includes, but is not limited to:
- (i) Skill building in vocational assessment, ongoing job supports, task analysis, job-seeking skills, on-the-job instruction and support, developing natural supports, identifying community resources, personal adjustment, work adjustment, and vocational planning; and

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- (ii) Self-determination which includes assisting the individual to develop self-advocacy skills, to exercise his or her civil rights, to exercise control and responsibility over the services he or she receives, and to acquire skills that enable him or her to become more independent, productive, and integrated within the community.
- ~~(ii) Successfully complete on the job training specific to each individual he or she serves that includes, but is not limited to:~~

 - ~~(a) Requirements set forth in the individual service plan including skill development goals, service/support activities, behavior support plan, planned interventions, and related documentation requirements;~~
 - ~~(b) The individual's preferences and strengths;~~
 - ~~(c) The individual's diagnoses and related needs;~~
 - ~~(d) The individual's care needs including nutrition, diet and mealtime support, restroom assistance, mobility needs, lifting, and general supervision/support requirements;~~
 - ~~(e) Medication administration and delegated nursing, as applicable;~~
 - ~~(f) Teaching techniques and related documentation requirements; and~~
 - ~~(g) The employee's role regarding management of the individual's funds and related documentation requirements.~~
- ~~(iii) Successfully complete at least eight hours of training specific to the provision of adult services that includes, but is not limited to:~~

 - ~~(a) Skill building in vocational assessment, ongoing job supports, task analysis, job-seeking skills, on-the-job instruction and support, developing natural supports, identifying community resources, personal adjustment, work adjustment, and vocational planning; and~~
 - ~~(b) Self-determination which includes assisting the individual to develop self-advocacy skills, to exercise his or her civil rights, to exercise control and responsibility over the services he or she receives, and to acquire skills that enable him or her to become more independent, productive, and integrated within the community.~~
- (e) The superintendent shall ensure that each adult services worker successfully completes on-the-job training specific to each individual he or she serves that includes:

 - (i) What is important to the individual and what is important for the individual;
and

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(ii) The individual's support needs including, as applicable, behavioral support strategy, management of the individual's funds, and medication administration/delegated nursing.

~~(d)~~ (f) Commencing The superintendent shall ensure that adult services workers, commencing in the second year of employment as an adult services worker, the ~~employee shall hire~~ annually complete at least eight hours of continuing professional education, in accordance with paragraphs (D) and (E) of this rule.

~~(e)~~ (g) A superintendent may renew the adult services worker certification for a second period of five years for an employee who meets the following requirements:

(i) The employee shall have successfully completed ~~or provide evidence of having successfully completed the "Ohio Alliance of Direct Support Professionals Professional Advancement Through Training and Education in Human Services (PATHS) Certificate of Initial Proficiency" program or~~ the orientation program described in paragraph ~~(C)(1)(b)(ii)~~ (C)(1)(b) of this rule;

(ii) The employee shall have successfully completed at least eight hours of training specific to the provision of adult services described in paragraph ~~(C)(1)(e)(iii)~~ (C)(1)(d) of this rule; and

(iii) The employee shall have successfully completed at least forty hours of continuing professional education during the period of the initial adult services worker certification. The training described in paragraphs ~~(C)(1)(b)(ii), (C)(1)(e)(iii), (C)(1)(b), (C)(1)(d), and (E)~~ of this rule may be counted toward the forty hours.

~~(f)~~ (h) A superintendent may renew the adult services worker certification for subsequent periods of five years provided the employee has successfully completed at least forty hours of continuing professional education during the period of the preceding adult services worker certification. The training described in paragraph (E) of this rule may be counted toward the forty hours.

(2) Adult services supervisor

(a) A superintendent may issue adult services supervisor certification for an initial period of five years to an employee of the county board who:

(i) Is at least eighteen years of age;

(ii) Holds a high school diploma or general education development certificate;
and

(iii) Has either:

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- (a) A bachelor's degree or graduate-level degree from an accredited college or university; or
 - (b) At least four years of full-time (or equivalent part-time), supervised, paid work experience in programs or services for individuals with developmental disabilities.
- (b) ~~Within ninety days of employment as an adult services supervisor, the employee shall successfully complete or provide evidence of having successfully completed either:~~
- (i) ~~The "Ohio Alliance of Direct Support Professionals Professional Advancement Through Training and Education in Human Services (PATHS) Certificate of Initial Proficiency" program; or~~
 - (ii) ~~The superintendent shall ensure that no later than ninety calendar days after hire as an adult services supervisor, the employee successfully completes the orientation program described in paragraph (C)(1)(b)(ii)-(C)(1)(b) of this rule.~~
- (c) ~~During the first year of employment as an adult services supervisor, the employee shall~~
- (c) The superintendent shall ensure that adult services supervisors (other than those who have at least one year of experience as an adult services supervisor at the point of hire), no later than one year after hire, successfully complete at least eight hours of training specific to the supervision of adult services that includes, but is not limited to: the topics set forth in paragraph (C)(1)(d) of this rule.
- (i) ~~Skill building in vocational assessment, ongoing job supports, task analysis, job seeking skills, on the job instruction and support, developing natural supports, identifying community resources, personal adjustment, work adjustment, and vocational planning; and~~
 - (ii) ~~Self-determination which includes assisting the individual to develop self-advocacy skills, to exercise his or her civil rights, to exercise control and responsibility over the services he or she receives, and to acquire skills that enable him or her to become more independent, productive, and integrated within the community.~~
- (d) ~~Commencing~~ The superintendent shall ensure that adult services supervisors, commencing in the second year of employment as an adult services supervisor, the employee shall hire, annually complete at least fifteen hours of continuing professional education.
- (e) A superintendent may renew the adult services supervisor certification for a second period of five years for an employee who meets the following

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requirements:

- (i) The employee shall have successfully completed ~~or provide evidence of having successfully completed the "Ohio Alliance of Direct Support Professionals Professional Advancement Through Training and Education in Human Services (PATHS) Certificate of Initial Proficiency" program or~~ the orientation program described in paragraph ~~(C)(1)(b)(ii)~~ (C)(1)(b) of this rule;
 - (ii) The employee shall have successfully completed at least eight hours of training specific to the supervision of adult services described in paragraph (C)(2)(c) of this rule; and
 - (iii) The employee shall have successfully completed at least seventy-five hours of continuing professional education during the period of the initial adult services supervisor certification. The training described in paragraphs ~~(C)(2)(b)(ii)~~, (C)(2)(b), (C)(2)(c), and (E) of this rule may be counted toward the seventy-five hours.
- (f) A superintendent may renew the adult services supervisor certification for subsequent periods of five years provided the employee has successfully completed at least seventy-five hours of continuing professional education during the period of the preceding adult services supervisor certification. The training described in paragraph (E) of this rule may be counted toward the seventy-five hours.

(D) Written plan of training priorities

The superintendent shall ensure that a written plan identifying training priorities for employees who hold adult services worker and adult services supervisor certification is developed and implemented. The training priorities shall be consistent with the needs of individuals served, best practice, and the county board's mission, vision, and strategic plan. The written plan of training priorities shall describe the method (e.g., written test, skills demonstration, or documented observation by supervisor) that will be used to establish employees' competency in areas of training. The written plan of training priorities shall be updated at least once every twelve months and shall identify who is responsible for arranging or providing the training and projected timelines for completion of the training.

(E) Annual training requirements

The superintendent shall ensure that employees who hold adult services worker and adult services supervisor certification annually complete training in accordance with the written plan of training priorities. The training may be structured or unstructured and may include, but is not limited to, lectures, seminars, formal coursework, workshops, conferences, demonstrations, visitations or observations of other facilities/services/

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programs, distance and other means of electronic learning, video and audio-visual training, and staff meetings. The training shall enhance the skills and competencies of the employee relevant to his or her job responsibilities and shall include, but is not limited to:

- (1) The ~~provisions governing~~ rights of individuals set forth in sections 5123.62 to 5123.64 of the Revised Code;
- (2) The requirements of rule 5123:2-17-02 of the Administrative Code including a review of health and welfare alerts issued by the department since the previous year's training;
- (3) The requirements relative to the employee's role in providing ~~behavior~~ behavioral support to the individuals he or she serves;
- (4) Best practices related to the provision of adult services; and
- (5) ~~The principles of Ohio's employment first policy including community employment as the preferred option for employment, a person-centered planning process, and the path to community employment~~ set forth in rule 5123:2-2-05 of the Administrative Code.

(F) Application fees

A superintendent may require applicants for adult services certification to pay an application fee.

- (1) The application fee for adult services worker certification shall not exceed thirty dollars.
- (2) The application fee for adult services supervisor certification shall not exceed seventy-five dollars.

(G) Reciprocity

- (1) A superintendent shall accept as valid adult services certification issued in accordance with this rule by the superintendent of another county board.
- (2) A superintendent shall accept as valid continuing professional education approved by the department or the superintendent of another county board in accordance with this rule.

(H) Adult services registrations and certifications issued prior to ~~the effective date of this rule~~ July 4, 2013

- (1) Substitute grade, temporary grade, provisional grade, and professional grade adult services registrations and certifications issued prior to ~~the effective date of this rule~~ July 4, 2013 shall remain in effect until their assigned expiration dates. No

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additional substitute grade, temporary grade, provisional grade, or professional grade adult services registrations or certifications shall be issued on or after ~~the effective date of this rule~~ July 4, 2013.

- (2) An employee of a county board who, on ~~the effective date of this rule~~ holds July 4, 2013, held substitute grade, temporary grade, provisional grade, or professional grade adult services registered service level registration or temporary grade, provisional grade, or professional grade adult services specialist level certification issued prior to ~~the effective date of this rule~~ July 4, 2013 shall be eligible for adult services worker certification and shall not be compelled to meet the requirements set forth in ~~paragraphs~~ paragraph (C)(1)(b), (C)(1)(c), or (C)(1)(d), ~~and (C)(1)(e)~~ of this rule provided the employee applies for the adult services worker certification prior to expiration of the adult services registered service level registration or adult services specialist level certification. Renewal of the employee's adult services worker certification shall be in accordance with paragraph ~~(C)(1)(f)~~ (C)(1)(h) of this rule.
- (3) An employee of a county board who, on ~~the effective date of this rule~~, holds July 4, 2013, held temporary grade, provisional grade, or professional grade adult services management one level registration, adult services management two level certification, or adult services management three level certification issued prior to ~~the effective date of this rule~~ July 4, 2013 shall be eligible for adult services supervisor certification and shall not be compelled to meet the requirements set forth in ~~paragraphs~~ paragraph (C)(2)(a)(iii), (C)(2)(b), (C)(2)(c), (C)(2)(d), or (C)(2)(e) of this rule provided the employee applies for the adult services supervisor certification prior to expiration of the adult services management one level registration, adult services management two level certification, or adult services management three level certification. Renewal of the employee's adult services supervisor certification shall be in accordance with paragraph (C)(2)(f) of this rule.

(I) Renewal of expired adult services certification

- (1) Adult services worker certifications and adult services supervisor certifications issued on or after ~~the effective date of this rule~~ July 4, 2013 which have been expired for less than one year may be renewed upon completion of all renewal requirements of the expired certification.
- (2) Adult services worker certifications and adult services supervisor certifications issued on or after ~~the effective date of this rule~~ July 4, 2013 which have been expired for one year or more shall not be renewed; the applicant shall be required to meet the requirements for initial adult services worker certification or adult services supervisor certification, as applicable, pursuant to paragraph (C) of this rule.

(J) Administrative review

An applicant for adult services certification whose application is disapproved based

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upon the applicant's failure to meet the requirements of this rule, may request in writing, within thirty calendar days of the rejection, an administrative review by the superintendent or the superintendent's designee.

(K) Denial, suspension, or revocation

Adult services certification is subject to denial, suspension, or revocation in accordance with rule 5123:2-5-04 of the Administrative Code. The department may revoke adult services certification if it finds, pursuant to an adjudication, that the holder of adult services certification:

- (a) Has engaged in an immoral act, incompetence, negligence, or conduct that is unbecoming to the holder's position;
- (b) Has been convicted of or pleaded guilty to any of the disqualifying offenses listed or described in paragraph (E)(1) of rule 5123:2-2-02 of the Administrative Code and the applicable period of time has not elapsed from the date the holder was fully discharged from imprisonment, probation, and parole; or
- (c) Is included in one or more the databases listed in paragraph (C)(2) of rule 5123:2-2-2 of the Administrative Code.

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