NORTH DAKOTA DEPARTMENT OF HEALTH & HUMAN SERVICES

Developmental Disabilities Section

REVISED PI-09-23

To: Licensed DD Service Providers

ND Association of Community Facilities

Regional DD Program Administrators

ND Protection and Advocacy Project

ND Department of Health and Human Services – Health Facilities Unit

From: Tina Bay, Director

Developmental Disabilities Section

Date: July 1, 2023

**Subject: Restraints and Seclusion Policy Issuance – updated language**

The following restrictive interventions are prohibited for any individual receiving services and supports authorized by the Department of Health and Human Services, Developmental Disabilities Section, which include recipients of Medicaid home and community-based waivers for individuals with an intellectual or developmental disability and those receiving ICF/IID state plan services.

Use of these restraint techniques may not be included in Person Centered Service Plans and may not be implemented in emergency situations. Staff supporting the individual must not implement these interventions. Licensed providers may not permit the implementation of the following interventions by subcontracted entities or consultants:

Prohibited Interventions:

1. Prone restraints. A prone restraint is defined as all items or measures used to limit or control the movement or normal functioning of any portion, or all, of an individual’s body while the individual is in a face-down position. Prone restraint includes physical or mechanical restraints.
2. Seclusion. Seclusion is defined as the involuntary confinement of an individual alone in a room or an area from which the individual is physically prevented from having contact with others or leaving.