

Psychiatric Residential Treatment Facility (PRTF) Proposed Chapters 1330 and 5330 Stakeholders Meeting

May 21, 2025

10am - 1pm

Hybrid Event (In-person or virtual)

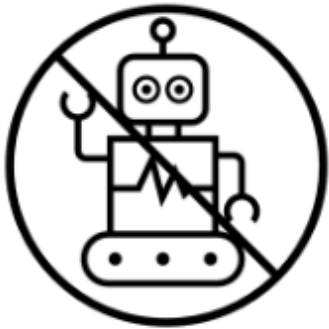
Rehabilitation and Community Providers Association (RCPA)
777 East Park Drive, Suite G-4, Harrisburg, PA 17111

Information will be shared via the OMHSAS listserv to register

Agenda

- Welcome and Expectations
- Overview
- Regulatory Discussion
- Next Steps

Proposed PRTF Regulation



AI Bots and Transcription Tools Not Permitted

- The use of AI meeting bots (e.g. Otter.ai, Read.ai) in Commonwealth hosted meetings is prohibited.
- It is against the law in Pennsylvania to record oral conversations without the permission of the individuals involved., in most circumstances (Wiretap Act).
- Unauthorized transcription, recording, or attendance by bots will result in the immediate removal of the bot from the meeting. Unauthorized use may result in corrective action.

§ 1330.38 Nonallowable Costs

- REMOVE:
 - (9)(iv) Staff social functions, such as picnics or athletic teams
 - (9)(xvi) Barber and beautician services
 - (9)(xxii) Personal hygiene items for children, youth or young adults receiving services in the PRTF

➤ Proposed PRTF Regulation – Chapter 1330

§ 1330.38 Nonallowable Costs

- NEW LANGUAGE:
 - (9)(xx) Meals for staff, except for meals provided while caring for a child, youth or young adult
 - (9)(xxiv) Living costs associated with onsite visits by parents, legal guardians or caregivers

➤ Proposed PRTF Regulation – Chapter 5330

§ 5330.14 Reportable Incidents

- Language change from call to notify
- (b)(3) Moved serious injury to a child, youth or young adult to (c)
- (c)(4) Moved child's, youth's or young adult's elopement from a PRTF to (b)
- Change to the definition of elopement:
 - A child, youth, or young adult whose whereabouts are unknown to PRTF staff, and the child, youth, or young adult is identified as being missing

➤ Proposed PRTF Regulation – Chapter 5330

§ 5330.14 Reportable Incidents

- (c) Changed time to complete an incident report from 12 to 24 hours
- (c)(5) Moved incidents of physical assault involving a child, youth, young adult or PRTF staff to 5330.15 Recordable Incidents
- (c)(7) Modified intimate sexual contact involving a child, youth or young adult, consensual or otherwise
- (c)(13) Removed medication error as specified in 5330.165

§ 5330.14 Reportable Incidents

- (e) Remove Federal requirement to report incidents to State Designated Protection and Advocacy System

§ 5330.15 Recordable Incidents

- NEW LANGUAGE:
 - (a)(4) Visual body search of child, youth or young adult

➤ Proposed PRTF Regulation – Chapter 5330

§ 5330.20 Visits

- NEW DEFINITION:
 - Period of absence from the PRTF directly related to the child's, youth's or young adult's treatment
- (g) Remove that a PRTF shall contact the child's, youth's or young adult's parent, legal guardian or caregiver at least once every 24 hours if a visit lasts more than 24 hours to check on the safety, health and well-being of the child, youth or young adult

§ 5330.31 Rights

- PROPOSE THIS REQUIREMENT REMAIN:
 - (b)(5) Right to clean and seasonal clothing that is proper for the child's, youth's or young adult's age and gender identity

▶ Proposed PRTF Regulation – Chapter 5330

§ 5330.31 Rights

- NEW LANGUAGE:
 - (b)(17) Communicate privately with an individual unless prohibited by court order
 - (b)(18) Visit with parent, legal guardian, or caregiver unless prohibited by court order
- PROPOSE THIS REQUIREMENT REMAIN:
 - (b)(19) To receive visitors of the child's, youth's or young adult's choice at reasonable hours unless the visitor is prohibited from visiting by court order or the child's, youth's or young adult's treatment team has determined that the visitor would negatively impact the child's, youth's or young adult's treatment, safety or well-being

§ 5330.41 Supervision of Staff

- Modified this section to articulate how the staff are required to be supervised. PRTF will have discretion on the supervisory structure
- Changed the language from face to face to in person
- Changed language from direct observation to observation

§ 5330.42 Staff Requirements

- (a) Reduce minimum age requirement to 18 years of age but have to be 21 years of age to count in the staff ratio
- (c)(2) Changed supervision requirements to auditory **or** visual range
- PROPOSED THS REQUIREMENT REMAIN:
 - (c)(4) MHP be on grounds during awake hours will remain

➤ Proposed PRTF Regulation – Chapter 5330

§ 5330.43 Medical Director

- (c) Qualifications of a Medical Director (and Treatment Team Leader), ADDED:
 - (1) Board-certified or board-eligible psychiatrist licensed in this Commonwealth **OR**
 - (2) Clinical psychologist who has a doctoral degree and a physician licensed to practice medicine or osteopathy with specialized training and experience in the diagnosis and treatment of mental diseases

§ 5330.47 Registered Nurse

- (c) Federal requirement requires specialized training or one year working with mentally ill individuals

➤ Proposed PRTF Regulation – Chapter 5330

§ 5330.49 Mental Health Worker

- (c) Removed 1 year of experience working with children, youth or young adults

§ 5330.50 Additional Staff Positions

- (4) Removed requirement that LPN has to be at the PRTF when an RN is not present
- (5) Removed requirement that LPN have at least 1 year of experience working with children, youth or young adults

§ 5330.51 Initial Staff Training

- NEW LANGUAGE:
 - (c) PRTF staff who will have regular and direct contact with children, youth or young adults shall complete at least 30 hours of training in the following areas within 120 days of their date of hire

• § 5330.52 Annual Staff Training

- NEW LANGUAGE:
 - (b) PRTF staff who will have regular and direct contact with children, youth or young adults shall have at least 40 hours of annual training

§ 5330.112 Initial Medical Assessment

- NEW LANGUAGE:
 - (e) If a physician did not complete the initial medical assessment, a physician shall review and sign the initial medical assessment within 7 days from the date the initial medical assessment was completed.

➤ Proposed PRTF Regulation – Chapter 5330

§ 5330.145 Treatment Services

- NEW LANGUAGE:
 - (1) Meet with the child's, youth's or young adult's treatment team leader for at least 1 hour each month
 - (2) Individual therapy with the child's, youth's or young adult's mental health professional must be provided for at least 4 hours each month
 - (3) Group therapy must be provided for at least 8 hours each month
 - (i) Family therapy must be provided as directed by the treatment team leader.
 - (5) Psychoeducation group must be provided as directed by the treatment team

§ 5330.151 Transportation

- REMOVE:
 - (c) A driver of a vehicle and at least one PRTF staff person shall be present in the vehicle when a child, youth or young adult is being transported
 - (d) There shall be at least one PRTF staff person present for every three children, youth or young adults being transported
 - (e) A manual restraint may not be utilized on a child, youth or young adult during transport
 - Staff ratio during a transport will be the same as staff ratio

§ 5330.182 Order for Manual Restraint

- PROPOSE THIS REQUIREMENT REMAIN:
 - (i) An order for a manual restraint and the application of a manual restraint may not exceed 30 minutes

▶ Proposed PRTF Regulation – Chapter 5330

§ 5330.185 Application of Manual Restraint

- PROPOSE THIS REQUIREMENT REMAIN:
 - (a) A PRTF shall have at least two PRTF staff persons who has completed the required manual restraint training shall be present during the application of a manual restraint
- NEW LANGUAGE:
 - (i) Immediately after a manual restraint or within 1 hour from the initiation of a manual restraint, a physician, APP or RN, who is certified in the use of manual restraints, shall conduct a face-to-face assessment

§ 5330.187 Document of Manual Restraint

- NEW LANGUAGE:
 - (b)(10) Written statement from a PRTF staff person who was directly involved or who observed the manual restraint describing the events prior to, during and following the manual restraint.

§ 5330.188 Debriefing

- NEW LANGUAGE:
 - (b)(2) A representative from the child's, youth's or young adult's treatment team.

Regulatory Development Process Overview

Next Steps in the Regulatory Process

Regulatory Development Process Overview

- OMHSAS is in the process of reviewing and responding to all public, IRRC, and legislative Standing Committee comments.
- All public comments and comments from IRRC will be responded to in the final-form Preamble.

Regulatory Development Process Overview

- Once revised, the regulations go through internal Department review and reviewed by the Governor's Office
- Once approved by the Governor's Office, the regulatory package will be submitted to IRRC and the legislative standing committees
- Final-form regulations must be submitted to IRRC within 2 years of the end of the public comment period

Regulatory Development Process Overview

IRRC Meeting

- IRRC addresses the final form regulations at a public meeting a minimum of 30 days from the date the final-form regulations are submitted
- For more information about IRRC meetings, go to: <http://www.irrc.state.pa.us/meetings/>

Regulatory Development Process Overview

- IRRC votes to approve the regulation at the public meeting
- If approved by IRRC, the Attorney General will review the regulation

Regulatory Development Process Overview

Final Form Publication

- Once approved, the final-form regulations are published in the *Pennsylvania Bulletin* and effective upon the publication date, unless a different effective date is listed in the annex.
- At this point the regulation is “codified” and carries the weight of law.
- This published final form version is the version that will be used by DHS licensing.

Contact OMHSAS

- To send us a comment :

RA-PWPRTFREGS@PA.GOV

Thank You