

---

**CHAPTER 26: ICF/DD SERVICES**

---

**SECTION 26.3: RECIPIENT BEHAVIOR****PAGE(S) 5**

---

**RECIPIENT BEHAVIOR****Written Policies and Procedures****Staff and Recipient Interactions and Conduct**

Facilities must have written policies and procedures for the management of conduct between staff and recipients. These policies and procedures will:

- Specify conduct that will be allowed and not allowed by the staff and the recipients,
- Provide for recipient choice and self determination to the extent possible,
- Be readily available to all recipients, parent(s), staff, and legal guardians, and
- Be developed with the participation of recipients to the extent possible.

**Management of Inappropriate Recipient Behavior**

A facility must develop and implement written policies and procedures for the management of inappropriate recipient behavior. These policies and procedures must:

- Specify all facility approved interventions to manage inappropriate recipient behavior,
- Designate these interventions on a hierarchy ranging from the most positive and least restrictive to the least positive and most restrictive,
- Insure that, prior to the use of more restrictive techniques, the recipient's record documents that programs incorporating the use of less intrusive or more positive techniques have been tried and were ineffective,
- Address the use of time-out rooms, physical restraints, drugs used to manage inappropriate behavior, and the application of painful or noxious stimuli, and
- Identify the staff members who may authorize use of a particular intervention, and a mechanism for monitoring and controlling use of the intervention.

---

**CHAPTER 26: ICF/DD SERVICES**

---

**SECTION 26.3: RECIPIENT BEHAVIOR****PAGE(S) 5**

---

**Interventions to Manage Inappropriate Behavior****Safety and Supervision**

Interventions to manage inappropriate recipient behavior must be used within sufficient safeguards and supervision to insure that the safety, welfare, and civil and human rights of recipients are adequately protected. These interventions must never:

- Be used for disciplinary purposes, for the convenience of staff or as a substitute for an active treatment program,
- Include corporal punishment, or
- Include discipline of one recipient by another except as part of an organized system of self-government as set forth in facility policy.

**Behavior Management Plan**

Individual programs to manage inappropriate recipient behavior such as time-out rooms, restraints, etc. must be incorporated into the recipient's IHP and must be reviewed, approved, and monitored by the specially constituted Human Rights Committee. Written informed consent by the recipient or responsible party is required prior to implementation of a behavior management plan involving any risks to recipient's rights. See Section 26.4 Recipient Rights in this manual chapter, which addresses informed consent.

**Standing Programs**

Standing or as needed programs to control inappropriate behavior are not permitted. Sending a recipient to his room to control inappropriate behavior is not acceptable unless it is a part of a systematic program of behavioral interventions for that recipient.

**Time-out Rooms**

Use of time-out rooms is **NOT** permitted in group or community homes.

In institutional settings (over 16 beds), emergency placement in time out rooms is allowed. It is permitted **only** when professional staff is on-site and only under the following conditions:

- The placement in a time-out room is part of an approved systematic behavior program as required in the IHP to manage inappropriate behavior,
- The recipient is under direct constant visual supervision of designated staff,

---

**CHAPTER 26: ICF/DD SERVICES**

---

**SECTION 26.3: RECIPIENT BEHAVIOR****PAGE(S) 5**

---

- If the door to the room is closed, it must be held shut only by use of constant physical pressure from a staff member,
- Placement in time-out room does not exceed one hour,
- Recipients are protected from hazardous conditions while in time-out rooms, and
- A record is kept of time-out activities.

**Physical Restraint**

Physical restraint is defined as any manual method or physical or mechanical device that the recipient cannot remove easily and which restricts free movement. Examples of manual methods include therapeutic or basket holds and prone or supine containment. Examples of physical or mechanical devices include barred enclosure that is no more than three feet in height; a chair with a lap tray, to keep an ambulatory recipient seated; a wheelchair tied to prevent movement of a wheelchair mobile recipient; and straps to prevent movement while the recipient is in a chair or bed.

Physical restraints can be used only:

- When absolutely necessary to protect the recipient from injuring him/herself or others in an emergency situation,
- When part of an individual program plan intended to lead to less restrictive means of managing the behavior the restraints are being used to control,
- As a health related protection prescribed by a physician but only if absolutely necessary during a specific medical, dental, or surgical procedure or while a medical condition exists, and
- When the following conditions are met:
  - Restraints are designed and used so as not to cause physical injury and to cause the least possible discomfort,
  - Restraints are applied only by staff who have had training in the use of these interventions,
  - Orders for restraints shall not be obtained for use on a standing or on an as needed basis,

---

**CHAPTER 26: ICF/DD SERVICES**

---

**SECTION 26.3: RECIPIENT BEHAVIOR****PAGE(S) 5**

---

- Restraint authorizations are not in effect longer than 12 consecutive hours and are obtained as soon as possible after restraint has occurred in emergency situations,
- Recipients in restraints shall be checked at least every 30 minutes and released as soon as the behavior has subsided. Record of restraint checks and usage is required, and
- Opportunities for motion and exercise are provided for not less than 10 minutes during each 2 hours period and a record is kept.

**Drugs**

Drugs used for control of inappropriate behavior may be used only under the following conditions:

- In doses that do not interfere with the recipient's daily living activities, and
- Must be approved by the interdisciplinary team, the recipient, or legal representative, and the specially constituted committee.

These drugs must be used only as part of the recipient's IHP and is directed toward eliminating the inappropriate behavior.

Prior to the use of any program involving a risk to recipient protection and rights, including the use of drugs to manage inappropriate behavior, obtain written informed consent from:

- Recipient or
- Family, legal representative, or advocate if recipient is a minor or recipient is unable to understand the intended program or treatment.

Inform consent consists of permission given voluntarily on a time limited basis not to exceed 365 days by the recipient or the legally appropriate party after having been informed of the:

- Specific issue, treatment or procedure,
- Recipient's specific status with regard to the issue,
- Attendant risks regarding the issue,
- Acceptable alternatives to the issue,
- Right to refuse,

---

**CHAPTER 26: ICF/DD SERVICES**

---

**SECTION 26.3: RECIPIENT BEHAVIOR****PAGE(S) 5**

---

- Consequences of refusal.

Drugs must not be used until it can be justified that the beneficial effects of the drug on the recipient's behavior clearly outweighs the potentially harmful effects of the drug. Drugs must be clearly monitored in conjunction with the physician, the pharmacist, and facility staff.

If clinical evidence justifies that this is contraindicated, drugs for control of inappropriate behavior must be gradually reduced at least annually in a carefully monitored program conducted in conjunction with the interdisciplinary team.