

**Sec. 17a-227-1. Definitions**

For the purpose of Sections 17a-227-1 through 17a-227-22, inclusive, the following definitions shall apply:

(a) “Administrator” means the person responsible for the overall management, operation and provision of services within the licensed residence.

(b) “Admission” means the formal acceptance and entrance of an individual into the residence under the auspices of the interdisciplinary team responsible for the individual’s service planning.

(c) “Aversive procedure” means the planned use of an event which may be unpleasant, noxious, or otherwise cause discomfort, to alter the occurrence of a specific behavior or to protect an individual from injuring himself or others. These procedures include the use of physical isolation and mechanical and physical restraint.

(d) “Behavior modifying medications” means any chemical agent used for the direct effect it exerts upon the central nervous system to modify thoughts, feelings, mental activities, mood or performance. These chemical agents or psychotropic medications are often broken down into the following categories: antipsychotics, antidepressants, antimaniacs, antianxiety agents, stimulants and sedative/hypnotics. Medications which are not usually described as psychotropics are covered by these regulations when they are prescribed primarily for their psychotropic effects such as mood stabilization and impulse control. These medications include certain anticonvulsants, some beta-blockers and certain other drugs.

(e) “Commissioner” means the commissioner of the department of mental retardation.

(f) “Community living arrangement” means a residential facility in which the licensee provides residential services to 15 or fewer individuals with mental retardation.

(g) “Department” means the department of mental retardation.

(h) “Direct contact personnel” means those people hired by the licensee, including relief or temporary employees, whose primary job description and focus is to provide support to individuals in acquiring and maintaining life skills.

(i) “Emergency” means a critical circumstance in which the health or safety of the individual or other persons must be immediately protected.

(j) “Habilitation” means the process by which an individual is helped to acquire and/or maintain those life skills necessary to cope with the demands of his person and environment and to improve his physical, mental and social competence.

(k) “Habilitative nursing facility” means a free-standing dwelling, licensed prior to January 1992 in which the licensee provides direct twenty-four hour nursing services and comprehensive individual habilitation for four or more individuals with mental retardation.

(l) “Home safety inspection report” means the department’s environmental inspection report addressing minimal physical/safety requirements for three or fewer individuals when a local fire marshal’s certificate has not been obtained.

(m) “Human rights committee” means a group of persons convened by the department, but who are not employed by the department, who provide monitoring to ensure the protection of legally guaranteed rights of individuals with mental retardation. For licensees serving individuals who are not clients of the department, this includes a committee established by the licensee to perform the functions of the department’s human rights

committee for individuals who are not funded or admitted to the department pursuant to Sec. 17a-281 CGS. Such committee must receive prior approval by the department that its functions and responsibilities are consistent with the human rights committee of the department.

(n) "Individual" means any individual with mental retardation who resides in a residence licensed pursuant to Section 17a-227 CGS.

(o) "Individual record" means a file or files containing vital documents including, but not limited to medical information, evaluations, program planning documents, court documents and correspondence.

(p) "Interdisciplinary team (IDT)" means a group of persons which includes the individual being served and, as applicable, includes the family, guardian or advocate, those persons who work most directly with the individual in each of the professions, disciplines or service areas, including direct contact personnel, and any other persons whose participation is relevant to identifying the needs of the individual, devising ways to meet them, writing an overall plan of services and reviewing the plan for effectiveness.

(q) "License" means written authorization issued by the commissioner to operate a residence.

(r) "Licensed personnel" means persons who currently are required to maintain licensure by the State of Connecticut including but not limited to registered nurses, dentists, physicians, psychologists, licensed practical nurses, dental hygienists, pharmacists, physical therapists and occupational therapists.

(s) "Licensee" means the person, agency or other legal entity responsible to the department for the overall operation of the facility or residence, including planning, staffing, managing and maintaining facilities.

(t) "Mechanical restraint" means any apparatus that restricts movement, excluding mechanical supports designed by a physical therapist and approved by a physician that are used to achieve proper body position, alignment or balance, and helmets used to protect individuals from falls due to seizures. Helmets, mitts and similar devices used to prevent self injury are considered mechanical restraints.

(u) "Overall plan of services" means a document which specifies a strategy to guide the delivery of services to an individual for up to one year.

(v) "Physical isolation" means the process whereby an individual is separated from others, usually by placement in a room or area alone.

(w) "Physical restraint" means physically holding an individual to restrict movement or to prevent the individual from harming himself or others. Restraint techniques must be department approved, or in the case of newly proposed techniques, receive approval by the local program review committee for use in any circumstances.

(x) "Plan of correction" means a written document submitted by the administrator to the department specifying steps to be taken to correct regulatory deficiencies, persons responsible for these steps, and time frames for completion.

(y) "Program review committee" means a group of professionals, including a psychiatrist, assembled to review client programs and behavior modifying medications to ensure that they are clinically sound and supported by proper documentation. For licensees serving individuals who are not clients of the department, this includes a committee

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established by the licensee to perform the functions of the department's program review committee for individuals who are not funded by or admitted to the department.

(z) "Residence" means a dwelling licensed by the department pursuant to Section 17a-227 CGS, excluding community training homes.

(aa) "Residential school" means a free-standing dwelling or a group of dwellings located on a single campus, which provides residential services in addition to the educational programming required by the department of education to qualify it to be called a school.

(bb) "Respite status" means the temporary emergency or relief placement of an individual with mental retardation into a residence not to exceed 30 days without written regional authorization.

(cc) "Self-administration of medication" means that an individual is able to identify the appropriate medication by size, color, amount, or other label identification, know independently or with the prompting of an employee or adaptive device the frequency of time of day for which medication is ordered, and consume the medication appropriately.

(dd) "Transfer" means individual movement to another separately licensed residence or to an unlicensed residence.

(ee) "Waiver" means the deferral of any specific regulation or other requirements that do not materially effect the health or safety of individuals.

(Effective October 1, 1992)