

## Policies and Procedures: Treatment

Please only provide policies beyond those applicable to all agencies specific to the services you are applying to offer.

**NAC 458.065 “Staff” defined. (NRS 458.025)** “Staff” means the:

1. Paid employees, including, without limitation, paid employees hired on a temporary basis;
2. Volunteers;
3. Independent contractors; and
4. Consultants, of a program.

Policy & Procedure Requirements	Notes
The policies and procedures to be followed in the event of a medical emergency. <b>NAC 458.158, 1.; NRS 458.025</b>	Applies to all agencies.
The policies and procedures for the registration and disposition of complaints by clients, participants and staff and the right to appeal without threat of reprisal. <b>NAC 458.158, 2.; NRS 458.025</b>	Applies to all agencies.
The policies and procedures for the staff, including, without limitation, an accurate job description, signed by the applicable employee, for each position held by an employee of the program that describes: <ul style="list-style-type: none"> <li>• The title of the position;</li> <li>• The duties and responsibilities of the position; and</li> <li>• The qualifications for the position.</li> </ul> <b>NAC 458.158, 3. a-c; NRS 458.025</b>	Applies to all agencies.
The policies and procedures to be used by the operator to: <ul style="list-style-type: none"> <li>• Claim funds or bill for services;</li> <li>• Receive and record funds;</li> <li>• Record expenditures;</li> <li>• Prepare financial reports;</li> <li>• Maintain information for the support of claims for funds or to bill for services; and</li> </ul> Implement internal controls and audits, as necessary. <b>NAC 458.158, 4. a-f; NRS 458.025</b>	Applies to all agencies.
The policies and procedures of the program and the services to be provided by the program, including, without limitation, the policies and procedures to be used to maintain financial records of clients or participants when a client or participant is billed for services. The policies and procedures must include, without limitation, requirements that an operator shall: <ul style="list-style-type: none"> <li>• Inform prospective clients and participants of financial arrangements concerning a service before providing the service;</li> <li>• Maintain accurate records of: <ul style="list-style-type: none"> <li>○ Any fees charged to a client or participant; and</li> <li>○ Any payments made by a client or participant; and</li> </ul> </li> <li>• Make the records required pursuant to paragraph (b) available to the client or participant for review upon request.</li> </ul> <b>NAC 458.158, 5. a-c; NRS 458.025</b>	Applies to all agencies.

Policy & Procedure Requirements	Notes
<p>An operator shall ensure that the program complies with all applicable confidentiality and recordkeeping provisions set forth in 42 C.F.R. Part 2, 45 C.F.R. Parts 160, 162 and 164, NRS 458.055 and any other applicable confidentiality laws pertaining to the services provided by the program.</p> <p>In the event of a conflict in the confidentiality requirements set forth in 42 C.F.R. Part 2, 45 C.F.R. Parts 160, 162 and 164, NRS 458.055 and any other applicable confidentiality laws, the more restrictive law will apply.</p> <p><b>NAC 458.163, 1-2; NRS 458.025, 458.055</b></p>	<p>Applies to all agencies.</p>
<p>An operator shall ensure that the program allows a consultant to have access to confidential information concerning clients or participants only if the confidentiality agreements required by 42 C.F.R. Part 2, 45 C.F.R. Parts 160, 162 and 164 are satisfied. Such agreements must be maintained in the personnel file of the consultant.</p> <p><b>NAC 458.163, 3; NRS 458.025, 458.055</b></p>	<p>Applies to all agencies.</p>
<p>An operator shall ensure that:</p> <ul style="list-style-type: none"> <li>• The staff readily has access to the client records to the extent authorized pursuant to 42 C.F.R. Part 2 and 45 C.F.R. Parts 160, 162 and 164.</li> <li>• The program maintains a system for the maintenance and protection of client information which satisfies the requirements set forth in 42 C.F.R. Part 2 and 45 C.F.R. Parts 160, 162 and 164, including, without limitation, requirements for: <ul style="list-style-type: none"> <li>○ Adequate provisions to prevent unauthorized access or theft of any form of a record of a client.</li> <li>○ The locked storage of paper records.</li> <li>○ Adequate provisions for a system of backup of records maintained in a computer system in case of a failure of the primary system.</li> <li>○ Retention of the records of each client for not less than 6 years after the client is discharged from the treatment program, to be made available as required pursuant to 45 C.F.R. Parts 160, 162 and 164.</li> <li>○ Appropriate methods to destroy records of clients as required by federal regulation.</li> </ul> </li> <li>• Each client has access to their records as required pursuant to 42 C.F.R. Part 2 and 45 C.F.R. Parts 160, 162 and 164.</li> </ul> <p><b>NAC 458.272, 5-7.; NRS 458.025, 458.055</b></p>	<p>Applies to all agencies.</p>
<p>An operator must establish a system for maintaining the records of the members of the staff which maintains the confidentiality and safekeeping of the records and contains elements per NAC 458.168 1. b-g, 2. (Elements are in HR section).</p> <p><b>NAC 458.168, 1. 2.; NRS 458.025, 458.055</b></p>	<p>Applies to all agencies.</p>
<p>A record of a member of the staff must be made available only to the member of the staff upon submission of a request to review the records and to persons who are:</p> <ul style="list-style-type: none"> <li>• Authorized by the policies and procedures of the program;</li> <li>• Inspecting the program; and</li> <li>• Authorized by the member of the staff.</li> </ul> <p><b>NAC 458.168, 3.; NRS 458.025, 458.055</b></p>	<p>Applies to all agencies.</p>
<p>An operator and the staff shall use information that is generally accepted in the field of prevention or treatment of substance-related disorders.</p> <p><b>NAC 458.177, 2.; NRS 458.025</b></p>	<p>Applies to all agencies.</p>

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<p>An operator shall not allow a client or participant to grant power of attorney to the operator or a member of the staff.  <b>NAC 458.177, 4.; NRS 458.025</b></p>	<p>Applies to all agencies.</p>
<p>The policies and procedures of the treatment program which includes, without limitation, the policies and procedures concerning the control of infections, including, without limitation, communicable diseases, and concerning universal precautions against bloodborne pathogens.  <b>NAC 458.241, 1.; NRS 458.025, 458.055</b></p>	<p>Applies to all agencies.</p>
<p>(Assessment and Treatment Procedures)  The policies and procedures of the treatment program which includes, without limitation, the policies and procedures describing the manner in which the treatment program will satisfy the requirements set forth in NAC 458.246 and 458.272.  458.246: Provisions of services to clients.  458.272: Records regarding clients.  <b>NAC 458.241, 3.; NRS 458.025, 458.055</b></p>	<p>Applies to all agencies.</p>
<p>The policies and procedures of the treatment program which includes, without limitation, the policies and procedures for releasing information about a client which satisfies the requirements set forth in 42 C.F.R. Part 2 and 45 C.F.R. Parts 160, 162 and 164 and which reveals:</p> <ul style="list-style-type: none"> <li>• That the client has abused or neglected a child or an elderly person;</li> <li>• That the client presents a danger to other people;</li> <li>• That the client has a communicable disease; or</li> <li>• The identity of the client and his or her human immunodeficiency virus seropositive status.</li> </ul> <b>NAC 458.241, 3.; NRS 458.025, 458.055</b>	<p>Applies to all agencies.</p>
<p>The policies and procedures of the treatment program which includes, without limitation, the policies and procedures describing the criteria which the treatment program will use to satisfy and comply with the criteria of the Division for admission, continued service and discharge. (<i>ASAM Criteria</i>)  <b>NAC 458.241, 4.; NRS 458.025, 458.055</b></p>	<p>Applies to all agencies.</p>
<p>The operator of an <b>opioid treatment program</b> shall develop a program description and policies and procedures describing the manner in which the program will satisfy the requirements set forth in The ASAM Criteria.  <b>NAC 458.257; NRS 458.025</b></p>	
<p>A treatment program which offers services using <b>telehealth</b> shall submit the policies and procedures for telehealth to the Division for approval. The policies, procedures and protocols must provide for:</p> <ul style="list-style-type: none"> <li>• The confidentiality of the setting for clients and information concerning clients which satisfies the requirements set forth in 42 C.F.R. Part 2 and 45 C.F.R. Parts 160, 162 and 164;</li> <li>• Protocols for verifying: <ul style="list-style-type: none"> <li>○ The location of a client;</li> <li>○ The identity of a client and the professional at the time the service using telehealth is provided;</li> <li>○ Whether telehealth is appropriate for a client; and</li> <li>○ The informed consent of a client concerning telehealth;</li> </ul> </li> <li>• Actions the program will take in case of an emergency involving a client including, without limitation, verifying the safety of the client and emergency services available to the client;</li> <li>• Compliance with ethical standards relating to any applicable professional licensure and certification specific to telehealth;</li> <li>• Compliance with other policies of the Division required in the <u>Administrative Manual</u> of the Division;</li> </ul>	

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<ul style="list-style-type: none"> <li>Compliance with the applicable documentation requirements of NAC 458.103 to 458.193, inclusive, and section 2 of this regulation and 458.241 to 458.272, inclusive, and section 3 of this regulation as if the services were provided to a client in person; and</li> <li>The manner in which the dignity of clients will be maintained.</li> </ul> <p><i>Telehealth means the use of telecommunications and information technology to provide access to health assessment, diagnoses, interventions, consultations, supervision and information across distance.</i></p> <p><b>NAC 458.267, 1-2.; NRS 458.025, 458.055</b></p>	
<p>A <b>Drug Court</b> program shall maintain a manual containing the policies and procedures of the drug court program which includes, without limitation, the policies and procedures required pursuant to NAC 458.158, and the policies and procedures of the drug court program must include, without limitation, evidence of implementation of:</p> <ul style="list-style-type: none"> <li>A restorative justice model of treatment for criminal justice clients;</li> <li>Incentives and sanctions;</li> <li>Motivation enhancement approaches;</li> <li>Activities that encourage behavior that is designed to benefit other persons;</li> <li>Phasing of programs; and</li> <li>Modeling of behavior by staff.</li> </ul> <p><b>NAC 458.291, 1-6.; NRS 458.025, 458.055</b></p>	
<p>An <b>Evaluation Center</b> program shall maintain a manual containing the policies and procedures of the evaluation center program which includes, without limitation, the policies and procedures required pursuant to NAC 458.158, and policies and procedures describing the manner in which the evaluation center program will satisfy the requirements set forth in NAC 458.326 and 458.331.</p> <p>458.326: Assessments of clients. 458.331: Records regarding clients.</p> <p><b>NAC 458.321; NRS 458.025, 458.055, 484C.310</b></p>	
<p>An <b>Early Intervention</b> program shall develop a program description and policies and procedures describing the manner in which the program will satisfy the requirements set forth in The ASAM Criteria. <b>Division Criteria</b></p>	
<p>A <b>Level 1 Outpatient</b> program shall develop a program description and policies and procedures describing the manner in which the program will satisfy the requirements set forth in The ASAM Criteria.</p> <p><b>Division Criteria</b></p>	
<p>A <b>Level 2.1 Intensive Outpatient</b> program shall develop a program description and policies and procedures describing the manner in which the program will satisfy the requirements set forth in The ASAM Criteria.</p> <p><b>Division Criteria</b></p>	
<p>A <b>Level 2.5 Partial Hospitalization</b> program shall develop a program description and policies and procedures describing the manner in which the program will satisfy the requirements set forth in The ASAM Criteria.</p> <p><b>Division Criteria</b></p>	
<p>A <b>Level 3.1 Clinically Managed Low-Intensity Residential</b> program shall develop a program description and policies and procedures describing the manner in which the program will satisfy the requirements set forth in The ASAM Criteria.</p> <p><b>Division Criteria</b></p>	

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<p><b>A Level 3.5 Clinically Managed Medium-Intensity Residential (Adolescent)</b> program shall develop a program description and policies and procedures describing the manner in which the program will satisfy the requirements set forth in The ASAM Criteria. In addition to the description in ASAM, the program must include no less than 25 hours per week of counseling interventions. A minimum of 7 hours per day of structured activities must be provided. A minimum of 10 hours of clinical counseling services must be provided in each week. <b>Division Criteria</b></p>	
<p><b>A Level 3.5 Clinically Managed High-Intensity Residential (Adult)</b> program shall develop a program description and policies and procedures describing the manner in which the program will satisfy the requirements set forth in The ASAM Criteria. In addition to the description in ASAM, the program must include no less than 25 hours per week of counseling interventions. A minimum of 7 hours per day of structured activities must be provided. A minimum of 10 hours of clinical counseling services must be provided in each week. <b>Division Criteria</b></p>	
<p><b>A Level 3.7 Medically Monitored Intensive Inpatient (Adult)</b> program shall develop a program description and policies and procedures describing the manner in which the program will satisfy the requirements set forth in The ASAM Criteria. <b>Division Criteria</b></p>	
<p><b>A Level 1-WM Ambulatory Withdrawal Management without Extended On-Site Monitoring (Adult)</b> program shall develop a program description and policies and procedures describing the manner in which the program will satisfy the requirements set forth in The ASAM Criteria. <b>Division Criteria</b></p>	
<p><b>A Level 2-WM Ambulatory Withdrawal Management with Extended On-Site Monitoring (Adult)</b> program shall develop a program description and policies and procedures describing the manner in which the program will satisfy the requirements set forth in The ASAM Criteria. <b>Division Criteria</b></p>	
<p><b>A Level 3.2-WM Clinically Managed Residential Withdrawal Management</b> program shall develop a program description and policies and procedures describing the manner in which the program will satisfy the requirements set forth in The ASAM Criteria. <b>Division Criteria</b></p>	
<p><b>A Level 3.7-WM Medically Monitored Inpatient Withdrawal Management (Adult)</b> program shall develop a program description and policies and procedures describing the manner in which the program will satisfy the requirements set forth in The ASAM Criteria. <b>Division Criteria</b></p>	
<p><b>A Co-Occurring Disorder</b> program shall develop a program description and policies and procedures describing the manner in which the program will satisfy the requirements set forth in The Dual Diagnosis Capability Toolkits. <b>Division Criteria; DDC Toolkits</b></p>	
<p><b>A Transitional Housing</b> program shall develop a program description and policies and procedures describing the manner in which the program will satisfy the following requirements:</p> <ul style="list-style-type: none"> <li>• Supportive living / drug free environment for individuals being treated in a SAPTA certified Level 1 or Level 2.1 service; and</li> <li>• Admission, Continued Service, Transfer and</li> </ul>	

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<p style="text-align: center;">Discharge Criteria</p> <p><b>Division Criteria</b></p>	
<p>A <b>Civil Protective Custody (controlled substance)</b> adult program shall develop a program description and policies and procedures describing the manner in which the program will satisfy the requirements set forth in the Division Criteria (NRS 458.175). CPC's must meet, at a minimum, requirements of a Level 3.2WM program per ASAM.</p> <p><b>Division Criteria</b></p>	
<p>A <b>Civil Protective Custody (alcohol)</b> adult program shall develop a program description and policies and procedures describing the manner in which the program will satisfy the requirements set forth in the Division Criteria (NRS 458.270). CPC's must meet, at a minimum, requirements of a Level 3.2WM program per ASAM.</p> <p><b>Division Criteria</b></p>	
<p>If a treatment program provides <b>counseling for groups</b>, the operator shall ensure that any session for counseling for a group includes not more than 15 clients. The Provider shall include this requirement in policy for treatment levels of service.</p> <p><b>NAC 458.262; NRS 458.025</b></p>	<p>Applies to all agencies that offer group treatment.</p>