

Developmental Delay means that a child meets one or more of the following:

- A. A child who is less than five (5) years of age at risk of having a developmental disability because of the presence of one or more of the following:
 - 1. Chromosomal conditions associated with delays in development,
 - 2. Congenital syndromes and conditions associated with delays in development,
 - 3. Sensory impairments associated with delays in development,
 - 4. Metabolic disorders associated with delays in development,
 - 5. Prenatal and perinatal infections and significant medical problems associated with delays in development,
 - 6. Low birth weight infants weighing less than 1200 grams, or
 - 7. Postnatal acquired problems resulting in delays in development.
- B. A child less than five (5) years of age who is significantly delayed in development in one or more of the following areas:
 - 1. Communication,
 - 2. Adaptive behavior,
 - 3. Social-emotional,
 - 4. Motor,
 - 5. Sensory, or
 - 6. Cognition.
- C. A child less than three (3) years of age who lives with one or both parents who have a developmental disability.

Developmental Disability means a disability that is manifested before the person reaches twenty-two (22) years of age, which constitutes a substantial disability to the affected individual, and is attributable to mental retardation or related conditions which include cerebral palsy, epilepsy, autism or other neurological conditions when such conditions result in impairment of general intellectual functioning or adaptive behavior similar to that of a person with mental retardation. Unless otherwise specifically stated, the federal definition of "Developmental Disability" found in 42 U.S.C. 6000, et seq., shall not apply.

- A. Impairment of general intellectual functioning means that the person has been determined to have an intellectual quotient equivalent which is two or more standard deviations below the mean (70 or less assuming a scale with a mean of 100 and a standard deviation of 15), as measured by an instrument which is standardized, appropriate to the nature of the person's

disability, and administered by a qualified professional. The standard error of measurement of the instrument should be considered when determining the intellectual quotient equivalent. When an individual's general intellectual functioning cannot be measured by a standardized instrument, then the assessment of a qualified professional shall be used.

- B. Adaptive behavior means that the person has overall adaptive behavior which is significantly limited in two or more skill areas (communication, self-care, home living, social skills, community use, self-direction, health and safety, functional academics, leisure, and work), as measured by an instrument which is standardized, appropriate to the person's living environment, and administered and clinically determined by a qualified professional.
- C. Similar to that of a person with mental retardation, in regard to adaptive behavior, means that a person's adaptive behavior limitations are a direct result of, or are significantly influenced by, the person's substantial cognitive deficits and may not be attributable to only a physical or sensory impairment or mental illness.

Emergency Control Procedure means an unanticipated use of a restrictive procedure or restraint in order to keep the person receiving services and others safe.

Exploitation means an illegal or improper action affecting a person or use of the person's resources for another person's profit or advantage.

Individual Service and Support Plan (ISSP) means a plan of intervention or instruction which directly addresses the needs identified in the person's Individualized Plan and which provides specific direction and methodology to employees and contractors providing direct service to a person.

Individualized Plan (IP) means a written plan designed by an interdisciplinary team for the purpose of identifying:

- A. The needs of the person receiving services or family;
- B. The specific services and supports appropriate to meet those needs;
- C. The projected date for initiation of service and supports; and,
- D. The anticipated results to be achieved by receiving the services and supports.

Interdisciplinary Team (IDT) means a group of people convened by a community centered board which shall include the person receiving services, the parent or guardian of a minor, a guardian or an authorized representative, as appropriate, the person who coordinates the provision of services and supports, and others as determined by such person's needs and preferences, who are assembled in a cooperative manner to develop or review the individualized plan.

Mental Retardation means substantial limitations in present functioning. It is characterized by significantly sub-average intellectual functioning, existing concurrently with related limitations in two or more of the following applicable adaptive skill areas: communication, self-care, home living, social skills,

community use, self-direction, health and safety, functional academics, leisure, and work. Mental retardation manifests before age 18.

Minimum Effective Dose means the smallest medication dosage necessary to produce the intended effect.

Mistreatment means an act or omission which threatens the health, safety, or welfare of a person.

Neglect means an act or failure to act by a person who is responsible for another's well being so that inadequate food, clothing, shelter, psychological care, physical care, medical care, or supervision is provided. This may include, but is not limited to, denial of meals, medication, habilitation, or other treatment necessities and which is not otherwise within the scope of Section 27-10.5, C.R.S., or these rules and regulations.

Physical Restraint means the use of manual methods to restrict the movement or normal functioning of a portion of an individual's body through direct physical contact by others except for the purpose of providing assistance/prompts. Assistance/prompts is the use of manual methods to guide or assist with the initiation or completion of and/or support the voluntary movement or functioning of an individual's body through the use of physical contact by others except for the purpose of providing physical restraint.

PRN (Pro Re Nata) means giving drugs on an "as needed" basis through a standing prescription or standing order.

Restrictive Procedure means any of the following when the intent or plan is to bring the person's behavior into compliance:

- A. Limitations of an individual's movement or activity against his or her wishes; or,
- B. Interference with an individual's ability to acquire and/or retain rewarding items or engage in valued experiences.

Safety Control Procedure means a restrictive procedure or restraint that is used to control a previously exhibited behavior which is anticipated to occur again and for which the planned method of intervention is developed in order to keep the person and others safe.

Abuse includes, but is not limited to:

- A. Physical abuse, which means the infliction of physical pain, injury, or the imposition of unreasonable confinement or restraint on a person. This includes directing a person to physically abuse another person receiving services.
- B. Sexual abuse, which means subjecting a person to nonconsensual sexual conduct or contact classified as a crime under the "Colorado Criminal Code", Title 18, C.R.S. This may include, but is not limited to, such actions as sexual assault, rape, fondling, or sexual exploitation. Additionally, any sexual interaction between employees or contractors and persons receiving services shall constitute sexual abuse.

- C. Mental or psychological abuse, which means any verbal or nonverbal act which creates, is intended to create, or reasonably could be expected to create mental anguish for a person. This includes, but is not limited to, such actions as discriminatory remarks, belittlement, derogatory name calling, teasing, and unreasonable exclusion from conversations or activities.

Challenging Behavior means behavior that puts the person at risk of exclusion from typical community settings, community services and supports, or presents a risk to the health and safety of the person or others or a significant risk to property.

Community Centered Board (CCB) means a private corporation, for profit or not for profit, which, when designated pursuant to Section 27-10.5.105, C.R.S., provides case management services to persons with developmental disabilities, is authorized to determine eligibility of such persons within a specified geographical area, serves as the single point of entry for persons to receive services and supports under section 27-10.5, C.R.S., and provides authorized services and supports to such persons either directly or by purchasing such services and supports from service agencies.

Comprehensive Review of the Person's Life Situation means a thorough review of all aspects of the person's current life situation by the program approved service agency in conjunction with other members of the interdisciplinary team.