
Rules of
Department of Mental Health
Division 40—Licensing Rules
Chapter 9—Day Programs Serving Individuals with
Mental Illness and Intellectual or Developmental
Disabilities

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Title 9—DEPARTMENT OF MENTAL HEALTH

**Division 40—Licensing Rules
Chapter 9—Day Programs Serving
Individuals with Mental Illness and
Intellectual or Developmental
Disabilities**

9 CSR 40-9.015 Physical Plant Requirements

(Rescinded December 30, 2020)

AUTHORITY: sections 630.050 and 630.705, RSMo (1994). Original rule filed Oct. 13, 1983, effective Jan. 15, 1984. Amended: Filed Feb. 4, 1986, effective July 1, 1986. Amended: Filed Jan. 2, 1990, effective June 11, 1990. Amended: Filed July 17, 1995, effective March 30, 1996. Rescinded: Filed May 14, 2020, effective Dec. 30, 2020.

9 CSR 40-9.035 General Medical and Health Care

(Rescinded December 30, 2020)

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9 CSR 40-9.055 Food Services

(Rescinded December 30, 2020)

AUTHORITY: sections 630.050 and 630.705, RSMo (1994). Original rule filed Oct. 13, 1983, effective Jan. 15, 1984. Amended: Filed Feb. 4, 1986, effective July 1, 1986. Amended: Filed Jan. 2, 1990, effective June 11, 1990. Amended: Filed April 1, 1993, effective Dec. 9, 1993. Amended: Filed July 17, 1995, effective March 30, 1996. Rescinded: Filed May 14, 2020, effective Dec. 30, 2020.

9 CSR 40-9.075 Program and Staffing Requirements

PURPOSE: This rule specifies the program and staffing requirements for day programs serving individuals with mental illness, intellectual disabilities, and developmental disabilities (IDD) that are subject to licensure by the department.

(1) Licensed day programs shall comply with 9 CSR 40-1 unless specified otherwise in this rule.

(2) Day programs shall provide structured activities, services, and supports to assist individuals in developing personal support systems, social skills, community living skills, basic self-care skills, and pre-vocational skills that promote community inclusion, integration, and independence.

(A) Activities and services/supports shall be based on the individual support plan (ISP), individual treatment plan (ITP), or care plan of each individual being served as specified in 9 CSR 40-1.075(1).

(B) Activities and services/supports may take place during the day, evening, weekend, or a combination of these, to effectively address the needs of individuals served. Activities and services/supports are not limited to the program site to provide individuals with opportunities for off-site training and rehabilitation in realistic community settings.

(C) Transportation to/from the program site to various locations in the community shall be provided for individuals served to promote participation and involvement in outside activities and services/supports. Permission forms for off-site activities, signed by the individual served or their parent/guardian, as applicable, shall be maintained on-site.

1. Program staff are responsible for the care, safety, and supervision of individuals served when they are transported from the operating site to other locations in the community, and staff ratios shall be maintained at the operating site.

(3) All direct care staff must be eighteen (18) years of age or older and have a high school diploma or equivalent certificate.

(A) Staffing requirements for day programs serving adults with mental illness—

1. The director must be a Qualified Mental Health Professional (QMHP) with two (2) years of relevant work experience;

2. At a minimum, a daily direct care staff ratio of one (1) staff person for each sixteen (16) individuals served (1:16) shall be maintained, unless program needs or the needs of individuals being served require otherwise; and

3. At least one (1) staff person must be on duty at all times when individuals served are present at the program.

(B) Staffing requirements for day programs serving children and youth with serious emotional disturbances—

1. The director must be a QMHP with two (2) years of experience working with

children and youth;

2. One (1) full-time mental health professional must be available during the provision of services;

3. Direct care staffing ratios shall be based on the ages and needs of the children/youth being served.

A. At a minimum, a daily staffing ratio of one (1) staff to four (4) individuals (1:4) shall be maintained for children/youth between the ages of three (3) and eleven (11). A daily staffing ratio of one (1) staff to six (6) individuals (1:6) shall be maintained for children/youth between the ages of twelve (12) and seventeen (17);

4. Based on the needs of children/youth being served, other staff shall include:

- A. Registered nurse;
- B. Occupational therapist;
- C. Recreational therapist;
- D. Rehabilitation therapist;
- E. Community support specialist;
- F. Family assistance worker; and

5. At least one (1) staff person must be on duty at all times when individuals served are present at the program.

(C) Staffing requirements for day programs serving individuals with IDD shall be as follows, unless program needs or the needs of individuals being served require otherwise:

1. For children and youth between the ages of three (3) and eleven (11), the daily staffing ratio shall be one (1) staff to four (4) individuals (1:4);

2. For children/youth between the ages of twelve (12) and seventeen (17), the daily staffing ratio shall be one (1) staff to six (6) individuals (1:6); and

3. For adults, the daily staffing ratio shall be a minimum of one (1) staff for each sixteen (16) individuals (1:16) served.

AUTHORITY: sections 630.050 and 630.705, RSMo 2016. Original rule filed Oct. 13, 1983, effective Jan. 15, 1984. Amended: Filed Feb. 4, 1986, effective July 1, 1986. Amended: Filed Jan. 2, 1990, effective June 11, 1990. Amended: Filed April 1, 1993, effective Dec. 9, 1993. Amended: Filed July 17, 1995, effective March 30, 1996. Amended: Filed May 14, 2020, effective Dec. 30, 2020.*

**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 40-9.095 Recordkeeping

(Rescinded December 30, 2020)

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1983, effective Jan. 15, 1984. Amended: Filed Feb. 4, 1986, effective July 1, 1986. Amended: Filed Jan. 2, 1990, effective June 11, 1990. Amended: Filed July 17, 1995, effective March 30, 1996. Rescinded: Filed May 14, 2020, effective Dec. 30, 2020.

9 CSR 40-9.115 Admission Criteria

(Rescinded December 30, 2020)

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9 CSR 40-9.135 Care, Treatment, Habilitation and Rehabilitation

(Rescinded December 30, 2020)

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9 CSR 40-9.145 Maintenance, Housekeeping and Laundry

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9 CSR 40-9.155 Fire Safety

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