

LICENSING ALERT

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Deputy Secretary
for Quality Assurance

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Division of Drug and Alcohol Program Licensure
Licensing Alert 3-02

STAFFING REGULATIONS – PRIMARY CARE HOURS AND DETOXIFICATION ACTIVITIES

Over the past several years, we have noted an increase in patient deaths occurring in detoxification settings. It is apparent that not all facilities are following regulations intended to protect our most vulnerable patients. We are issuing this alert, therefore, to clarify the definition of “primary care hours” in a detoxification setting. Volume 15, Number 42, Part II of the Pennsylvania Bulletin, published on October 19, 1985 defines the detoxification approach at 28 Pa. Code § 701.1 as:

The process whereby a drug or alcohol intoxicated or dependent client is assisted through the period of time necessary to eliminate, by metabolic or other means, the presence of the intoxicating substance or dependency factors, while keeping the physiological or psychological risk to the client at a minimum. (Emphasis added) This process should also include efforts to motivate and support the patient to seek formal treatment after the detoxification process.

Volume 26, Number 15, Part II of the Pennsylvania Bulletin, published on February 3, 1996 has added definitions at 28 Pa. Code § 701.1 for the following:

Primary care hours – The primary hours of operation during which primary care services are provided as established by the facility and approved by the Department.

Primary care services – Medical, psychological, counseling and support services provided by primary care staff in a treatment and rehabilitation activity as defined in this chapter.

Primary care staff – The group of individuals, including clinical supervisors, counselors, physicians, physician’s assistants, psychologists, registered nurses and licensed practical nurses who provide primary care services and those individuals who are responsible for developing and implementing the treatment plan.

Each individual patient's reaction to detoxification is somewhat unique and is as much a medical and physical process as it is a behavioral health process. The development of medical problems and the severity of reactions cannot be predicted to the point that such problems can be addressed in "scheduled" hours. By definition, the patient is continuously engaged in the detoxification process and is eliminating the intoxicating substances throughout his/her stay in the detoxification activity. During that time, primary care staff must be available to provide the necessary services.

For the detoxification activity, this means that primary care hours are 24 hours a day, seven days a week. Staffing levels of primary care staff must be maintained for each shift, 24 hours each day. These designated staff may not have any duties other than in the detoxification unit. For instance, they may not be counted as overnight staff in a residential unit.

In summary, for non hospital detoxification units, there must be at least one primary care staff person on duty for the first seven patients. For eight through 14 patients, a second primary care staff person must be added and so forth. This ratio must be maintained for all shifts seven days a week. The ratio for hospital-based detoxification activities is 5:1.

Questions regarding this alert should be directed to Carol Bashore, Frank Miller or Arvida Wanner at (717) 783-8675.