

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF HUMAN SERVICES
BUREAU OF HUMAN SERVICES LICENSING
Community Homes for Individuals with Mental Retardation
(55 Pa.Code Chapter 6400)**

Q/A - Regulatory Clarifications – November 2014

The clarifications and interpretations below will remain on the Department's web site until the information is included in the next updated Regulatory Compliance Guide (RCG).

Regulation: § 6400.46(h)-(i) – Staff Training

§ 6400.46(h) - Program specialists and direct service workers and at least one person in a vehicle while individuals are being transported by the home, shall be trained before working with individuals in first aid techniques.

§ 6400.46(i) - Program specialists, direct service workers and drivers of and aides in vehicles shall be trained within 6 months after the day of initial employment and annually thereafter, by an individual certified as a trainer by a hospital or other recognized health care organization, in first aid, Heimlich techniques and cardio-pulmonary resuscitation.

Question: Can a staff person who requires First Aid and CPR training obtain that certification online?

ANSWER: No. Training for First Aid and CPR must be done in-person, and shall be provided by an individual certified as a trainer by a hospital or other recognized health care organization. "Recognized health care organization" includes but is not limited to The American Red Cross, The American Heart Association, and The American Safety and Health Institute. A staff person who has been certified as a trainer by a hospital or other recognized health care organization may train and certify other staff.

The application of § 6400.46(h)-(i) will be effective six months from the date of this clarification.

Regulation: § 6400.191 – Definition of Restrictive Procedures, and § 6400.200 – Mechanical Restraints

§ 6400.191 – A restrictive procedure is a practice that limits an individual's movement, activity or function; interferes with an individual's ability to acquire positive reinforcement; results in the loss of objects or activities that an individual values; or requires an individual to engage in a behavior that the individual would not engage in given freedom of choice.

§ 6400.200 – (a) A mechanical restraint is a device used to control acute, episodic behavior that restricts the movement or function of an individual or portion of an individual's body. Examples of mechanical restraints include anklets, wristlets, camisoles, helmets with fasteners, muffs and mitts with fasteners, poseys, waist straps, head straps, restraining sheets and similar devices.

(b) The use of a mechanical restraint is prohibited except for use of helmets, mitts and muffs to prevent self-injury on an interim basis not to exceed 3 months after an individual is admitted to the home.

(d) A device used to provide support for functional body position or proper balance and a device used for medical treatment, such as sand bags to limit movement after medical treatment, a wheelchair belt that is used for body positioning and support or a helmet for prevention of injury during seizure activity, are not considered mechanical restraints.

Question: Is a helmet considered a restraint? Does it require a restrictive procedure plan or a physician's order? If a helmet is permitted, does it have to be removed every two hours?

ANSWER: A helmet is considered a mechanical restraint if used to prevent self-injurious behavior. A helmet prescribed by a physician to prevent injury due to falls resulting from an unsteady gait, frequent seizures or other issues related to a medical condition or physical disability will not be considered a mechanical restraint as long as the purpose for the helmet is included on the physician's order. A helmet prescribed for these purposes need not be removed every two hours.