

Revised Wis. Admin. Code ch. DHS 75 Implementation

Webinar Series: Session 9

Prevention Services (Subchapter III)

July 22, 2022



WISCONSIN DEPARTMENT
of HEALTH SERVICES

Today's presenters

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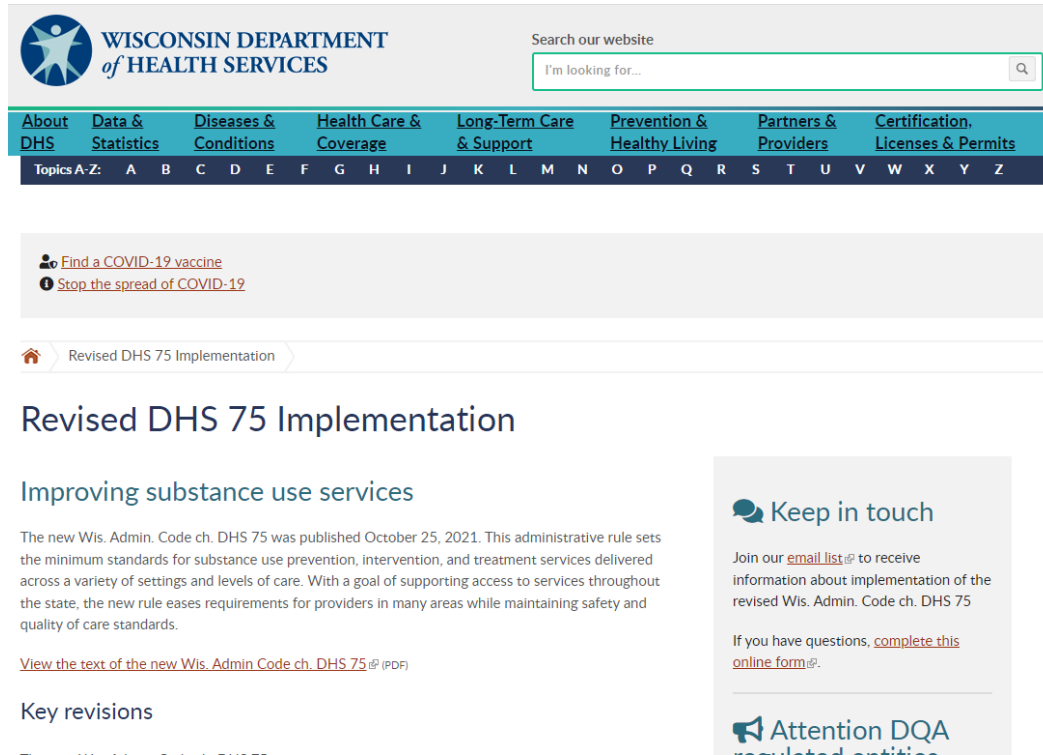
Prevention Intervention Recovery Services Section
Division of Care and Treatment Services

Disclaimer

Nothing stated during this webinar series is intended to interpret administrative rule language. The information provided in today's presentation and subsequent presentations is intended to assist providers with understanding the revised rule and should not be construed as legal interpretation.

Any formal guidance issued regarding the rule will be identified as such and will follow the approved process.

Webpage



The screenshot shows the top navigation area of the Wisconsin Department of Health Services website. It includes the department's logo and name, a search bar with the placeholder text "I'm looking for...", and a horizontal menu with categories such as "About DHS", "Data & Statistics", "Diseases & Conditions", "Health Care & Coverage", "Long-Term Care & Support", "Prevention & Healthy Living", "Partners & Providers", and "Certification, Licenses & Permits". Below the menu is a dark blue bar with a "Topics A-Z" label and individual letters from A to Z.

WISCONSIN DEPARTMENT of HEALTH SERVICES

Search our website
I'm looking for...

About DHS | **Data & Statistics** | **Diseases & Conditions** | **Health Care & Coverage** | **Long-Term Care & Support** | **Prevention & Healthy Living** | **Partners & Providers** | **Certification, Licenses & Permits**

Topics A-Z: A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

[Find a COVID-19 vaccine](#)
[Stop the spread of COVID-19](#)

Revised DHS 75 Implementation

Revised DHS 75 Implementation

Improving substance use services

The new Wis. Admin. Code ch. DHS 75 was published October 25, 2021. This administrative rule sets the minimum standards for substance use prevention, intervention, and treatment services delivered across a variety of settings and levels of care. With a goal of supporting access to services throughout the state, the new rule eases requirements for providers in many areas while maintaining safety and quality of care standards.

[View the text of the new Wis. Admin Code ch. DHS 75](#) (PDF)

Key revisions

Keep in touch

Join our [email list](#) to receive information about implementation of the revised Wis. Admin. Code ch. DHS 75

If you have questions, [complete this online form](#).

Attention DQA

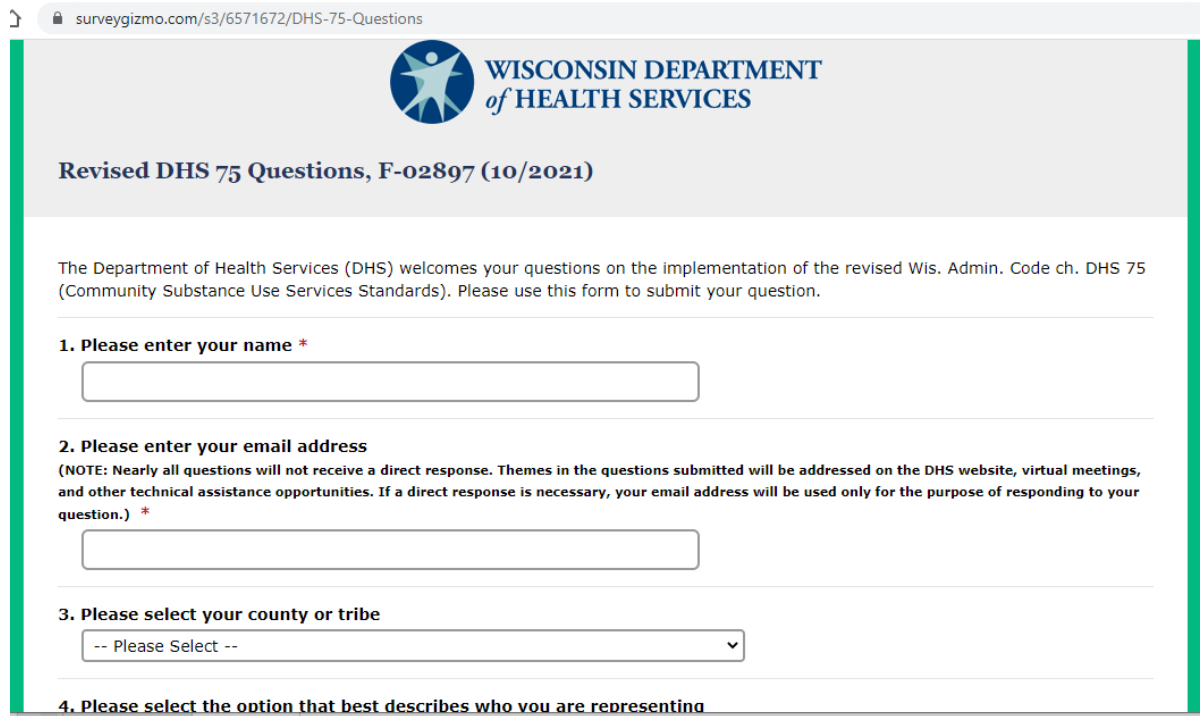
regulated entities

<https://www.dhs.wisconsin.gov/rules/dhs75-implementation.htm>

Webpage resources


- Text of the revised rule
https://docs.legis.wisconsin.gov/code/admin_code/dhs/030/75
- Crosswalk between current and revised rule
<https://www.dhs.wisconsin.gov/publications/p03134.pdf>
- ASAM Criteria Assessment Interview Guide
<https://www.asam.org/asam-criteria/criteria-intake-assessment-form>

Questions? Use online form.



The screenshot shows a web browser window with the URL surveygizmo.com/s3/6571672/DHS-75-Questions. The page header features the Wisconsin Department of Health Services logo and the text "WISCONSIN DEPARTMENT of HEALTH SERVICES". Below the header, the title of the survey is "Revised DHS 75 Questions, F-02897 (10/2021)". The main content area contains a welcome message: "The Department of Health Services (DHS) welcomes your questions on the implementation of the revised Wis. Admin. Code ch. DHS 75 (Community Substance Use Services Standards). Please use this form to submit your question." The form consists of four numbered sections: 1. "Please enter your name *" with a text input field; 2. "Please enter your email address" with a note: "(NOTE: Nearly all questions will not receive a direct response. Themes in the questions submitted will be addressed on the DHS website, virtual meetings, and other technical assistance opportunities. If a direct response is necessary, your email address will be used only for the purpose of responding to your question.) *" and a text input field; 3. "Please select your county or tribe" with a dropdown menu showing "-- Please Select --"; 4. "Please select the option that best describes who you are representing" with a dropdown menu.

surveygizmo.com/s3/6571672/DHS-75-Questions

 WISCONSIN DEPARTMENT
of HEALTH SERVICES

Revised DHS 75 Questions, F-02897 (10/2021)

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<https://www.dhs.wisconsin.gov/rules/dhs75-implementation.htm>

Levels of care crosswalk

Current Wis. Admin. Code ch. DHS 75	American Society of Addiction Medicine (ASAM) Level of Care	Revised Wis. Admin. Code ch. DHS 75
DHS 75.04 Prevention Service		DHS 75.14 Prevention Service
DHS 75.16 Intervention Service	Level 0.5 Early Intervention	DHS 75.15 Intervention Service (and intoxicated drivers)

Service description

A prevention service makes use of universal, selective, and indicated prevention services as defined by DHS 75.14 (3). Prevention services may be focused on reducing behaviors and actions that increase the risk of misusing substances or being affected by another person's substance use.

Applicability

This section shall apply to prevention services when required by contract with DHS, or when a prevention service requests certification.

Definitions

“Prevention” has the meaning given in SPS 160.02 (21).

Definitions

“Prevention domain” refers to content areas that professionals working in substance use prevention shall be knowledgeable in. The prevention domains include any of the following:

- Planning and evaluation.
- Prevention education and service delivery.
- Communication.
- Community organization.
- Public policy and environmental change.
- Professional growth and responsibility, including ethics.

Definitions

“Prevention service” means the organized application of strategies and interventions that are provided to reduce the overall harms and burden of substance use for an identified community or group.

Definitions

- “Prevention strategy” means activities targeted to a specific population or the larger community that are designed to be implemented before the onset of problems as a means to prevent substance use or its detrimental effects from occurring.
- “Target population” means the identified community or group that a prevention strategy is aimed to impact.

Definitions

“Universal, selective, and indicated prevention strategy” means different levels of risk that are addressed through community-based substance use prevention efforts, where universal prevention efforts focus on general audiences who have not been identified based on substance use-related risk, selective prevention efforts focus on audiences with known risk factors for a substance use-related problem, and indicated prevention efforts focus on audiences who are already experiencing a substance use-related problem.

General requirements

The governing authority or entity owner of a service shall do all of the following:

- Designate a member or representative of the governing body that is legally responsible for the operation of a service that has the authority to conduct the policy, actions, and affairs of the service, to complete the entity owner background check and to be the entity owner responsible for a service.
- Appoint a service director whose qualifications, authority, and duties are defined in writing.

General requirements

The governing authority or entity owner of a service shall establish written policies and procedures for the operation of the service and exercise general direction over the service, to ensure compliance with local, state, and federal laws.

General requirements

The governing authority or entity owner of a service shall establish written policies and procedures for the operation of the service and exercise general direction over the service, to ensure that no person will be denied service or discriminated against on the basis of sex, race, color, creed, sexual orientation, disability, or age.

General requirements

Caregiver background check

At the time of hire, employment, or contract, and every 4 years after, the service shall conduct and document a caregiver background check following the procedures in Wis. Stat. § 50.065 and ch. DHS 12.

General requirements

Caregiver background check

A service shall not employ or contract with a person who has been convicted of a crime or offense, or has a governmental finding of misconduct, found in Wis. Stat. § 50.065 and ch. DHS 12, Appendix A, unless the person has been approved under the DHS rehabilitation process as defined in ch. DHS 12.

Definition of caregiver

Wis. Admin. Code § DHS 13.03 (3)

Caregiver means a person who is all of the following:

- A person who has received regulatory approval from an agency or is employed by or under contract with an entity.
- A person who has access to the entity's clients.
- A person who is under the entity's control.

Definition of caregiver

Wis. Admin. Code § DHS 13.03 (3)

Caregiver does not include any of the following:

- A person who performs solely clerical, administrative, maintenance or other support functions for the entity and is not expected to have regular, direct contact with clients or the personal property of clients.
- A person who is employed by or under contract with an entity to provide infrequent or occasional services, such as delivering items to the facility, equipment maintenance, groundskeeping, construction or other similar services that are not directly related to the care of a client.

Reporting and investigation of caregiver misconduct

- Report caregiver to Misconduct Incident Reporting System.
- All providers should be pre-registered for this system.
<https://www.dhs.wisconsin.gov/misconduct/reporting.htm>

General requirements

Personnel records

Employee records shall be available upon request at the service for review by DHS.

General requirements

Personnel records

A separate record for each employee shall be maintained, kept current, and at a minimum, include:

- A written job description including duties, responsibilities and qualifications required for the employee.
- Beginning date of employment.
- Qualifications based on education or experience.

General requirements

Personnel records

A separate record for each employee shall be maintained, kept current, and at a minimum, include:

- A completed caregiver background check following procedures under Wis. Stat. § 50.065 and ch. DHS 12.
- A copy of a signed statement regarding confidentiality of client information.
- Documentation of any required training.
- A copy of any required licenses or certifications.

General Requirements

Confidentiality

- A service shall have written policies, procedures, and staff training to ensure compliance with confidentiality provisions of 42 CFR part 2, 45 CFR parts 164 and 170, Wis. Stat. § 51.30, and ch. DHS 92.
- Each staff member shall sign a statement acknowledging responsibility to maintain confidentiality of personal information about people served.

Prevention

- DHS 75.04 (current rule) → DHS 75.14 (revised rule)
- Training not determined by the DSPS requirements, more by the service and/or contract: staff should receive ongoing training to improve skills and knowledge in the prevention domains and in the implementation of prevention services.
- Staff do not need to be certified by DSPS.
- Prevention service evaluation is more clearly defined and articulated.

Required personnel and training

- **Prevention professional.** A professional employed by the service shall be knowledgeable and skilled in areas of substance use prevention, including prevention domains, prevention services, and program implementation.
- **Training.** Staff shall receive ongoing training to improve skills and knowledge in the prevention domains and in the implementation of prevention services.

Prevention service operations

- **General.** A prevention service shall utilize recognized best practices for evidence-based substance use prevention.
- **Strategies employed by the prevention service.** Many strategies may be used.

Prevention service operations: Comprehensive approach

A prevention service shall employ a comprehensive approach that targets universal, selective, and indicated populations, and uses strategies which seek to prevent substance use and its effects.

Prevention service operations: Information dissemination

The prevention service shall provide awareness and knowledge of the nature and extent of the identified problem and generate knowledge and awareness of available prevention services via one-way communication with the public.

Prevention service operations: Information dissemination

Examples of methods that may be used to carry out this strategy include:

- Operation of an information clearinghouse.
- Development and distribution of a resource directory.
- Media campaigns.
- Development and distribution of brochures.
- Radio and TV public service announcements.
- Speaking engagements.
- Participation in health fairs and other health promotion activities.

Prevention service operations: Education

The prevention service shall provide two-way communication between staff and a client or clients, that is directed towards affecting critical life and social skills, including decision-making, refusal skills, critical analysis, and systematic judgment abilities.

Prevention service operations: Education

Examples of activities that may be conducted and methods used in carrying out this strategy include:

- Classroom or small group sessions.
- Parenting and family management classes.
- Peer leader or helper programs.
- Education programs for youth groups.
- Groups for children with family members who use substances.

Prevention service operations: Alternative activities

The prevention service shall provide activities that assist in building resiliency and exclude alcohol, tobacco, and other drug use to targeted populations. The assumption is that constructive and healthy activities offset the attraction to, or otherwise meet the needs that may be fulfilled by, alcohol, tobacco, and other drugs.

Prevention service operations: Alternative activities

Alternative activities also provide a means of character-building and may promote healthy relationships between youth and adults, in that participants may internalize the values and attitudes of the individuals involved in establishing the prevention services objectives.

Prevention service operations: Alternative activities

Examples of activities that may be promoted or conducted under this strategy include:

- Drug-free dances and parties.
- Youth or adult leadership activities.
- After-school activities such as participation in athletic activities, music lessons, art clubs or the school newspaper.
- Community drop-in centers.
- Community service activities.

Prevention service operations: Problem identification and stand-alone referral

The prevention service shall implement methods to identify individuals who have demonstrated at-risk behavior, such as illegal or age-inappropriate use of tobacco or alcohol, or first use of illicit drugs, and determine if the individual's behavior can be reversed through education. This strategy does not include activities designed to determine if a person is in need of treatment.

Prevention service operations: Problem identification and stand-alone referral

Examples of activities that may be conducted and methods used in carrying include:

- Employee assistance programs.
- Student assistance programs.
- Educational programs for individuals charged with driving while under the influence or driving while intoxicated.

Prevention service operations: Environmental

The prevention service shall establish community standards, codes, and attitudes, aimed at reducing the prevalence of at-risk behavior among the general population.

Prevention service operations: Environmental

Examples of methods that may be used in carrying out this strategy include:

- Promoting the establishment and review of policies for schools, government, and civic groups related to the use of alcohol, tobacco, and drugs.
- Providing technical assistance to communities to maximize local enforcement procedures governing availability and distribution of alcohol, tobacco, and other drugs.

Prevention service operations: Environmental

Examples of methods that may be used in carrying out this strategy include:

- Reduce youth alcohol, tobacco, and drug exposure by modifying alcohol and tobacco advertising practices.
- Supporting local enforcement procedures to limit violent behavior.
- Establishing policies that create opportunities for youth to become involved in their communities.

Prevention service operations: Community-based process

The prevention service shall implement processes that enhance the ability of the community to more effectively provide prevention services for behaviors that lead to substance use. Activities under this strategy include organizing, planning, enhancing the efficiency and effectiveness of services implementation, interagency collaboration, coalition building and networking.

Prevention service operations: Community-based process

Examples of activities that may be conducted and methods used in carrying out this strategy include:

- Community and volunteer training, such as neighborhood action training and training of key people in the system.
- Systematic planning in the above prevention strategy areas.

Prevention service operations: Community-based process

Examples of activities that may be conducted and methods used in carrying out this strategy include:

- Multi-agency coordination and collaboration.
- Facilitating access to services and funding.
- Active participation in a community prevention coalition.

Prevention service operations

- **Goals and objectives.** A prevention service shall have written operational goals and objectives that specify the strategies by which they will be achieved, and the target population served.
- **Documentation of coordination.** A prevention service shall provide written documentation of coordination with other human service agencies, organizations or services that share similar goals.

Prevention service operations

Records. A prevention service shall maintain records on the number of individuals served by implementation of each prevention strategy and retain records necessary for meeting certification and funding requirements.

Prevention service evaluation

Prevention evaluation outcomes. A prevention service shall have an evaluation process that measures the outcomes of the services provided.

Prevention evaluation by consumers. A prevention service shall evaluate the views of consumers about the services they are provided and shall adjust goals and objectives accordingly.

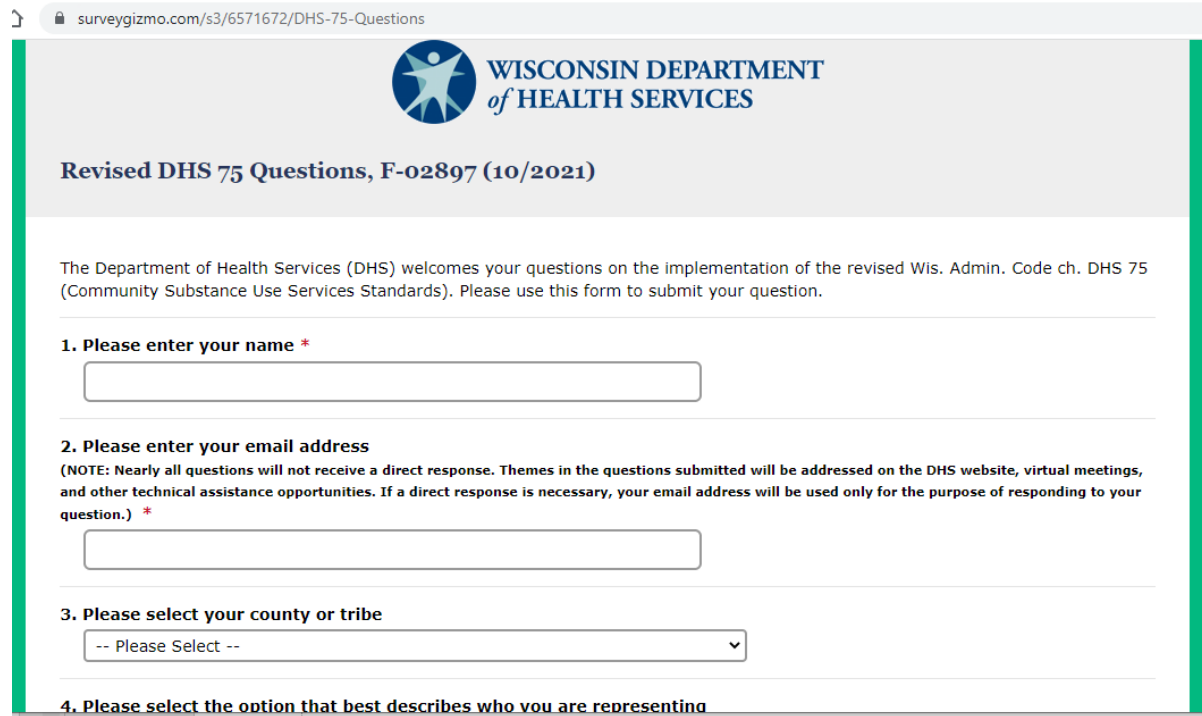
Prevention service evaluation

Prevention service written policy. A prevention service shall have a written policy and a defined process to provide individuals with the opportunity to express opinions regarding ongoing services, staff, and the methods by which individual prevention activities are offered.

Summary: Prevention


- DHS 75.04 (current rule) → DHS 75.14 (revised rule)
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