

- 東京都指定障害児入所施設の人員、設備及び運営の基準に関する条例
- Tokyo Metropolitan Government Ordinance on Standards for Personnel, Equipment and Operation of Designated Admission Institutions for Children with Disabilities

平成二四年一二月一三日

December 13, 2012

条例第一四〇号

Ordinance No. 140

東京都指定障害児入所施設の人員、設備及び運営の基準に関する条例を公布する。

The Tokyo Metropolitan Government Ordinance on Standards for Personnel, Equipment and Operation of Designated Admission Institutions for Children with Disabilities is hereby promulgated.

東京都指定障害児入所施設の人員、設備及び運営の基準に関する条例
Tokyo Metropolitan Government Ordinance on Standards for Personnel,
Equipment and Operation of Designated Admission Institutions for Children with
Disabilities

目次

Table of Contents

第一章 総則(第一条—第三条)

Chapter 1 General Provisions (Articles 1-3)

第二章 指定福祉型障害児入所施設

Chapter 2 Designated Welfare Services Facilities for Children with Disabilities

第一節 人員に関する基準(第四条)

Section 1 Standards for Personnel (Article 4)

第二節 設備に関する基準(第五条)

Section 2 Standards for Facilities (Article 5)

第三節 運営に関する基準(第六条—第五十条)

Section 3 Standards for Operation (Articles 6-50)

第三章 指定医療型障害児入所施設

Chapter 3 Designated Medical Services Facilities for Children with Disabilities

第一節 人員に関する基準(第五十一条)

Section 1 Standards for Personnel (Article 51)

第二節 設備に関する基準(第五十二条)

Section 2 Standards for Facilities (Article 52)

第三節 運営に関する基準(第五十三条—第五十六条)

Section 3 Standards for Operation (Articles 53-56)

第四章 雑則(第五十七条—第五十九条)

Chapter 4 Miscellaneous Provisions (Articles 57-59)

附則

Supplementary Provisions

第一章 総則

Chapter 1 General Provisions

(趣旨)

(Outline)

第一条 この条例は、児童福祉法(昭和二十二年法律第百六十四号。以下「法」という。)

第二十四条の十二第一項及び第二項の規定に基づき、東京都における指定障害児入所施設
の人員、設備及び運営に関する基準を定めるものとする。

Article 1 This ordinance is to establish standards on personnel, equipment and operation of designated admission institutions for children with disabilities in Tokyo based on the provisions of Article 24-12, paragraphs (1) and (2) of the Child Welfare Act (Act No. 164 of 1947; hereinafter referred to as "the Act").

(用語の意義)

(Meaning of Terms)

第二条 この条例において、次の各号に掲げる用語の意義は、それぞれ当該各号に定めるところによる。

Article 2 (1) In this ordinance, the meanings of the terms listed in each of the following items must be as defined respectively in the relevant items.

一 指定障害児入所施設 法第二十四条の二第一項に規定する指定障害児入所施設をいう。

(i) Designated admission institution for children with disabilities A designated admission institution for children with disabilities provided in paragraph (1) of Article 24-2 of the Act.

二 指定入所支援 法第二十四条の二第一項に規定する指定入所支援をいう。

(ii) Designated admission support Designated admission support prescribed in Article 24-2, paragraph (1) of the Act.

三 指定福祉型障害児入所施設 法第二十四条の二第一項に規定する指定障害児入所施設のうち法第四十二条第一号に規定する福祉型障害児入所施設であるものをいう。

(iii) Designated welfare services facilities for children with disabilities A designated admission institution for children with disabilities prescribed in Article 24-2 paragraph (1) of the Act, which is a welfare services facility for children with disabilities prescribed in Article 42 item (i) of the Act.

四 指定医療型障害児入所施設 法第二十四条の二第一項に規定する指定障害児入所施設のうち法第四十二条第二号に規定する医療型障害児入所施設であるものをいう。

(iv) Designated medical services facilities for children with disabilities A designated admission institution for children with disabilities prescribed in Article 24-2, paragraph (1) of the Act, which is a medical services facility for children with disabilities as provided in Article 42, item (ii) of the Act.

五 指定入所支援費用基準額 法第二十四条の二第二項第一号(法第二十四条の二十四第三項の規定により、同条第一項に規定する障害児入所給付費等の支給について適用する場合を含む。)に掲げる額をいう。

(v) Standard amount of expenses for designated admission support The amount set forth in Article 24-2, paragraph (2), item (i) of the Act (including the case where it is applied, pursuant to the provision of paragraph (3) of Article 24-24 of the Act, to admission benefits for children with disabilities prescribed in paragraph (1) of the same Article)

六 入所利用者負担額 法第二十四条の二第二項第二号(法第二十四条の二十四第三項の規定により、同条第一項に規定する障害児入所給付費等の支給について適用する場合を含む。)に掲げる額及び障害児入所医療(法第二十四条の二十第一項に規定する障害児入所医療をいう。以下同じ。)につき法第二十四条の二十第二項第一号及び第二号に規定する健康保険の療養に要する費用の額の算定方法の例により算定した費用の額から当該障害児入所医療につき支給された障害児入所医療費の額を控除して得た額の合計額をいう。

(vi) Admitted user co-payment amount The total amount obtained by deducting the amount of the amount of admission medical care for children with disabilities expenses paid for said amount of admission medical care for children with disabilities from the amount set forth in Article 24-2(2)(ii) of the Act (including the case where it is applied pursuant to the provision of Article 24-24 paragraph (3) of the Act with regard to the payments of admission benefits for children with disabilities, etc. prescribed in paragraph (1) of the same Article) and the amount of expenses calculated in accordance with the method for calculating the amount of expenses required for medical treatment of health insurance prescribed in Article 24-20 paragraph (2) items (i) and (ii) of the Act for admission medical care for children with disabilities (referring to the residential medical care for disabled children provided in Article 24-20 paragraph (1) of the Act; the same shall apply hereinafter).

七 入所給付決定 法第二十四条の三第四項に規定する入所給付決定をいう。

(vii) Admission benefit decision An admission benefit decision provided in Article 24-3, paragraph (4) of the Act.

八 入所給付決定保護者 法第二十四条の三第六項に規定する入所給付決定保護者をいう。

(viii) Recognized admission beneficiary custodian A recognized admission beneficiary custodian as provided in Article 24-3, paragraph (6) of the Act.

九 給付決定期間 法第二十四条の三第六項に規定する給付決定期間をいう。

(ix) Benefits payment period The benefits payment period as provided in Article 24-3, paragraph (6), of the Act.

十 入所受給者証 法第二十四条の三第六項に規定する入所受給者証をいう。

(x) Admission beneficiary certificate An admission beneficiary certificate as provided in Article 24-3, paragraph (6) of the Act.

十一 法定代理受領 法第二十四条の三第八項(法第二十四条の七第二項において準用する場合及び法第二十四条の二十四第三項の規定により同条第一項に規定する障害児入所給付費等の支給について適用する場合を含む。)の規定により入所給付決定保護者に代わり都道府県(指定都市及び児童相談所設置市を含む。次条第三項を除き、以下同じ。)が支払う指定入所支援に要した費用の額又は法第二十四条の二十第三項(法第二十四条の二十四第三項の規定により、同条第一項に規定する障害児入所給付費等の支給について適用する場合を含む。)の規定により入所給付決定保護者に代わり都道府県が支払う指定入所医療に要した費用の額の一部を指定障害児入所施設が受けることをいう。

(xi) Statutory receipt by proxy This means that a designated residential facility for children with disabilities receives a portion of the amount of expenses required for designated institutional support paid by the prefecture on behalf of the recognized admission beneficiary custodian pursuant to the provisions of Article 24-3, paragraph (8) of the Act (including the case where it is applied mutatis mutandis pursuant to Article 24-7 paragraph (2) of the Act and the case where it is applied pursuant to Article 24-24 paragraph (3) of the Act with regard to the payments of admission benefits for children with disabilities, etc. prescribed in paragraph (1) of the same Article), or the amount of expenses required for admission medical care paid by the prefecture (including designated cities and cities with child guidance centers; the same shall apply hereinafter except for paragraph (3) of the following Article) on behalf of the recognized admission beneficiary custodian pursuant to the provisions of Article 24-20, paragraph (3) of the Act (including the cases where it is applied, pursuant to the provision of Article 24-24 paragraph (3) of the Act, to payments of admission benefits for children with disabilities, etc., prescribed in paragraph (1) of the same Article).

2 前項に掲げるもののほか、この条例で使用する用語の意義は、法で使用する用語の例による。

(2) In addition to the matters set forth in the preceding paragraph, the meanings of terms used in this ordinance must be as used in the Act.

(令六条例五三・一部改正)

(Partially amended by Ordinance No.53 of 2024)

(指定障害児入所施設の一般原則)

(General Principles for Designated Admission Institution for Children with Disabilities)

第三条 指定障害児入所施設は、入所給付決定保護者及び障害児の意向、障害児の適性、障害の特性その他の事情を踏まえた計画(以下「入所支援計画」という。)及び障害児(十五歳以上の障害児に限る。)が障害者の日常生活及び社会生活を総合的に支援するための法律(平成十七年法律第百二十三号。以下「障害者総合支援法」という。)第五条第一項に規定する障害福祉サービス(以下「障害福祉サービス」という。)その他のサービスを利用しつつ自立した日常生活又は社会生活を営むことができるよう、自立した日常生活又は社会生活への移行について支援する上で必要な事項を定めた計画(以下「移行支援計画」という。)を作成し、これに基づき障害児に対して指定入所支援を提供するとともに、当該指定入所支援の効果について継続的な評価を実施することその他の措置を講じることにより障害児に対して適切かつ効果的に指定入所支援を提供しなければならない。

Article 3 (1) Designated admission institutions for children with disabilities create a plan (hereinafter referred to as an "admission support plan") that takes into account the wishes of the recognized admission beneficiary custodian and the child with disabilities, the suitability of the child with disabilities, the characteristics of the disability, and other circumstances, and a plan (hereinafter referred as an "transition support plan") that prescribes matters required to support the transition of children with disabilities (limited to children with disabilities of 15 years old or more) to self-reliance daily life or social life while using Article 5, paragraph (1) of the Act on Providing Comprehensive Support for the Daily Life and Life in Society of Persons with Disabilities (Act No. 123 of 2005; hereinafter referred as "Act on Comprehensive Support for Persons with Disabilities") and other services, in addition to providing designated admission support to children with disabilities based on this, must provide designated placement support appropriately and effectively to children with disabilities by conducting continuous evaluation of the effectiveness of said designated placement support and taking other measures.

2 指定障害児入所施設は、当該指定障害児入所施設を利用する障害児の意思及び人格を尊重し、常に当該障害児の立場に立って指定入所支援を提供するよう努めなければならない。

(2) A designated admission institution for children with disabilities must endeavor to

respect the intent and personality of the children with disabilities who use said designated admission institution for children with disabilities, and always offer designated admission support from the standpoint of said children with disabilities.

3 指定障害児入所施設は、地域及び家庭との結び付きを重視した運営を行い、都道府県、特別区及び市町村、障害福祉サービスを行う者、他の児童福祉施設その他の保健医療サービス又は福祉サービスを提供する者との密接な連携に努めなければならない。

(3) Designated admission institutions for children with disabilities shall operate by placing importance on the ties with areas and families, and must endeavor to cooperate closely with prefectures, special wards and municipalities, persons providing welfare services for persons with disabilities, other child welfare facilities and other providers of health and medical services or welfare services.

4 指定障害児入所施設は、当該指定障害児入所施設を利用する障害児の人権の擁護、虐待の防止等のため、必要な体制の整備を行うとともに、従業者に対し、研修の実施その他の必要な措置を講じなければならない。

(4) A designated admission institution for children with disabilities, as well as developing necessary systems to protect human rights and prevent abuse of the children with disabilities who use the facility, must take necessary measures including providing its employees with training.

(平二五条例五五・令三条例三四・令六条例五三・一部改正)

(Partially amended by Ordinances No. 55 of 2013, No. 34 of 2021, Ordinance No. 53 of 2024)

第二章 指定福祉型障害児入所施設

Chapter 2 Designated welfare services facilities for children with disabilities

第一節 人員に関する基準

Section 1 Standards for Personnel

(従業者の配置の基準)

(Standards of Employee Placement)

第四条 指定福祉型障害児入所施設は、次に掲げる従業者を、東京都規則(以下「規則」という。)で定める基準により置かなければならない。ただし、四十人以下の障害児を入所させる指定福祉型障害児入所施設にあつては第四号の栄養士を、調理業務の全部を委託する指定福祉型障害児入所施設にあつては第五号の調理員を置かないことができる。

Article 4 (1) A designated welfare services facility for children with disabilities must have the following employees in accordance with the standards specified by the Tokyo Metropolitan Regulations (hereinafter referred to as "Regulations") However, in the case of a designated welfare services facility for children with disabilities that

admits 40 or fewer persons, the facility may have no nutritionist under item (iv), and in the case of a designated welfare services facility for children with disabilities that requests entrustment of all cooking operations, the facility may have no cook under item (v).

一 嘱託医

(i) Commissioned doctor

二 看護職員(保健師、助産師、看護師又は准看護師をいう。)

(ii) Nursing staff (public health nurse, midwife, nurse or assistant nurse)

三 児童指導員(東京都児童福祉施設の設備及び運営の基準に関する条例(平成二十四年東京都条例第四十三号。以下「児童福祉施設基準条例」という。))第五十四条第一項第一号に規定する児童指導員をいう。以下同じ。)及び保育士

(iii) Child guidance counselors (child guidance counselors prescribed in Article 54, paragraph (1), item (i) of the Tokyo Metropolitan Government Ordinance on Standards for Facilities and Operation of Child Welfare Facilities (Tokyo Metropolitan Ordinance No. 43 of 2012; hereinafter referred to as the "Child Welfare Facility Standards Ordinance"); the same applies hereinafter) and nursery school teachers.

四 栄養士

(iv) Nutritionist

五 調理員

(v) Cook

六 児童発達支援管理責任者(児童福祉施設基準条例第六十三条第一項第六号に規定する児童発達支援管理責任者をいう。以下同じ。)

(vi) Child development support management supervisor (refers to a child development support management supervisor provided in Article 63, paragraph (1), item (vi) of the Child Welfare Facility Standards Ordinance; the same applies hereinafter)

2 指定福祉型障害児入所施設は、前項各号に掲げる従業者のほか、主として自閉症を主たる症状とする知的障害のある児童(以下「自閉症児」という。)を入所させるものである場合にあっては医師を、心理支援を行う必要があると認められる障害児五人以上に心理支援を行う場合にあっては心理指導担当職員を、職業指導を行う場合にあっては職業指導員を、規則で定める基準により置かなければならない。

(2) In addition to the employees set forth in the immediately preceding paragraph, a designated admission institution for welfare services facility for children with disabilities shall, in the case where it admits children with intellectual disabilities whose main symptom is autism (hereinafter referred to as "children with autism"), have a doctor, in the case where it provides psychological supports to 5 or more children with disabilities

who are deemed to need psychological guidance, an employee in charge of psychological supports shall be placed, and in the case of providing vocational guidance, a vocational guidance instructor shall be placed in accordance with the standards specified by the Regulations.

- 3 前項に規定する心理指導担当職員は、大学(学校教育法(昭和二十二年法律第二十六号)第一条の規定による大学をいい、短期大学を除く。)において、心理学を専修する学科若しくはこれに相当する課程を修めて卒業し、若しくは大学院(同法第九十七条の規定による大学院をいう。)において、心理学を専修する研究科若しくはこれに相当する課程を修了した者であって、個人及び集団心理療法の技術を有するもの又はこれと同等以上の能力を有すると認められる者でなければならない。

(3) The staff member in charge of psychological guidance prescribed in the preceding paragraph is a person who graduated from a university (meaning a university pursuant to the provisions of Article 1 of the School Education Act (Act No. 26 of 1947), excluding junior colleges) by completing a major in psychology or an equivalent course, or a person who has completed a graduate school specializing in psychology or an equivalent course at a graduate school (meaning to a graduate school pursuant to the provisions of Article 97 of the Act), and must have skills in individual and group psychotherapy, or be recognized as having equivalent or superior abilities.

(平二五条例五五・平三〇条例六三・令三条例三四・令六条例五三・一部改正)

(Partially amended by Ordinances No. 55 of 2013, No. 63 of 2018, No. 34 of 2021, Ordinance No. 53 of 2024)

第二節 設備に関する基準

Section 2 Standards for equipment

(設備の基準)

(Equipment Standards)

第五条 指定福祉型障害児入所施設は、居室、調理室、浴室、便所、医務室及び静養室を設けなければならない。ただし、三十人未満の障害児を入所させる指定福祉型障害児入所施設は、主として知的障害のある児童を入所させるものにあつては医務室を、主として盲児(強度の弱視児を含む。次項第二号及び第四項において同じ。)又は主としてろうあ児(強度の難聴児を含む。次項第三号において同じ。)を入所させるものにあつては医務室及び静養室を設けないことができる。

Article 5 (1) A designated welfare services facility for children with disabilities must provide rooms for children, cooking rooms, bathrooms, lavatories, medical offices, and recuperation rooms. However, a designated welfare services facility for children with disabilities with a capacity of less than 30 persons may have no doctor's office if it mainly admits children with intellectual disabilities, or a doctor's office and a

recuperation room if it mainly admits children who are blind (including children with severe low vision; the same shall apply in items (ii) and (iv) of the immediately following paragraph) or children who are deaf (including children with severe hearing loss; the same shall apply in item (iii) of the immediately following paragraph).

2 次の各号に掲げる指定福祉型障害児入所施設は、前項に規定する設備のほか、当該指定福祉型障害児入所施設の区分に応じ、当該各号に定める設備を設けなければならない。

(2) The designated welfare services facility for children with disabilities set forth in the following items must provide the facilities prescribed in each such item according to the classification of said designated welfare services facility for children with disabilities, in addition to the facilities provided in the preceding paragraph.

一 主として知的障害のある児童を入所させる指定福祉型障害児入所施設 入所している障害児の年齢、適性等に応じた職業指導に必要な設備(以下この項において「職業指導に必要な設備」という。)

(i) Designated welfare services facility for children with disabilities that admit mainly children with intellectual disabilities Facilities necessary for vocational guidance in accordance with the age, aptitude, etc. of the children with disabilities admitted to the facility (hereinafter in this paragraph referred to as "facilities necessary for vocational guidance")

二 主として盲児を入所させる指定福祉型障害児入所施設 遊戯室、支援室、職業指導に必要な設備、音楽に関する設備並びに浴室及び便所の手すり、特殊表示等身体の機能の不自由を助ける設備

(ii) Designated welfare services facility for children with disabilities that admit mainly children who are blind Playrooms, support rooms, facilities necessary for vocational guidance, facilities related to music, and facilities to assist the impairment of physical functions, such as handrails and special indications in bathrooms and lavatories

三 主としてろうあ児を入所させる指定福祉型障害児入所施設 遊戯室、支援室、職業指導に必要な設備及び映像に関する設備

(iii) Designated welfare services facility for children with disabilities that admit mainly children who are deaf Playrooms, support rooms, equipment necessary for vocational guidance and video related equipment

四 主として肢体不自由のある児童を入所させる指定福祉型障害児入所施設 支援室、屋外訓練場並びに浴室及び便所の手すり等身体の機能の不自由を助ける設備

(iv) Designated welfare services facility for children with disabilities that admit mainly children with impaired physical functions Support rooms, outdoor training areas, and

bathroom and lavatory handrails and other equipment to assist with physical disability

3 第一項に規定する居室は、規則で定める基準を満たさなければならない。

(3) The rooms for children provided for in paragraph (1) must meet the standards specified in the Regulations.

4 主として盲児又は主として肢体不自由のある児童を入所させる指定福祉型障害児入所施設は、階段の傾斜を緩やかにしなければならない。

(4) Designated welfare services facility for children with disabilities that admits mainly children who are blind or mainly children with impaired physical functions must have stairs that are gently sloped.

5 第一項及び第二項各号に規定する設備は、専ら当該指定福祉型障害児入所施設の用に供するものでなければならない。ただし、障害児の支援に支障がない場合は、当該設備(居室を除く。)については、併せて設置する他の社会福祉施設の設備と兼ねることができる。

(5) The facilities provided in paragraph (1) and each item of paragraph (2) must be exclusively provided for that designated welfare services facility for children with disabilities. However, if it does not hinder the support of children with disabilities, that facility (excluding rooms for children) may be combined with the facilities of other social welfare facilities that are also established.

(平三〇条例六三・令六条例五三・一部改正)

(Partially amended by Ordinance No. 63 of 2018, Ordinance No, 53 of 2024)

第三節 運営に関する基準

Section 3 Standards for operations

(管理者による管理等)

(Administration by the Administrator)

第六条 指定福祉型障害児入所施設は、当該指定福祉型障害児入所施設を管理する者(以下この章において「管理者」という。)を置かなければならない。

Article 6 (1) A designated welfare services facility for children with disabilities must have a person who manages that designated welfare services facility for children with disabilities (hereinafter referred to as "Administrator" in this Chapter).

2 管理者は、専ら当該指定福祉型障害児入所施設の管理に係る職務に従事する者でなければならない。ただし、当該指定福祉型障害児入所施設の管理上支障がない場合は、当該指定福祉型障害児入所施設の他の職務に従事し、又は当該指定福祉型障害児入所施設以外の事業所、施設等の職務に従事することができる。

(2) An administrator must be a person exclusively engaged in the duties pertaining to the administration of said designated welfare services facility for children with

disabilities. However, if it does not hinder the administration of said designated welfare services facility for children with disabilities, they may engage in other duties in the course of duties of said designated welfare services facility for children with disabilities or engage in duties in places of business, institutions, etc. other than said designated welfare services facility for children with disabilities.

3 管理者は、当該指定福祉型障害児入所施設の従業者及び業務の管理その他の管理を一元的に行わなければならない。

(3) An administrator must centrally manage the employees and the operations and other administrations of such designated welfare services facility for children with disabilities.

4 管理者は、児童発達支援管理責任者に入所支援計画の作成に関する業務を担当させるものとする。

(4) The administrator is to assign a child development support management supervisor to be in charge of operations related to the preparation of the admission support plan.

5 管理者は、児童発達支援管理責任者に移行支援計画の作成に関する業務を担当させるものとする。

(5) An administrator is to assign a child development support management supervisor to be in charge of operations related to the preparation of the transition plan.

6 管理者は、当該指定福祉型障害児入所施設の従業者にこの章の規定を遵守させるために必要な指揮命令を行わなければならない。

(6) An administrator must give necessary directions and orders to make employees of that designated welfare services facility for children with disabilities observe the provisions of this Chapter.

(令六条例五三・一部改正)

(Partially amended by Ordinance No. 53 of 2024)

(児童発達支援管理責任者の責務)

(Responsibilities of Child Development Support Management Supervisor)

第七条 児童発達支援管理責任者は、次項から第八項まで及び第十項から第十二項までに規定する業務のほか、次に掲げる業務を行わなければならない。

Article 7 (1) A child development support management supervisor must perform the following set forth in addition to the operations prescribed in the following paragraph through paragraph (8) and in paragraph (10) through paragraph (12).

一 第二十六条の規定による検討及び必要な援助並びに第二十七条に規定する相談及び援助を行うこと。

(i) To conduct examinations and provide necessary assistance in accordance with the

provisions of Article 26 and to provide consultation and assistance in accordance with the provisions of Article 27.

二 他の従業者に対する技術指導及び助言を行うこと。

(ii) Provide technical guidance and advice to other employees.

2 児童発達支援管理責任者は、入所支援計画の作成に当たっては、当該障害児について、有する能力、置かれている環境、日常生活全般の状況等の評価を通じて当該入所給付決定保護者及び障害児の希望する生活、課題等の把握(以下「アセスメント」という。)を行うとともに、当該障害児の年齢及び発達の程度に応じて、その意見が尊重され、その最善の利益が優先して考慮され、心身ともに健やかに育成されるよう当該障害児の発達を支援する上での適切な支援内容を検討しなければならない。

(2) In preparing the admission support plan, the child development support management supervisor must grasp the desired life, issues, etc. (hereinafter referred to as "assessment") of the recognized admission beneficiary custodian and the child with disabilities through evaluation of their abilities, their living environment, and general daily life conditions, etc., and must consider the contents of appropriate support for supporting the development of the child so that the opinions of the child is respected taking the best interest of the child into consideration as priority to foster healthy mental and physical conditions of the children.

3 児童発達支援管理責任者は、アセスメントに当たっては、当該入所給付決定保護者及び障害児に面接を行わなければならない。この場合において、児童発達支援管理責任者は、面接の趣旨を当該入所給付決定保護者及び障害児に対して十分に説明し、理解を得なければならない。

(3) In conducting an assessment, a child development support management supervisor must interview the recognized admission beneficiary custodian and the child with disabilities. In this case, the child development support management supervisor must fully explain the purport of the interview to the recognized admission beneficiary custodian and the child with disabilities, and obtain their understanding.

4 児童発達支援管理責任者は、アセスメント及び支援内容の検討の結果に基づき、当該入所給付決定保護者及び障害児の生活に対する意向並びに当該障害児に対する総合的な支援目標及びその達成時期、生活全般の質を向上させるための課題、指定入所支援の具体的な内容、提供上の留意事項その他必要な事項を記載した入所支援計画の原案を作成しなければならない。

(4) Based on the results of the assessment and the examination of the contents of support, a child development support management supervisor must prepare a draft of an admission support plan that describes the intention of said recognized admission beneficiary custodian and the child with disabilities toward said child with disabilities'

life, the comprehensive support goals for said child with disabilities and the time for achieving them, issues for improving the overall quality of life, specific contents of designated admission support, and other necessary matters.

- 5 児童発達支援管理責任者は、入所支援計画の作成に当たっては、障害児の意見が尊重され、その最善の利益が優先して考慮される体制を確保した上で、障害児に対する指定入所支援の提供に係る当該児童発達支援管理責任者以外の担当者等を招集して行う会議を開催し、入所支援計画の原案について意見を求めるとともに、当該入所給付決定保護者及び障害児に対し、当該入所支援計画について説明し、文書により当該入所給付決定保護者及び必要に応じ障害児の同意を得なければならない。この場合において、当該会議は、テレビ電話装置その他の情報通信機器を活用して行うことができるものとする。

(5) In preparing an admission support plan, after ensuring the system that respects the opinions of the child with disabilities taking the best interest of the child into consideration as priority, a child development support management supervisor must hold a meeting calling persons in charge, etc. other than said child development support management supervisor pertaining to offering designated admission support to a child with disabilities, and request their opinions about the draft of the admission support plan, and must explain that recognized admission beneficiary custodian and the child with disabilities about the admission support plan and obtain the written consent of the recognized admission beneficiary custodian and, if necessary, the child with disabilities. In this case, that meeting may be conducted by utilizing videophone equipment or other information and communications devices.

- 6 児童発達支援管理責任者は、入所支援計画を作成した際には、当該入所支援計画を入所給付決定保護者に交付しなければならない。

(6) When a child development support management supervisor has prepared an admission support plan, he/she must deliver that plan to the recognized admission beneficiary custodian.

- 7 児童発達支援管理責任者は、入所支援計画の作成後、当該入所支援計画の実施状況の把握(障害児についての継続的なアセスメントを含む。以下この条において「モニタリング」という。)を行うとともに、障害児について解決すべき課題を把握し、少なくとも六月に一回以上、入所支援計画の見直しを行い、必要に応じ変更を行わなければならない。

(7) A child development support management supervisor must, after preparing an admission support plan, monitor the work of that admission support plan (including continuous assessment of children with disabilities; hereinafter referred to as "monitoring" in this Article), grasp issues to be resolved with regard to children with disabilities, review the admission support plan at least once every 6 months or more,

and make changes as necessary.

8 児童発達支援管理責任者は、モニタリングに当たっては、入所給付決定保護者との連絡を継続的に行うとともに、特段の事情のない限り、定期的に当該入所給付決定保護者及び障害児に面接し、かつ、モニタリングを行い、その結果を記録しなければならない。

(8) In monitoring, a child development support management supervisor must maintain continuous contact with the recognized admission beneficiary custodian, interview that recognized admission beneficiary custodian and the child with disabilities on a regular basis, unless there are special circumstances, and record the results of the monitoring.

9 第二項から第六項までの規定は、第七項に規定する入所支援計画の変更について準用する。

(9) The provisions of paragraphs (2) through (6) shall apply mutatis mutandis to changes in the admission support plan as provided in paragraph (7).

10 児童発達支援管理責任者は、移行支援計画の作成に当たっては、適切な方法により、障害児について、アセスメントを行い、障害児が障害福祉サービスその他のサービスを利用しつつ自立した日常生活又は社会生活を営むことができるよう、自立した日常生活又は社会生活への移行について支援する上で必要な支援内容の検討をしなければならない。

(10) In preparing a transition support plan, a child development support management supervisor must conduct an assessment on a child with disabilities in a pertinent way, and must consider the contents of support necessary to support the transition of the child to a self-reliance daily life or social life for the child with disabilities to lead self-reliance daily life or social life while using welfare services for persons with disabilities and other services.

11 児童発達支援管理責任者は、アセスメント及び支援内容の検討結果に基づき、障害児が障害福祉サービスその他のサービスを利用しつつ自立した日常生活又は社会生活を営むことができるよう、自立した日常生活又は社会生活への移行について支援する上で必要な取組、当該支援を提供する上での留意事項その他必要な事項を記載した移行支援計画の原案を作成しなければならない。

(11) On the result of the assessment and the consideration of the contents of support, a child development support management supervisor must prepare a draft of a transition support plan that prescribes the necessary endeavors to support the transition of the child to a self-reliance daily life or social life, and other necessary matters in offering the supports.

12 児童発達支援管理責任者は、移行支援計画の作成後、移行支援計画の実施状況の把握

(障害児についての継続的なアセスメントを含む。)を行うとともに、障害児について解決すべき課題を把握し、少なくとも六月に一回以上、移行支援計画の見直しを行い、必要に応じて移行支援計画の変更を行うものとする。

(12) A child development support management supervisor, after the preparation of a transition support plan, must monitor the implementation of the transition support plan (including continuous assessment of children with disabilities), and shall grasp issues to be resolved with regard to children with disabilities, review the transition support plan at least once every 6 months or more, and make changes as necessary.

13 第三項、第五項及び第六項の規定は、第十項に規定する移行支援計画の作成について準用する。

(13) The provisions of paragraph (3), paragraph (5) and paragraph (6) shall apply mutatis mutandis to the transition support plan as provided in paragraph (10).

14 第三項、第五項、第六項、第八項、第十項及び第十一項の規定は、第十二項に規定する移行支援計画の変更について準用する。

(14) The provisions of paragraph (3), paragraph (5), paragraph (6), paragraph (8), paragraph (10), and paragraph (11) shall apply mutatis mutandis to the transition support plan as provided in paragraph (12).

15 児童発達支援管理責任者は、業務を行うに当たっては、障害児が自立した日常生活又は社会生活を営むことができるよう、障害児及び入所給付決定保護者の意思をできる限り尊重するよう努めなければならない。

(15) In operation, a child development support management supervisor must endeavor to respect the intent of the children with disabilities and the recognized admission beneficiary custodian as far as possible for children with disabilities to lead a self-reliance daily life or social life.

(令三条例三四・令六条例五三・一部改正)

(Partially amended by Ordinance No. 34 of 2021, Ordinance No.53 of 2024)

(運営規程)

(Operation Rules)

第八条 指定福祉型障害児入所施設は、次に掲げる施設の運営についての重要事項に関する運営規程(第十条第一項及び第三十八条第一項において「運営規程」という。)を定めなければならない。

Article 8 A designated welfare services facility for children with disabilities shall establish rules of operation (referred to as "rules of operation" in Article 10 paragraph (1) and Article 38 paragraph (1)) concerning important matters concerning the operation of the facility listed below.

一 施設の目的及び運営の方針

(i) Purpose of the facility and management policy

二 従業員の職種、員数及び職務の内容

(ii) Job title, number of employees, and description of their duties

三 入所定員

(iii) Admission capacity

四 指定入所支援の内容並びに入所給付決定保護者から受領する費用の種類及びその額

(iv) Details of the designated admission support and the types and amounts of expenses to be received from the recognized admission beneficiary custodian

五 施設の利用に当たっての留意事項

(v) Points to note when using the facility

六 緊急時等における対応方法

(vi) How to respond to emergencies, etc.

七 非常災害対策

(vii) Extraordinary disaster control measures

八 主として入所させる障害児の障害の種類

(viii) Type of disability of the children with disabilities to be admitted mainly

九 虐待の防止のための措置に関する事項

(ix) Matters related to measures for the prevention of abuse

十 その他施設の運営に関する重要事項

(x) Other important matters regarding facility operation

(令三条例三四・一部改正)

(Partially amended by Ordinance No. 34 of 2021)

(勤務体制の確保等)

(Securing Work System)

第九条 指定福祉型障害児入所施設は、障害児に対し、適切な指定入所支援を提供することができるよう、従業員の勤務体制を定めなければならない。

Article 9 (1) A designated welfare services facility for children with disabilities must set forth a work system for its employees so that it may offer appropriate designated admission support for persons with disabilities.

2 指定福祉型障害児入所施設は、当該指定福祉型障害児入所施設の従業員によって指定入所支援を提供しなければならない。ただし、障害児の支援に直接影響を及ぼさない業務については、この限りでない。

(2) A designated welfare services facility for children with disabilities must provide designated admission support by employees of said designated welfare services facility for children with disabilities. However, this shall not apply to operations that do not directly affect the support of children with disabilities.

3 指定福祉型障害児入所施設は、従業者の資質向上のための研修の機会を確保しなければならない。

(3) A designated welfare services facility for children with disabilities must ensure training opportunities to improve the qualifications of its employees.

4 指定福祉型障害児入所施設は、適切な指定入所支援の提供を確保する観点から、職場において行われる優越的な関係を背景とした言動であって業務上必要かつ相当な範囲を超えたもの又は性的な言動により従業者の就業環境が害されることを防止するための方針の明確化等の必要な措置を講じなければならない。

(4) From the viewpoint of ensuring appropriate provision of designated admission support, designated welfare services facilities for children with disabilities must take necessary measures such as clarification of policies to prevent employees from being harmed in their working environment by words and actions in the workplace that are based on a dominant relationship and are exceeding the course of their duties and reasonable scope, or by sexually explicit words and actions.

(令三条例三四・一部改正)

(Partially amended by Ordinance No. 34 of 2021)

(業務継続計画の策定等)

(Formulation of Business Continuity Plans)

第九条の二 指定福祉型障害児入所施設は、感染症や非常災害の発生時において、利用者に対する指定入所支援の提供を継続的に行い、及び非常時の体制で早期の業務再開を図るための計画(以下「業務継続計画」という。)を策定し、当該業務継続計画に従い必要な措置を講じなければならない。

Article 9-2 (1) Designated welfare services facility for children with disabilities must formulate a plan to continuously offer designated admission support to users and to resume operations as soon as possible under an emergency system when an infectious disease or an emergency disaster occurs (hereinafter referred to as "business continuity plan"), and must take necessary measures in accordance with said business continuity plan.

2 指定福祉型障害児入所施設は、従業者に対し、業務継続計画について周知するとともに、必要な研修及び訓練を定期的実施しなければならない。

(2) Designated welfare services facilities for children with disabilities, as well as informing their employees about the business continuity plan, must implement necessary training and drills periodically.

3 指定福祉型障害児入所施設は、定期的に業務継続計画の見直しを行い、必要に応じて業務継続計画の変更を行うものとする。

(3) The designated welfare services facility for children with disabilities must review

its business continuity plan periodically and must make changes to the business continuity plan as necessary.

(令三条例三四・追加)

(Added by Ordinance No. 34 of 2021)

(内容及び手続の説明及び同意)

(Explanation of Contents and Procedures and Consent)

第十条 指定福祉型障害児入所施設は、入所給付決定保護者が指定入所支援の利用の申込みを行ったときは、当該利用の申込みを行った入所給付決定保護者(以下「利用申込者」という。)に係る障害児の障害の特性に応じた適切な配慮をしつつ、当該利用申込者に対し、運営規程の概要、従業者の勤務体制その他の利用申込者のサービスの選択に資すると認められる重要事項を記した文書を交付して説明を行い、当該指定入所支援の提供の開始について当該利用申込者の同意を得なければならない。

Article 10 (1) When a recognized admission beneficiary custodian applies for the use of designated admission support for children with disabilities, the designated welfare services facility for children with disabilities must, while giving appropriate consideration to the characteristics of disabilities of the child with disabilities pertaining to the recognized admission beneficiary custodian who has applied for said use (hereinafter referred to as "applicant for use"), provide said applicant for use with a written explanation of the outline of operation rules, employee working systems, and other important matters that will be recognized for the applicant for use's choice of services and must obtain the consent of the applicant for use for the commencement of the provision of said designated admission support.

2 指定福祉型障害児入所施設は、社会福祉法(昭和二十六年法律第四十五号)第七十七条の規定により書面の交付等を行う場合は、利用申込者に係る障害児の障害の特性に応じた適切な配慮をしなければならない。

(2) When a designated welfare services facility for children with disabilities conducts written delivery, etc. pursuant to the provision of Article 77 of the Social Welfare Act (Act No. 45 of 1951), it must give appropriate consideration to the characteristics of disabilities of the children with disabilities pertaining to the applicant for use.

(提供拒否の禁止)

(Prohibition of Refusal to Provide)

第十一条 指定福祉型障害児入所施設は、正当な理由なく、指定入所支援の提供を拒んではならない。

Article 11 A designated welfare services facility for children with disabilities must not refuse to provide designated admission support without justifiable cause.

(あっせん、調整及び要請に対する協力)

(Mediation, Coordination and Cooperation in Response to Requests)

第十二条 指定福祉型障害児入所施設は、法第二十四条の十九第二項の規定により指定入所支援の利用について都道府県が行うあつせん、調整及び要請に対し、可能な限り協力しなければならない。

Article 12 A designated welfare services facility for children with disabilities must cooperate as much as possible with mediation, coordination, and requests made by prefectures for the use of designated admission support pursuant to the provision of Article 24-19, paragraph (2) of the Act.

(サービス提供困難時の対応)

(Response when Service Provision is Difficult)

第十三条 指定福祉型障害児入所施設は、利用申込者に係る障害児が入院治療を必要とする場合その他利用申込者に係る障害児に対し自ら必要な指定入所支援を提供することが困難であると認める場合は、病院又は診療所の紹介その他の措置を速やかに講じなければならない。

Article 13 In the event that a child with disabilities pertaining to an applicant for use requires inpatient treatment, or in the event that it finds it difficult to provide necessary designed admission support for the child with disabilities pertaining to the applicant for use by itself, the designated welfare services facility for children with disabilities shall promptly refer the child to a hospital or clinic or take other measures.

(受給資格の確認)

(Confirmation of Recipient Qualification)

第十四条 指定福祉型障害児入所施設は、指定入所支援の開始に際し、入所給付決定保護者の提示する入所受給者証によって、入所給付決定の有無、給付決定期間等を確認しなければならない。

Article 14 Designated welfare services facilities for children with disabilities must, at the commencement of designated admission support, confirm whether or not a admission benefit decision has been made and the benefits payment period, etc., by the admission beneficiary certificate presented by the recognized admission beneficiary custodian.

(障害児入所給付費の支給の申請に係る援助)

(Assistance in the Application for the Payment of Admission Benefits for Children with Disabilities)

第十五条 指定福祉型障害児入所施設は、障害児入所給付費の支給の申請をしていないことにより入所給付決定を受けていない者から入所の申込みがあった場合は、その者の意向を踏まえて速やかに当該申請が行われるよう必要な援助を行わなければならない。

Article 15 (1) When a designated welfare services facility for children with disabilities receives an application for admission from a person who has not received a decision

on admission benefit payment because the person has not applied for the payment of admission benefits for children with disabilities, it must provide assistance necessary for that application to be promptly made, taking into consideration the applicant's intention.

2 指定福祉型障害児入所施設は、入所給付決定に通常要すべき標準的な期間を考慮し、給付決定期間の終了に伴う障害児入所給付費の支給の申請について、必要な援助を行わなければならない。

(2) A designated welfare services facility for children with disabilities must provide necessary assistance for applications for the payment of admission benefits for children with disabilities upon the end of the benefits payment period, taking into consideration the standard period of time that should normally be required for the determination of admission benefit.

(心身の状況等の把握)

(Assessment of Mental and Physical Condition)

第十六条 指定福祉型障害児入所施設は、指定入所支援の提供に当たっては、障害児の心身の状況、置かれている環境、他の保健医療サービス又は福祉サービスの利用状況等の把握に努めなければならない。

Article 16 A designated welfare services facility for children with disabilities must, in providing the designated admission support, endeavor to understand the mental and physical conditions of the children with disabilities, their environment, and the utilization status of other health and medical services or welfare services.

(居住地の変更が見込まれる者への対応)

(Handling of Those who are Expected to Change the Place of Residence)

第十七条 指定福祉型障害児入所施設は、入所給付決定保護者の居住地の変更が見込まれる場合においては、速やかにその旨を当該入所給付決定保護者に係る入所給付決定を行った都道府県(以下「入所給付決定都道府県」という。)に連絡しなければならない。

Article 17 In the case where a change in the place of residence of a recognized admission beneficiary custodian is expected, the designated welfare services facility for children with disabilities must promptly notify the prefecture that made the admission benefit decision pertaining to said person with disabilities (hereinafter referred to as "prefecture that made the admission benefit decision") to that effect.

(入退所の記録の記載等)

(Entry of Records of Admission and Discharge)

第十八条 指定福祉型障害児入所施設は、障害児の入所又は退所に際しては、当該指定福祉型障害児入所施設の名称、入所又は退所の日その他の必要な事項(次項において「入所受給者証記載事項」という。)を、入所給付決定保護者の入所受給者証に記載しなけ

ればならない。

Article 18 (1) When a designated welfare services facility for children with disabilities admits or discharges a child with disabilities, it must enter the name of said designated welfare services facility for children with disabilities, the date of admission or discharge, and other necessary matters (referred to as "matters entered in the admission beneficiary certificate" immediately following paragraph) in the admission beneficiary certificate of the recognized admission beneficiary custodian.

2 指定福祉型障害児入所施設は、入所受給者証記載事項を遅滞なく入所給付決定都道府県に報告しなければならない。

(2) A designated welfare services facility for children with disabilities must report the matters described in the admission beneficiary certificate to the prefecture that made the admission benefit decision without delay.

3 指定福祉型障害児入所施設は、入所している障害児の数の変動が見込まれる場合は、速やかに都及び入所給付決定保護者に係る入所給付決定を行った道府県(指定都市及び児童相談所設置市を含む。以下「入所給付決定道府県」という。)に報告しなければならない。

(3) A designated welfare services facility for children with disabilities must promptly report to the Tokyo Metropolitan Government and the prefecture that made the admission benefit ruling for the recognized admission beneficiary custodian (including designated cities and cities with child guidance centers; hereinafter referred to as "prefecture that made the admission benefit ruling") if a change in the number of children with disabilities in the facility is expected.

(サービスの提供の記録)

(Record of Service Provision)

第十九条 指定福祉型障害児入所施設は、指定入所支援を提供した際は、当該指定入所支援の提供日、内容その他必要な事項を記録しなければならない。

Article 19 (1) When a designated welfare services facility for children with disabilities offers designated admission support, it must record the date of offering said designated admission support, its contents, and other necessary matters.

2 指定福祉型障害児入所施設は、前項の規定による記録に際し、入所給付決定保護者から指定入所支援の提供を受けたことについて確認を受けなければならない。

(2) A designated welfare services facility for children with disabilities must, when recording pursuant to the provision of the preceding paragraph, obtain confirmation from a recognized admission beneficiary custodian that it has provided designated admission support.

(入所給付決定保護者に求めることのできる金銭の支払の範囲等)

(Scope of Monetary Payments that may be Demanded from Recognized Admission Beneficiary Custodians)

第二十条 指定福祉型障害児入所施設は、入所給付決定保護者に対して金銭の支払を求めることができる。ただし、当該金銭の用途が入所給付決定に係る障害児の便益を直接向上させるものであり、かつ、支払を求めることが適当である場合に限るものとする。

Article 20 (1) A designated welfare services facility for children with disabilities may demand payment of money from a recognized admission beneficiary custodian.

However, this is to be limited to cases where the use of such money directly improves the benefit to the child with disabilities pertaining to the decision on admission benefit, and where it is appropriate to request payment.

2 前項の規定により入所給付決定保護者に金銭の支払を求める際は、当該金銭の用途及び額並びに金銭の支払を求める理由について書面により明らかにするとともに、当該入所給付決定保護者に対し説明を行い、当該入所給付決定保護者の同意を得なければならない。ただし、次条第一項から第三項までに規定する支払については、この限りでない。

(2) When requesting the payment of money from a recognized admission beneficiary custodian pursuant to the provisions of the preceding paragraph, the use and amount of said money and the reason for requesting the payment of money must be clarified in writing and an explanation must be given to said recognized admission beneficiary custodian, and their consent must be obtained. However, this shall not apply to the payments provided for in the immediately following Article paragraph (1) to paragraph (3).

(入所利用者負担額の受領)

(Receipt of the Admitted User Co-payment Amount)

第二十一条 指定福祉型障害児入所施設は、法定代理受領を行う指定入所支援を提供した際は、入所給付決定保護者から当該指定入所支援に係る入所利用者負担額の支払を受けられるものとする。

Article 21 (1) When a designated welfare services facility for children with disabilities offers designated admission support with statutory receipt by proxy, it shall receive payment of the admitted user co-payment amount from the recognized admission beneficiary custodian for that designated admission support.

2 指定福祉型障害児入所施設は、法定代理受領を行わない指定入所支援を提供した際は、入所給付決定保護者から、当該指定入所支援に係る指定入所支援費用基準額の支払を受けられるものとする。

(2) When a designated welfare services facility for children with disabilities offers designated admission support without statutory receipt by proxy, it is to receive payment of the standard amount of expenses for designated admission support

pertaining to such designated admission support from a recognized admission beneficiary custodian.

3 指定福祉型障害児入所施設は、前二項に定める場合において入所給付決定保護者から支払を受ける額のほか、指定入所支援において提供される便宜に要する費用のうち、規則で定める費用の額の支払を入所給付決定保護者から受けることができる。

(3) In addition to the amount to be paid from the recognized admission beneficiary custodian in the cases prescribed in the preceding two paragraphs, a designated welfare services facility for children with disabilities may receive payment of the amount of expenses specified by the Regulation out of the expenses required for the convenience offered in the designated admission support, from the recognized admission beneficiary custodian.

4 指定福祉型障害児入所施設は、前三項に規定する額の支払を受けた場合は、当該額に係る領収証を当該額を支払った入所給付決定保護者に対し交付しなければならない。

(4) In the event that a welfare services facility for children with disabilities receives payment of the amount prescribed in the preceding three paragraphs, it must deliver a receipt pertaining to such amount to the recognized admission beneficiary custodian who paid such amount.

5 指定福祉型障害児入所施設は、第三項に規定する費用の額に係るサービスの提供に当たっては、あらかじめ、入所給付決定保護者に対し、当該サービスの内容及び費用について説明を行い、当該入所給付決定保護者の同意を得なければならない。

(5) In offering the services pertaining to the amount of expenses provided in paragraph (3), a designated welfare services facility for children with disabilities shall, in advance, explain the contents and expenses of such services to the recognized admission beneficiary custodian and obtain the consent of such recognized admission beneficiary custodian.

(入所利用者負担額に係る管理)

(Administration Pertaining to the Admitted User Co-payment Amount)

第二十二條 指定福祉型障害児入所施設は、入所給付決定に係る障害児が同一の月に当該指定福祉型障害児入所施設が提供する指定入所支援及び他の指定障害児入所施設等(法第二十四条の二第一項に規定する指定障害児入所施設等をいう。以下この条において同じ。)が提供する指定入所支援を受けたときは、これらの指定入所支援に係る入所利用者負担額の合計額(以下この条において「入所利用者負担額合計額」という。)を算定しなければならない。この場合において、当該指定福祉型障害児入所施設は、これらの指定入所支援の状況を確認の上、入所利用者負担額合計額を入所給付決定都道府県に報告するとともに、当該入所給付決定保護者及び他の指定入所支援を提供した指定障害児入所施設等に通知しなければならない。

Article 22 When a designated welfare services facility for children with disabilities receives designated admission support offered by that designated admission facility for children with disabilities, etc. (referring to designated admission institution for children with disabilities, etc. provided in Article 24-2 paragraph (1) of the Act; the same applies hereinafter in this Article) and designated admission support offered by other designated admission facilities for children with disabilities, etc. in the same month, the designated welfare services facility for children with disabilities shall calculate the the total amount of the admitted user co-payment amount (hereinafter referred to as "total admitted user co-payment amount" in this Article) for the designated admission support. In this case, said designated welfare services facility for children with disabilities, etc. shall report the total admitted user co-payment amount for admission to the prefecture that made the admission benefit decision after confirmation of the status of such designated admission support for children with disabilities, and shall also notify the recognized admission beneficiary custodian and other designated admission institution for children with disabilities, etc., that provided such admission support.

(障害児入所給付費等の額に係る通知等)

(Notices Pertaining to the Amount of Admission Benefits for Children with Disabilities)

第二十三条 指定福祉型障害児入所施設は、法定代理受領により指定入所支援に係る障害児入所給付費の支給を受けた場合は、入所給付決定保護者に対し、当該入所給付決定保護者に係る障害児入所給付費の額を通知しなければならない。

Article 23 (1) When a designated welfare services facility for children with disabilities receives payment of admission benefits for children with disabilities pertaining to designated admission support through statutory receipt by proxy, it must notify the recognized admission beneficiary custodian of the amount of admission benefits for children with disabilities pertaining to the recognized admission beneficiary custodian.

2 指定福祉型障害児入所施設は、第二十一条第二項の法定代理受領を行わない指定入所支援に係る指定入所支援費用基準額の支払を受けた場合は、当該指定入所支援の内容、費用の額その他必要と認められる事項を記載したサービス提供証明書を入所給付決定保護者に交付しなければならない。

(2) A designated welfare services facility for children with disabilities must, if it receives payment of the standard amount of expenses for designated residential care support pertaining to designated residential care support without statutory receipt by proxy under Article 21, paragraph (2), deliver a certificate of service provision stating the contents of that designated residential care support, the amount of expenses and other matters deemed necessary to the recognized admission beneficiary custodian.

(給付金として支払を受けた金銭の管理)

(Management of money paid as payment)

第二十四条 指定福祉型障害児入所施設は、当該指定福祉型障害児入所施設の設置者が障害児に係るこども家庭庁長官が定める給付金(以下この条において「給付金」という。)の支給を受けたときは、給付金として支払を受けた金銭を規則に定めるところにより管理しなければならない。

Article 24 A designated welfare services facility for children with disabilities must, when the establisher of that designed welfare services facility for children with disabilities receives payment of benefits specified by the Administrator of Children and Families Agency (hereinafter in this Article referred to as "benefits") pertaining to children with disabilities, manage the money paid as benefits pursuant to the provisions of the Regulations.

(令五条例六二・一部改正)

(Partially amended by Ordinance No. 62 of 2023)

(指定入所支援の取扱方針)

(Handling Policy for Designated Admission Support)

第二十五条 指定福祉型障害児入所施設は、入所支援計画及び移行支援計画に基づき、障害児の心身の状況等に応じて、当該障害児の支援を適切に行うとともに、指定入所支援の提供が画一的なものとならないよう配慮しなければならない。

Article 25 (1) A designated welfare services facility for children with disabilities must, based on the admission support plan and the transition support plan, provide appropriate support for said children with disabilities according to their mental and physical conditions, etc., and must give consideration so that the designated admission support for children with disabilities is not offered in a uniform manner.

2 指定福祉型障害児入所施設は、障害児ができる限り良好な家庭的環境において指定入所支援を受けることができるよう努めなければならない。

(2) Designated welfare services facilities for children with disabilities must endeavor so that children with disabilities can receive designated admission support in family-oriented environment good as far as possible.

3 指定福祉型障害児入所施設は、障害児が自立した日常生活又は社会生活を営むことができるよう、障害児及び入所給付決定保護者の意思をできる限り尊重するための配慮をしなければならない。

(3) A designated welfare services facility for children with disabilities must give appropriate consideration to respect the intent of the children with disabilities and the recognized admission beneficiary custodian as far as possible for the children with disabilities to lead self-reliance daily life or social life.

4 指定福祉型障害児入所施設の従業者は、指定入所支援の提供に当たっては、入所給付

決定保護者及び障害児に対し、支援上必要な事項について、説明しなければならない。

(4) Employees of designated welfare services facilities for children with disabilities must, when offering designated admission support, explain to the recognized admission beneficiary custodian and the child with disabilities about matters necessary for their support.

5 指定福祉型障害児入所施設は、提供する指定入所支援の質の評価を行い、常に改善を図らなければならない。

(3) A designated welfare services facility for children with disabilities must evaluate the quality of the designated admission support it offers and constantly improve it.

(令六条例五三・一部改正)

(Partially amended by Ordinance No. 53 of 2024)

(検討等)

(Review)

第二十六条 指定福祉型障害児入所施設は、障害児の心身の状況等に照らし、指定通所支援、障害者総合支援法第二十九条第一項に規定する指定障害福祉サービスその他の保健医療サービス又は福祉サービスを利用することにより、当該障害児が居宅において日常生活を営むことができるよう定期的に検討するとともに、居宅において日常生活を営むことができると認められる障害児に対し、当該入所給付決定保護者及び障害児の希望等を勘案し、必要な援助を行わなければならない。

Article 26 Designated welfare services facilities for children with disabilities must, in light of the physical and mental conditions of children with disabilities, in addition to regularly examining the possibility that the child with disabilities can carry out daily activities at home by using designated childcare support, designated welfare services for persons with disabilities prescribed in Article 29, paragraph (1) of Act on Comprehensive Support for Persons with Disabilities, and other health and medical services or welfare services, provide necessary assistance to children with disabilities who are recognized as being able to carry out daily activities at home, taking into consideration the wishes of the recognized admission beneficiary custodian and the child with disabilities.

(平二五条例五五・一部改正)

(Partially amended by Ordinance No. 55 of 2013)

(相談及び援助)

(Consultation and Assistance)

第二十七条 指定福祉型障害児入所施設は、常に障害児の心身の状況、置かれている環境等の的確な把握に努め、障害児又はその家族に対し、相談に適切に応じるとともに、必要な助言その他の援助を行わなければならない。

Article 27 A designated welfare services facility for children with disabilities must

always endeavor to accurately grasp the physical and mental conditions of children with disabilities and their environments, etc., and shall provide appropriate consultation and necessary advice and other assistance to the children with disabilities or their families.

(支援)

(Support)

第二十八条 指定福祉型障害児入所施設は、障害児の自立の支援及び日常生活の充実に資するよう、障害児の心身の状況に応じ、必要な技術をもって支援を行わなければならない。この場合において、障害児の適性に応じ、当該障害児が可能な限り健全な社会生活を営むことができるよう、支援を行わなければならない。

Article 28 (1) Designated welfare services facility for children with disabilities must provide support with necessary technology in accordance with the physical and mental conditions of children with disabilities so as to contribute to their self-reliance support and enrichment of their daily lives. In this case, support must be provided according to the aptitudes of the children with disabilities so that said children with disabilities can lead a sound social life as much as possible.

2 指定福祉型障害児入所施設は、常時一人以上の従業者を指導、訓練等に從事させなければならない。

(2) A designated welfare services facility for children with disabilities must always have one or more persons with disabilities engaged in guidance, training, etc.

3 指定福祉型障害児入所施設は、障害児に対し、当該障害児に係る入所給付決定保護者の負担により、当該指定福祉型障害児入所施設の従業者以外の者による支援を受けさせてはならない。

(3) A designated welfare services facility for children with disabilities must not allow a child with disabilities to receive support, at the expense of the recognized admission beneficiary custodian for that child with disabilities, by a person other than an employee of said designated welfare services facility for children with disabilities.

4 指定福祉型障害児入所施設は、前三項に規定するもののほか、障害児が日常生活における必要な習慣を確立するとともに、社会生活への適応性を高めるよう、あらゆる機会を通じて生活指導を行わなければならない。

(4) In addition to what is provided for in the preceding three paragraphs, designated welfare services facilities for children with disabilities must provide life guidance through every possible opportunity so that children with disabilities can establish necessary habits in daily life and improve their adaptability to social welfare.

(令六条例五三・一部改正)

(Partially amended by Ordinance No.53 of 2024)

(食事)

(Meals)

第二十九条 指定福祉型障害児入所施設は、障害児に食事を提供するに当たっては、食品の種類及び調理方法について栄養並びに障害児の身体的状況及び好みを考慮するとともに、可能な限り変化に富み、障害児の健全な発育に必要な栄養量を含有する献立によらなければならない。

Article 29 (1) In offering meals to a child with disabilities, a designated welfare services facility for children with disabilities must consider nutrition and the physical condition and preferences of the child with disabilities with regard to the types of food and cooking methods, and must prepare menus that are as varied as possible and contain the amount of nutrition necessary for the sound development of the child with disabilities.

2 調理は、あらかじめ作成された献立に従って行われなければならない。

(2) Cooking must be performed in accordance with a pre-prepared menu.

3 指定福祉型障害児入所施設は、障害児の健康な生活の基本としての食を営む力の育成に努めなければならない。

(3) Designated welfare services facility for children with disabilities must endeavor to foster the ability of children with disabilities to eat as the basis of a healthy life.

(社会生活上の便宜の供与等)

(Providing Convenience in Social Life)

第三十条 指定福祉型障害児入所施設は、教養娯楽設備等を備えるほか、必要に応じ、障害児のためのレクリエーション行事を行わなければならない。

Article 30 (1) Designated welfare services facility for children with disabilities must be equipped with culture and recreational facilities, etc., and must conduct recreational events for children with disabilities as necessary.

2 指定福祉型障害児入所施設は、障害児が日常生活を営む上で必要となる行政機関に対する手続等について、当該障害児又はその家族が行うことが困難である場合は、入所給付決定保護者の同意を得て当該障害児又はその家族に代わってこれを行わなければならない。

(2) A designated welfare services facility for children with disabilities must, if it is difficult for said child with disabilities or said child's family to perform the procedures, etc., with administrative organs that are necessary for the child with disabilities to lead a daily life, perform them in lieu of said child with disabilities or said child's family with consent from the recognized admission beneficiary custodian.

3 指定福祉型障害児入所施設は、常に障害児の家族との連携を図るとともに、障害児とその家族との交流等の機会を確保するよう努めなければならない。

(3) A designated welfare services facility for children with disabilities must endeavor

to always maintain coordination with the families of the children with disabilities and to ensure opportunities for exchange, etc. between the children with disabilities and their families.

(健康管理)

(Health Management)

第三十一条 指定福祉型障害児入所施設は、常に障害児の健康の状況に注意するとともに、障害児に対する入所時の健康診断、少なくとも一年に二回の定期健康診断及び臨時の健康診断を、学校保健安全法(昭和三十三年法律第五十六号)第十一条、第十三条及び第十七条に規定する健康診断に準じて行わなければならない。ただし、規則で定める場合は、この限りでない。

Article 31 (1) A designated welfare services facility for children with disabilities shall always pay attention to the state of health of children with disabilities, and shall conduct medical examinations for children with disabilities when they are admitted, regular medical examinations at least twice a year, and occasional medical examinations, in accordance with the provisions of Articles 11, 13 and 17 of the School Health and Safety Act (Act No. 56, 1958). However, this shall not apply if provided for in the Regulations.

2 指定福祉型障害児入所施設の従業者の健康診断に当たっては、障害児の食事を調理する者について、特に注意を払わなければならない。

(2) In medical examinations of employees of designated welfare services facility for children with disabilities, special attention must be paid to persons who prepare meals for children with disabilities.

(緊急時等の対応)

(When Emergencies Occur)

第三十二条 指定福祉型障害児入所施設の従業者は、現に指定入所支援の提供を行っているときに障害児に病状の急変が生じた場合その他必要な場合は、速やかに医療機関への連絡を行う等の必要な措置を講じなければならない。

Article 32 An employee of a designated welfare services facility for children with disabilities shall take necessary measures such as promptly contacting a medical institution if a sudden change in the medical condition of a child with disabilities occurs during the actual provision of designated admission support for children with disabilities, or in any other necessary measures.

(障害児の入院期間中の取扱い)

(Treatment During the Period of Hospitalization of a Child with Disability)

第三十三条 指定福祉型障害児入所施設は、障害児が、病院又は診療所に入院する必要がある場合であって、入院後おおむね三月以内に退院することが見込まれるときは、当

該障害児及び当該障害児に係る入所給付決定保護者の希望等を勘案し、必要に応じ適切な便宜を供与するとともに、やむを得ない事情がある場合を除き、当該障害児が退院後再び当該指定福祉型障害児入所施設に円滑に入所することができるようにしなければならない。

Article 33 When a child with a disability needs to be admitted to a hospital or clinic and is expected to be discharged from the hospital within approximately 3 months after admission, a designated welfare services facility for children with disabilities must take into account the wishes of the child with a disability and the recognized admission beneficiary custodian of the child with disabilities, and provide appropriate accommodations as necessary, and unless there are unavoidable circumstances, the child with disabilities must be able to smoothly reenter the designated welfare services facility for children with disabilities after being discharged from the hospital.

(入所給付決定保護者に関する都道府県への通知)

(Notice to Prefectures Regarding Recognized Admission Beneficiary Custodians)

第三十四条 指定福祉型障害児入所施設は、指定入所支援を受けている障害児に係る入所給付決定保護者が偽りその他不正な行為によって障害児入所給付費の支給を受け、又は受けようとしたときは、遅滞なく、意見を付してその旨を入所給付決定都道府県に通知しなければならない。

Article 34 When a recognized admission beneficiary custodian for children with disabilities receiving designated admission support receives or attempts to receive payment of admission benefits for children with disabilities by deception or other wrongful act, the designated welfare services facility for children with disabilities shall, without delay, notify the prefecture that made the admission benefit decision with its opinion to that effect.

(定員の遵守)

(Compliance with Capacity)

第三十五条 指定福祉型障害児入所施設は、入所定員及び居室の定員(第五条第三項に規定する規則で定める基準として定められる居室の定員をいう。)を超えて入所させてはならない。ただし、災害、虐待その他のやむを得ない事情がある場合は、この限りでない。

Article 35 A designated welfare services facility for children with disabilities must not admit children exceeding the maximum capacity of admission and the maximum capacity of rooms for children (which means the maximum capacity of rooms to be set as the standard provided for in the Regulations prescribed in Article 5, paragraph (3)). However, this provision shall not apply if there are disasters, abuse, or other unavoidable circumstances.

(衛生管理等)

(Hygiene Management)

第三十六条 指定福祉型障害児入所施設は、障害児の使用する設備及び飲用に供する水について、衛生的な管理に努めるとともに、衛生上必要な措置を講じ、かつ、健康管理等に必要となる機械器具等の管理を適正に行わなければならない。

Article 36 (1) Designated welfare services facilities for children with disabilities must endeavor to conduct hygienic management of the facilities used by children with disabilities and water provided for drinking, take necessary measures for hygiene, and properly manage machinery and appliances, etc., necessary for health management, etc.

2 指定福祉型障害児入所施設は、当該指定福祉型障害児入所施設における感染症又は食中毒の発生又はまん延を防止するため、規則で定める措置を講じなければならない。

(2) A designated welfare services facility for children with disabilities must take measures provided for in the Regulations to prevent the occurrence or spread of infectious diseases or food poisoning in said designated welfare services facility for children with disabilities.

3 指定福祉型障害児入所施設は、障害児の希望等を勘案し、障害児を入浴させ、又は清しきししなければならない。

(3) A designated welfare services facility for children with disabilities must bathe or cleanse a child with disabilities, taking into consideration the wishes, etc. of the child with disabilities.

(令三条例三四・一部改正)

(Partially amended by Ordinance No. 34 of 2021)

(協力医療機関等)

(Cooperating Medical Institutions)

第三十七条 指定福祉型障害児入所施設は、障害児の病状の急変等に備えるために、あらかじめ、協力医療機関(当該指定福祉型障害児入所施設との間で、障害児が医療を必要とした際の連携協力が合意されている医療機関をいう。以下この条及び次条において同じ。)を定めなければならない。

Article 37 (1) A designated welfare services facility for children with disabilities shall specify in advance a cooperative medical institution (meaning to a medical institution with which the designated welfare-type admission services facility for children with disabilities has an agreement for coordination and cooperation in the event that a child with disabilities needs medical care; hereinafter the same shall apply in this Article and the following Article.) in order to prepare for sudden changes in the medical conditions of children with disabilities.

2 指定福祉型障害児入所施設は、あらかじめ、協力歯科医療機関(当該指定福祉型障害児入所施設との間で、障害児が歯科治療を必要とした際の連携協力が合意されている歯科医療機関をいう。次条において同じ。)を定めるよう努めなければならない。

(2) The designated welfare services facility for children with disabilities shall endeavor to specify a cooperating dental institution in advance (a dental institution which has an agreement with that designated welfare services facility for children with disabilities for coordination and cooperation when a child with disabilities needs dental treatment; the same shall apply in the following Article).

3 指定福祉型障害児入所施設は、感染症の予防及び感染症の患者に対する医療に関する法律(平成十年法律第百十四号)第六条第十七項に規定する第二種協定指定医療機関(次項において単に「第二種協定指定医療機関」という。)との間で、新興感染症(同条第七項に規定する新型インフルエンザ等感染症、同条第八項に規定する指定感染症又は同条第九項に規定する新感染症をいう。次項において同じ。)の発生時等の対応を取り決めるよう努めなければならない。

(3) A designated welfare services facility for children with disabilities must endeavor to arrange the response to occurrence of emerging infectious diseases (referring to novel influenza etc. infectious diseases provided in the same Act, paragraph (7), and designated infectious diseases provided in the same Act, paragraph (8), or New Infectious Diseases provided in the same Act, paragraph (9); the same shall apply in the following paragraph) with type-2 designated medical institutions (referred to simply as “type-2 designated medical institution” in the following paragraph) provided in Article 6, paragraph (17) of the Act on the Prevention of Infectious Diseases and Medical Care for Patients with Infectious Diseases (Act No. 114 of 1998).

4 指定福祉型障害児入所施設は、協力医療機関が第二種協定指定医療機関である場合においては、当該第二種協定指定医療機関との間で、新興感染症の発生時等の対応について協議を行わなければならない。

(4) When a cooperating medical institution is a type-2 designated medical institution, a designated welfare services facility for children with disabilities must consult with the type-2 designated medical institution about the response to occurrence of emerging infectious diseases.

(令六条例五三・一部改正)

(Partially amended by Ordinance No. 53 of 2024)

(掲示)

(Posting)

第三十八条 指定福祉型障害児入所施設は、当該指定福祉型障害児入所施設の見やすい場所に、運営規程の概要、従業者の勤務体制、協力医療機関及び協力歯科医療機関その他

の利用申込者のサービスの選択に資すると認められる重要事項を掲示しなければならない。

Article 38 (1) A designated welfare services facility for children with disabilities must post an outline of its operation rules, its employees' work system, cooperating medical institutions and cooperating dental institutions, and other important matters that are deemed to contribute to the choice of services for persons with disabilities by the applicant for use, in an easily viewable place in said designated welfare services facility for children with disabilities.

2 指定福祉型障害児入所施設は、前項に規定する事項を記載した書面を指定福祉型障害児入所施設に備え付け、かつ、これを関係者に自由に閲覧させることにより、同項の規定による掲示に代えることができる。

(2) A designated welfare services facility for children with disabilities may replace the posting pursuant to the provisions of the preceding paragraph by keeping a written document describing the matters prescribed in the preceding paragraph in the designated welfare services institution for children with disabilities and allowing relevant persons to freely inspect it.

(令三条例三四・一部改正)

(Partially amended by Ordinance No. 34 of 2021)

(身体的拘束等の禁止)

(Prohibition of Physical Restraints)

第三十九条 指定福祉型障害児入所施設は、指定入所支援の提供に当たっては、障害児又は他の障害児の生命又は身体を保護するため緊急やむを得ない場合を除き、身体的拘束その他障害児の行動を制限する行為(以下この条において「身体的拘束等」という。)を行ってはならない。

Article 39 (1) In offering designated admission support, a designated welfare services facility for children with disabilities must not conduct physical restraint or any other acts that restrict the actions of children with disabilities (hereinafter referred to as "physical restraint, etc." in this Article), except in emergency and unavoidable cases to protect the life or body of a child with disabilities or other children with disabilities.

2 指定福祉型障害児入所施設は、身体的拘束等を行う場合は、その態様及び時間、その際の障害児の心身の状況並びに理由その他必要な事項を記録しなければならない。

(2) In the event that a designated welfare services facility for children with disabilities imposes physical restraints, etc., it must record the manner and duration of such restraints, the physical and mental conditions of the children with disabilities at the time of such restraints, the reason for such restraints, and other necessary matters.

3 指定福祉型障害児入所施設は、身体的拘束等の適正化を図るため、規則で定める措置

を講じなければならない。

- (3) Designated welfare services facilities for children with disabilities must take measures provided for in the Regulations to ensure the appropriateness of physical restraints, etc.

(令三条例三四・一部改正)

(Partially amended by Ordinance No. 34 of 2021)

(虐待等の禁止)

(Prohibition of Abuse)

第四十条 指定福祉型障害児入所施設の従業者は、障害児に対し、法第三十三条の十各号に掲げる行為その他当該障害児の心身に有害な影響を与える行為をしてはならない。

Article 40 (1) Employees with designated welfare services facility for children with disabilities must not perform any of the acts set forth in the items of Article 33-10 of the Act or any other acts that have a harmful influence on the mental or physical health of said children with disabilities.

2 指定福祉型障害児入所施設は、虐待の発生及び再発を防止するため、規則で定める措置を講じなければならない。

- (2) A designated welfare services facility for children with disabilities must take measures prescribed by the Regulations to prevent the occurrence and recurrence of abuse.

(令三条例三四・一部改正)

(Partially amended by Ordinance No. 34 of 2021)

(懲戒に係る権限の濫用禁止)

(Prohibition of Abuse of Authority Pertaining to Disciplinary Action)

第四十一条 削除

Article 41 deleted

(令五条例二九)

(Ordinance No.29 of 2023)

(秘密保持等)

(Confidentiality)

第四十二条 管理者及び指定福祉型障害児入所施設の従業者は、正当な理由なく、その業務上知り得た障害児又はその家族の秘密を漏らしてはならない。

Article 42 (1) The administrator and employees of a designated welfare services facility for children with disabilities must not divulge any secret of a child with disabilities or his/her family that they have come to know in the course of their duties, without justifiable cause.

2 指定福祉型障害児入所施設は、管理者及び従業者であった者が、正当な理由なく、そ

の業務上知り得た障害児又はその家族の秘密を漏らすことがないよう、必要な措置を講じなければならない。

(2) A designated welfare services facility for children with disabilities must take necessary measures to ensure that the administrator and those who used to be employees do not divulge any secrets of the children with disabilities or their families that they have come to know in the course of their duties, without justifiable cause.

3 指定福祉型障害児入所施設は、指定障害児通所支援事業者、障害者総合支援法第二十九条第二項に規定する指定障害福祉サービス事業者等その他の福祉サービスを提供する者等に対し、障害児又はその家族に関する情報を提供する際は、あらかじめ、文書により当該障害児又はその家族の同意を得なければならない。

(3) Designated welfare services facilities for children with disabilities, when providing information about children with disabilities or their families to designated day care support business operators for children with disabilities, designated providers of welfare services for persons with disabilities stipulated in Article 29, paragraph (2) of Act on Comprehensive Support for Persons with Disabilities, and other persons providing welfare services, must obtain written consent in advance from the child with disabilities or the child's family.

(平二五条例五五・一部改正)

(Partially amended by Ordinance No. 55 of 2013)

(情報の提供等)

(Provision of Information)

第四十三条 指定福祉型障害児入所施設は、当該指定福祉型障害児入所施設に入所しようとする障害児が、適切かつ円滑に入所できるように、実施する事業の内容について情報の提供を行うよう努めなければならない。

Article 43 (1) A designated welfare services facility for children with disabilities must endeavor to offer provision of information on the contents of the work it conducts so that the children with disabilities who intend to be admitted into said designated welfare services facility for children with disabilities can be admitted appropriately and smoothly.

2 指定福祉型障害児入所施設は、当該指定福祉型障害児入所施設について広告をする場合は、その内容が虚偽又は誇大なものでないようにならなければならない。

(2) When a designated welfare services facility for children with disabilities advertises about said designated welfare services facility for children with disabilities, it must ensure that the contents of such advertisement are not false or exaggerated.

(利益供与等の禁止)

(Prohibition of Providing of Benefits)

第四十四条 指定福祉型障害児入所施設は、障害児相談支援事業を行う者若しくは障害者総合支援法第五条第十八項に規定する一般相談支援事業若しくは特定相談支援事業を行う者(次項において「障害児相談支援事業者等」という。)、障害福祉サービスを行う者等又はそれらの従業者に対し、障害児又はその家族に対して当該指定福祉型障害児入所施設を紹介することの対償として、金品その他の財産上の利益を供与してはならない。

Article 44 (1) A welfare services facility for children with disabilities must not give money and goods or any other economic benefit to a person who provides consultation support services for children with disabilities, a person who provides general consultation support services or specific consultation support services prescribed in Article 5 paragraph (18) of the Act on Comprehensive Support for Persons with Disabilities (referred to as "operators of consultation support services for children with disabilities" in the immediately following paragraph), a person who provides welfare services for persons with disabilities, or their employees, as compensation for referring a person with disabilities or said person with disabilities' family members to that designated welfare services facility for children with disabilities.

2 指定福祉型障害児入所施設は、障害児相談支援事業者等、障害福祉サービスを行う者等又はそれらの従業者から、障害児又はその家族を紹介することの対償として、金品その他の財産上の利益を収受してはならない。

(2) A designated welfare services facility for children with disabilities must not accept money and goods or any other economic benefit from providers of consultation support services for children with disabilities, or welfare services for persons with disabilities, or their employees as compensation for referring a child with disabilities or said child with disabilities' family.

(平二五条例五五・平二六条例五八・平三〇条例六三・一部改正)

(Partially amended by Ordinances No. 55 of 2013, No. 58 of 2014, No. 63 of 2018)

(苦情解決)

(Complaint Resolution)

第四十五条 指定福祉型障害児入所施設は、障害児又は入所給付決定保護者その他の当該障害児の家族からの指定入所支援に関する苦情に迅速かつ適切に対応するために、窓口の設置その他の必要な措置を講じなければならない。

Article 45 (1) A designated welfare services facility for children with disabilities must establish a consultation office and take other necessary measures to promptly and appropriately respond to complaints from a child with disabilities or a recognized admission beneficiary custodian or other family members of said child with disabilities concerning the designated admission support.

2 指定福祉型障害児入所施設は、前項の苦情を受け付けた場合は、当該苦情の内容等を

記録しなければならない。

- (2) In the event that a designated welfare services facility for children with disabilities receives a complaint set forth in the preceding paragraph, it must record the contents, etc. of said complaint.

3 指定福祉型障害児入所施設は、提供した指定入所支援に関し、法第二十四条の十五第一項の規定による都道府県知事(指定都市にあつては当該指定都市の市長、児童相談所設置市にあつては当該児童相談所設置市の市長。以下この条において同じ。)が行う報告若しくは帳簿書類その他の物件の提出若しくは提示の命令又は当該職員からの質問若しくは指定福祉型障害児入所施設の設備若しくは帳簿書類その他の物件の検査に応じるとともに、障害児又は入所給付決定保護者その他の当該障害児の家族からの苦情に関して都道府県知事が行う調査に協力し、当該都道府県知事から指導又は助言を受けた場合は、当該指導又は助言に従つて必要な改善を行わなければならない。この場合において、当該都道府県知事からの求めがあつたときは、当該改善の内容を報告しなければならない。

- (3) The designated welfare services facility for children with disabilities shall, regarding the designated admission support provided, in addition to complying with orders to submit or present reports, books and documents, and other materials issued by the prefectural governor (in the case of a designated city, the mayor of the designated city; in the case of a city with a child guidance center, the mayor of the city with a child guidance center; hereinafter the same applies in this article) pursuant to the provisions of Article 24-15, paragraph (1) of the Act, or questions from the relevant staff member or inspection of equipment, books and documents, and other property of the designated welfare services facility for children with disabilities, must cooperate with investigations conducted by prefectural governors regarding complaints from the child with disabilities, the recognized admission beneficiary custodian, and other members of the child with disabilities' family, and if it has received guidance or advice from the prefectural governor, it must make necessary improvements in accordance with said guidance or advice. In this case, if requested by said prefectural governor, it must report the details of said improvements.

4 指定福祉型障害児入所施設は、社会福祉法第八十五条の規定による運営適正化委員会が行う調査又はあつせんに可能な限り協力しなければならない。

- (4) A designated welfare services facility for children with disabilities must cooperate as much as possible with the examination or arrangement conducted by the committee on operational propriety pursuant to the provision of Article 85 of the Social Welfare Act.
(地域との連携等)

(Coordination with the Local Communities)

第四十六条 指定福祉型障害児入所施設は、運営に当たっては、地域住民等との連携、協力等により地域との交流に努めなければならない。

Article 46 Designated welfare services facilities for children with disabilities must, in their operation, endeavor to exchange with the area through coordination and cooperation with local residents, etc.

(事故発生時の対応)

(Response when an Accident Occurs)

第四十七条 指定福祉型障害児入所施設は、障害児に対する指定入所支援の提供により事故が発生した場合は、速やかに都、入所給付決定道府県、障害児の家族等に連絡を行うとともに、当該事故の状況及び処置についての記録その他必要な措置を講じなければならない。

Article 47 (1) If an accident occurs as a result of offering designated support for facility admission for children with disabilities, the designated welfare services facility for children with disabilities shall promptly notify the Tokyo Metropolitan Government, the prefecture that made the admission benefit ruling, and the family members of the children with disabilities, and shall record the circumstances of that accident and the measures taken, and shall take other necessary measures.

2 指定福祉型障害児入所施設は、障害児に対する指定入所支援の提供により賠償すべき事故が発生した場合は、速やかに損害賠償を行わなければならない。

(2) A designated welfare services facility for children with disabilities must promptly provide compensation for loss or damage if an accident that should be compensated for occurs as a result of offering designated admission support to a child with disabilities.

(非常災害対策)

(Extraordinary Disaster Control Measures)

第四十八条 指定福祉型障害児入所施設は、消火設備その他の非常災害に際して必要な設備を設けるとともに、非常災害に関する具体的な計画を策定し、また、非常災害時の関係機関への通報及び連絡の体制を整備し、これらを定期的に従業者に周知しなければならない。

Article 48 (1) Designated welfare services facilities for children with disabilities must provide fire extinguishing equipment and other equipment necessary in the event of an extraordinary disaster, formulate specific plans concerning extraordinary disasters, and establish a notification and communication system for relevant persons systematically when an extraordinary disaster occurs, and make these plans known to employees on a regular basis.

2 指定福祉型障害児入所施設は、非常災害に備えるため、定期的に避難訓練、救出訓練

その他必要な訓練を行わなければならない。

(2) Designated welfare services facility for children with disabilities must periodically conduct evacuation drills, rescue drills, and other necessary drills to prepare for extraordinary disasters.

3 指定福祉型障害児入所施設は、前項に規定する訓練の実施に当たって、地域住民の参加が得られるよう地域住民等との連携に努めなければならない。

(3) A welfare services facility for children with disabilities must endeavor to coordinate with local residents, etc. in order to obtain their participation in the work of training prescribed in the preceding paragraph.

(令三条例三四・一部改正)

(Partially amended by Ordinance No. 34 of 2021)

(安全計画の策定等)

(Formulation of Safety Plans)

第四十八条の二 指定福祉型障害児入所施設は、障害児の安全の確保を図るため、当該指定福祉型障害児入所施設の設備の安全点検、従業者、障害児等に対する施設外での活動、取組等を含めた指定福祉型障害児入所施設での生活その他の日常生活における安全に関する指導、従業者の研修及び訓練その他指定福祉型障害児入所施設における安全に関する事項についての計画(以下この条において「安全計画」という。)を策定し、当該安全計画に従い必要な措置を講じなければならない。

Article 48-2 (1) Designated welfare services facilities for children with disabilities, to ensure safety for children with disabilities, must formulate a plan regarding to equipment safety inspection of the designated welfare services facilities, safety guidance to employees and children with disabilities for the life at designated welfare services facilities and other daily life, including activities and efforts outside of the facilities, employee education and training, and other safety matters at designated welfare services facilities for children with disabilities (hereinafter referred to as “safety plan” in this article), and take necessary measures according to the safety plan.

2 指定福祉型障害児入所施設は、従業者に対し、安全計画について周知するとともに、前項の研修及び訓練を定期的実施しなければならない。

(2) Designated welfare services facilities for children with disabilities, informing its employees of the safety plan, must periodically implement the education and training provided in the preceding paragraph.

3 指定福祉型障害児入所施設は、定期的安全計画の見直しを行い、必要に応じて安全計画の変更を行うものとする。

(3) Designated welfare services facilities for children with disabilities shall periodically review the safety plan and change the safety plan as necessary.

(令五条例二九・追加)

(Partially amended by Ordinance No. 29 of 2023)

(自動車を運行する場合の所在の確認)

(Confirmation of the Location at Car Operation)

第四十八条の三 指定福祉型障害児入所施設は、障害児の施設外での活動、取組等のための移動その他の障害児の移動のために自動車を運行するときは、障害児の乗車及び降車の際に、点呼その他の障害児の所在を確実に把握することができる方法により、障害児の所在を確認しなければならない。

Article 48-3 (1) Designated welfare services facilities for children with disabilities, while operating cars to move children with disabilities for moving due to the activities, endeavors and others outside of the facilities, must confirm the location of children with disabilities by roll-call and other methods enabling confirmation of the location of children with disabilities when they get on and off the car.

(令五条例二九・追加)

(Added by Ordinance No. 29)

(会計の区分)

(Classification of Accounting)

第四十九条 指定福祉型障害児入所施設は、当該指定福祉型障害児入所施設の事業の会計とその他の事業の会計とを区分しなければならない。

Article 49 A welfare services facility for children with disabilities must separate the accounting for the business of said facility from the accounting for its other businesses.

(記録の整備)

(Maintenance of Records)

第五十条 指定福祉型障害児入所施設は、従業者、設備、備品及び会計に関する記録を整備しなければならない。

Article 50 (1) A designated welfare services facility for children with disabilities must maintain records concerning employees, facilities, equipment, and accounting.

2 指定福祉型障害児入所施設は、障害児に対する指定入所支援の提供に関する次に掲げる記録を整備し、当該記録に係る事象の完結の日から五年間保存しなければならない。

(2) A welfare services facility for children with disabilities must maintain the following records concerning the offer of designated admission support for children with disabilities, and preserve those records for 5 years from the day of completion of the event pertaining to such records.

一 入所支援計画及び移行支援計画

(i) Admission Support Plan and Transition Plan

二 第十九条第一項に規定する提供した指定入所支援に係る記録

(ii) Records pertaining to the designation admission support offered prescribed in Article 19, paragraph (1)

三 第三十四条の規定による都道府県への通知に係る記録

(iii) Records pertaining to notice to the prefecture pursuant to the provisions of Article 34

四 第三十九条第二項に規定する身体的拘束等の記録

(iv) Records of physical restraints, etc. as provided for in Article 39, paragraph (2)

五 第四十五条第二項に規定する苦情の内容等の記録

(v) Record of the contents of complaints, etc. as provided in Article 45, paragraph (2)

六 第四十七条第一項に規定する事故の状況及び処置についての記録

(vi) Records of the circumstances of the accident and the measures taken, as provided for in Article 47, paragraph (1).

(令六条例五三・一部改正)

(Partially amended by Ordinance No.53 of 2024)

第三章 指定医療型障害児入所施設

Chapter 3 Designated medical services facilities for children with disabilities

第一節 人員に関する基準

Section 1 Standards for Personnel

(従業者の配置の基準)

(Standards of Employee Placement)

第五十一条 指定医療型障害児入所施設は、次に掲げる従業者を、規則で定める基準により置かなければならない。

Article 51 (1) A designated medical services facility for children with disabilities must have the following employees pursuant to the standards specified by Regulations.

一 医療法(昭和二十三年法律第二百五号)に規定する病院として必要とされる従業者

(i) Employees required as a hospital as provided for in the Medical Care Act (Act No. 205 of 1948)

二 児童指導員及び保育士

(ii) Child guidance counselors and nursery school teachers

三 心理支援を担当する職員(主として重症心身障害児を入所させる指定医療型障害児入所施設に限る。)

(iii) Employees in charge of psychological support (limited to designated medical services facilities for children with disabilities that admit mainly children with severe mental or physical disabilities)

四 理学療法士又は作業療法士(主として肢体不自由のある児童又は主として重症心身障害児を入所させる指定医療型障害児入所施設に限る。)

(iv) Physical therapists or occupational therapists (limited to designated medical services facilities for children with disabilities that admit mainly children with impaired physical functions or mainly children with severe mental or physical disabilities)

五 児童発達支援管理責任者

(v) Child development support management supervisor

2 主として肢体不自由のある児童を入所させる指定医療型障害児入所施設は、前項各号に掲げる従業者のほか、職業指導を行う場合にあっては、職業指導員を置かなければならない。

(2) A designated medical services facility for children with disabilities that admits mainly children with impaired physical functions must have vocational guidance, if it provides vocational guidance, in addition to the employees set forth in each item of the preceding paragraph.

3 指定医療型障害児入所施設が指定療養介護事業者(東京都指定障害福祉サービスの事業等の人員、設備及び運営の基準に関する条例(平成二十四年東京都条例第百五十五号。以下「指定障害福祉サービス等基準条例」という。)第五十条第一項に規定する指定療養介護事業者をいう。以下同じ。)の指定を受け、かつ、指定入所支援と指定療養介護(指定障害福祉サービス等基準条例第四十九条に規定する指定療養介護をいう。以下同じ。)とを同一の施設において一体的に提供する場合は、指定障害福祉サービス等基準条例第五十条第一項に規定する人員に関する基準を満たすことをもって、前二項に規定する基準を満たすものとみなす。

(3) In the event that a designated medical services facility for children with disabilities receives designation as a designated medical nursing care provider (Designated medical care business operators prescribed in paragraph (1) of Article 50 of the Tokyo Metropolitan Government Ordinance Concerning Personnel, Equipment and Operation Standards for Designated Welfare Service for Persons with Disabilities (Tokyo Metropolitan Ordinance No. 155 of 2012; hereinafter referred to as "Ordinance on Standards for Welfare Services, etc., for Persons with Disabilities"); the same applies hereinafter.) and provides designated admission support facilities for children with disabilities and designated medical care in the same facility in an integrated manner, the criteria prescribed in the preceding two paragraphs must be deemed to be met if the criteria concerning personnel prescribed in Article 50 paragraph (1) of the Ordinance on Standards for Welfare Services, etc., for Children with Disabilities (Designated nursing care prescribed in Article 49 of the Ordinance on Standards for Welfare Services, etc., for Persons with Disabilities; the same applies hereinafter) are met.

(平二五条例五五・令六条例五三・一部改正)

(Partially amended by Ordinance No. 55 of 2013, Ordinance 53 of 2024)

第二節 設備に関する基準

Section 2 Standards for equipment

(設備の基準)

(Equipment Standards)

第五十二条 指定医療型障害児入所施設は、次に掲げる設備を設けなければならない。

Article 52 (1) A designated medical services facility for children with disabilities must provide the following facilities.

一 医療法に規定する病院として必要とされる設備

(i) Facilities required as a hospital as stipulated in the Medical Care Act

二 支援室

(ii) Support rooms

三 浴室

(iii) Bathroom

2 次の各号に掲げる指定医療型障害児入所施設にあつては、前項各号に掲げる設備のほか、当該指定医療型障害児入所施設の区分に応じ、当該各号に定める設備を設けなければならない。ただし、第二号の義肢装具を製作する設備にあつては、他に適当な設備がある場合は、この限りでない。

(2) In the case of a designated medical services facility for children with disabilities set forth in each of the following items, in addition to the facilities listed in the items of the preceding paragraph, the facilities specified in the respective items must be provided for the category of said designed medical services facility for children with disabilities. However, this shall not apply to facilities for the manufacture of prosthetic limbs in item (ii) if other suitable facilities are available.

一 主として自閉症児を入所させる指定医療型障害児入所施設 静養室

(i) Designated medical services facilities for children with disabilities, mainly for children with autism Recuperation room

二 主として肢体不自由のある児童を入所させる指定医療型障害児入所施設 屋外遊戯場、ギブス室、特殊手工芸等の作業の支援に必要な設備、義肢装具を製作する設備並びに浴室及び便所の手すり等身体の機能の不自由を助ける設備

(ii) Designated medical services facilities for children with disabilities, mainly for children with impaired physical functions. Outdoor playing areas, casting rooms, equipment necessary for support in special handicrafts and other work, equipment for the manufacture of prosthetic limbs and equipment to assist the impairment of physical functions, such as handrails in bathrooms and toilets.

3 主として肢体不自由のある児童を入所させる指定医療型障害児入所施設は、階段の傾斜を緩やかにしなければならない。

(3) Designated medical services facilities for children with disabilities that admit mainly children with impaired physical functions must have gently sloping stairs.

4 第一項各号及び第二項各号に掲げる設備は、専ら当該指定医療型障害児入所施設が提供する指定入所支援の用に供するものでなければならない。ただし、障害児の支援に支障がない場合は、第一項第二号及び第三号並びに第二項各号に掲げる設備については、併せて設置する他の社会福祉施設の設備と兼ねることができる。

(4) The facilities set forth in each item of paragraph (1) and paragraph (2) must be exclusively used for the designated admission support provided by said designated medical services facility for children with disabilities. However, if it does not hinder the support of children with disabilities, the facilities set forth in paragraph (1), items (ii) and (iii), and each item of paragraph (2), may be combined with other facilities installed in social welfare facilities.

5 指定医療型障害児入所施設が、指定療養介護事業者の指定を受け、かつ、指定入所支援と指定療養介護とを同一の施設において一体的に提供する場合は、指定障害福祉サービス等基準条例第五十二条第一項及び第二項に規定する設備に関する基準を満たすことをもって、前各項に規定する基準を満たすものとみなす。

(5) In the event that a designated medical services facilities for children with disabilities receives designation as a designated medical nursing care provider and offers designated admission support for facility admission and designated nursing care in the same facility in an integrated manner, the standards prescribed in each of the preceding paragraphs shall be deemed to be satisfied by virtue of satisfying the standards concerning facilities prescribed in Article 52 paragraphs (1) and (2) of the Ordinance on Standards for Welfare Services, etc., for Persons with Disabilities.

(令六条例五三・一部改正)

(Partially amended by Ordinance No. 53 of 2024)

第三節 運営に関する基準

Section 3 Standards for operations

(入所利用者負担額の受領)

(Receipt of the Admitted User Co-payment Amount)

第五十三条 指定医療型障害児入所施設は、法定代理受領を行う指定入所支援を提供した際は、入所給付決定保護者から当該指定入所支援に係る入所利用者負担額の支払を受けらるものとする。

Article 53 (1) When a designated medical services facility for children with disabilities offers designated admission support for which statutory receipt by proxy is made, it is to receive payment of the admitted user co-payment amount pertaining to that designated admission support from the recognized admission beneficiary

custodian.

2 指定医療型障害児入所施設は、法定代理受領を行わない指定入所支援を提供した際は、入所給付決定保護者から、次に掲げる額の支払を受けるものとする。

(2) When a designated medical services facility for children with disabilities offers designated admission support without statutory receipt by proxy, it is to receive payment of the following amounts from the recognized admission beneficiary custodian.

一 当該指定入所支援に係る指定入所支援費用基準額

(i) The standard amount of expenses for designated admission support pertaining to that designated admission support

二 当該障害児入所支援のうち障害児入所医療に係るものにつき法第二十四条の第二十二項第一号及び第二号に規定する健康保険の療養に要する費用の額の算定方法の例により算定した費用の額

(ii) The amount of expenses calculated pursuant to the method of calculation of the amount of expenses for medical treatment provided for by the health insurance prescribed in Article 24-20 paragraph (2) items (i) and (ii) of the Act, with regard to the support for facility admission for children with disabilities pertaining to admission medical care for children with disabilities

3 指定医療型障害児入所施設は、前二項に定める場合において入所給付決定保護者から支払を受ける額のほか、指定入所支援において提供される便宜に要する費用のうち、規則で定める費用の額の支払を入所給付決定保護者から受けることができる。

(3) A designated medical services facility for children with disabilities may receive payment from the recognized admission beneficiary custodian of the amount of expenses specified by the Regulations out of the expenses spent for the convenience provided in the designated admission support, in addition to the amount to be paid by a recognized admission beneficiary custodian in the cases prescribed in the preceding two paragraphs.

4 指定医療型障害児入所施設は、前三項に規定する額の支払を受けた場合は、当該額に係る領収証を当該額を支払った入所給付決定保護者に対し交付しなければならない。

(4) When a designated medical services facility for children with disabilities receives payment of the amount prescribed in the preceding three paragraphs, it must deliver a receipt pertaining to said amount to the recognized admission beneficiary custodian who paid said amount.

5 指定医療型障害児入所施設は、第三項に規定する費用の額に係るサービスの提供に当たっては、あらかじめ、入所給付決定保護者に対し、当該サービスの内容及び費用について説明を行い、当該入所給付決定保護者の同意を得なければならない。

(5) A designated medical services facility for children with disabilities must, when providing services pertaining to the amount of expenses prescribed in paragraph (3), explain the contents of said services and expenses to a recognized admission beneficiary custodian and obtain said recognized admission beneficiary custodian's consent in advance.

(障害児入所給付費の額に係る通知等)

(Notices pertaining to the Amount of Admission Benefits for Children with Disabilities)

第五十四条 指定医療型障害児入所施設は、法定代理受領により指定入所支援に係る障害児入所給付費又は障害児入所医療費の支給を受けた場合は、入所給付決定保護者に対し、当該入所給付決定保護者に係る障害児入所給付費及び障害児入所医療費の額を通知しなければならない。

Article 54 (1) When a designated medical services facility for children with disabilities receives payments of residential benefits for children with disabilities or admission medical care expenses for children with disabilities pertaining to designated admission support with statutory receipt by proxy, it must notify the recognized admission beneficiary custodian for persons with disabilities of the amount of admission benefits for children with disabilities and residential medical expenses for children with disabilities pertaining to said person.

2 指定医療型障害児入所施設は、前条第二項の法定代理受領を行わない指定入所支援に係る額の支払を受けた場合は、当該指定入所支援の内容、費用の額その他必要と認められる事項を記載したサービス提供証明書を入所給付決定保護者に交付しなければならない。

(2) When a designated medical services facility for children with disabilities receives payment of the amount pertaining to the designated admission support without statutory receipt by proxy set forth in paragraph (2) of the preceding Article, it must deliver a certificate of service provision describing the contents of said designated admission support, the amount of expenses and other matters deemed necessary to the recognized admission beneficiary custodian.

(協力歯科医療機関)

(Cooperating Dental Institutions)

第五十五条 指定医療型障害児入所施設(主として自閉症児を受け入れるものを除く。)は、あらかじめ、協力歯科医療機関(当該指定医療型障害児入所施設との間で、障害児が歯科治療を必要とした際の連携協力が合意されている歯科医療機関をいう。)を定めるよう努めなければならない。

Article 55 A designated medical services facility for children with disabilities (excluding those accepting mainly children with autism) must endeavor to specify in

advance a cooperating dental institution (which means a dental institution with which said designated medical services facility for children with disabilities has agreed to cooperate when a child with disabilities needs dental treatment).

(準用)

(Application, Mutatis Mutandis)

第五十六条 第六条から第二十条まで、第二十二條、第二十四條から第三十六條まで、第三十八條から第四十二條まで、第四十三條第一項、第四十四條から第四十八條まで及び第五十條の規定は、指定医療型障害児入所施設について準用する。この場合において、第二十条第二項ただし書中「次条第一項」とあるのは「第五十三條第一項」と、第三十二条中「医療機関」とあるのは「他の専門医療機関」と、第三十四条中「障害児入所給付費」とあるのは「障害児入所給付費及び障害児入所医療費」と、第三十五条中「定員(第五条第三項に規定する規則で定める基準として定められる居室の定員をいう。）」とあるのは「定員」と、第三十八條第一項中「協力医療機関及び協力歯科医療機関」とあるのは「第五十五条の協力歯科医療機関」と読み替えるものとする。

Article 56 The provisions of Articles 6 through 20, Article 22, Articles 24 through 36, Articles 38 through 42, Article 43 paragraph (1), Articles 44 through 48, and Article 50 must apply mutatis mutandis to designated medical services facility for children with disabilities. In this case, the phrase “the immediately following Article, paragraph (1)” in the proviso to Article 20, paragraph (2) shall be read as “Article 53 paragraph (1)”; “Medical institutions” in Article 32, as “other specialized medical institutions”; “admission benefits for children with disabilities” in Article 34, as “admission benefits for children with disabilities and medical expenses for children with disabilities”; “maximum capacity of rooms for children (which means the maximum capacity of rooms to be set as the standard provided for in the Regulations prescribed in Article 5, paragraph (3))” in Article 35, as “maximum capacity”; and “cooperating medical institutions and cooperating dental institutions” in Article 38, paragraph (1), as “cooperating dental institutions under Article 55”.

(令三条例三四・令五条例二九・一部改正)

(Partially amended by Ordinance No. 34 of 2021, Ordinance No. 29 of 2023)

第四章 雑則

Chapter 4 Miscellaneous Provisions

(電磁的記録等)

(Electronic or Magnetic Records, etc.)

第五十七条 指定障害児入所施設及びその従業者は、作成、保存その他これらに類するもののうち、この条例において書面(書面、書類、文書、謄本、抄本、正本、副本、複本その他文字、図形等人の知覚によって認識することができる情報が記載された紙その他

の有体物をいう。以下この条において同じ。)で行うことが規定されている又は想定されるもの(第十四条(前条において準用する場合を含む。)、第十八条第一項(前条において準用する場合を含む。)及び次項に規定するものを除く。)については、書面に代えて、当該書面に係る電磁的記録(電子的方式、磁気的方式その他人の知覚によっては認識することができない方式で作られる記録であって、電子計算機による情報処理の用に供されるものをいう。)により行うことができる。

Article 57 (1) A designated admission institution for children with disabilities and its employees may prepare, preserve, and do other similar things, which are stipulated or assumed to be done in writing (a paper document, a transcript, extract, authenticated copy, or duplicate of a document, a duplicate of a bill or note, or any other paper or other tangible object containing information that may be recognized by a person's perception, such as letters, figures, etc.; the same applies hereinafter in this Article) under this ordinance (excluding those stipulated in Article 14 (including the cases where it is applied mutatis mutandis in the preceding article), Article 18, paragraph (1) (including the cases where it is applied mutatis mutandis in the preceding article) and the following paragraph), by means of an electronic or magnetic record (meaning records made by an electronic form, a magnetic form, or any other form that may not be recognizable to human perception, which are used for information processing by computers) pertaining to such writing instead of writing.

2 指定障害児入所施設及びその従業者は、交付、説明、同意その他これらに類するもの(以下「交付等」という。)のうち、この条例において書面で行うことが規定されている又は想定されるものについては、当該交付等の相手方が障害児又は入所給付決定保護者である場合には当該障害児又は当該入所給付決定保護者に係る障害児の障害の特性に応じた適切な配慮をしつつ、当該交付等の相手方の承諾を得て、書面に代えて、電磁的方法(電子的方法、磁気的方法その他人の知覚によって認識することができない方法をいう。)によることができる。

(2) Regarding the delivery, explanation, consent, and other similar matters (hereinafter referred to as "delivery, etc.") that are stipulated or expected to be done in writing under this ordinance, if the recipient of the delivery, etc., is a child with disabilities or a recognized admission beneficiary custodian, the designated admission institution for children with disabilities and their employees may, with the consent of the other party to whom the delivery, etc., is made, and while giving appropriate consideration to the characteristics of disabilities of the child with disabilities or the recognized admission beneficiary custodian, use electromagnetic means (meaning electronic methods, magnetic methods, and other methods not recognizable to human perception) instead of in writing.

(令三条例七一・追加)

(Added by Ordinance No. 71 of 2021)

(適用除外)

(Exceptions)

第五十八条 この条例の規定は、法第五十九条の四第一項の児童相談所設置市の区域における指定障害児入所施設については、適用しない。

Article 58 The provisions of this ordinance must not apply to designated admission institutions for children with disabilities in the area of a city with a child guidance center set forth in Article 59-4 paragraph (1) of the Act.

(令元条例八七・追加、令三条例七一・旧第五十七条繰下)

(Added by Ordinance No. 87 of 2019; Former Article 57 moved down by Ordinance No. 71 of 2021)

(委任)

(Delegation)

第五十九条 この条例に定めるもののほか、この条例の施行について必要な事項は、規則で定める。

Article 59 In addition to those stipulated in this ordinance, any matters which may be necessary for the enforcement of this ordinance must be stipulated in the Regulations.

(令元条例八七・旧第五十七条繰下、令三条例七一・旧第五十八条繰下)

(Former Article 57 moved down by Ordinance No. 87 of 2019; Former Article 58 moved down by Ordinance No. 71 of 2021)

附 則

Supplementary Provisions

この条例は、平成二十五年一月一日から施行する。

This ordinance comes into effect as of January 1, 2013.

附 則(平成二五年条例第五五号)

Supplementary Provisions (Ordinance No. 55 of 2013)

この条例は、平成二十五年四月一日から施行する。

This ordinance comes into effect as of April 1, 2013.

附 則(平成二六年条例第五八号)

Supplementary Provisions (Ordinance No. 58 of 2014)

この条例は、平成二十六年四月一日から施行する。

This ordinance comes into effect as of April 1, 2014.

附 則(平成三〇年条例第六三号)

Supplementary Provisions (Ordinance No. 63 of 2018)

1 この条例は、平成三十年四月一日から施行する。

(1) This ordinance comes into effect as of April 1, 2018.

2 この条例の施行の際、現にこの条例による改正前の東京都指定障害児入所施設の人員、設備及び運営の基準に関する条例(以下この項において「改正前の条例」という。)第四条第三項の規定により改正前の条例第四条第一項及び第二項に規定する基準を満たすものとみなされて指定を受けている指定福祉型障害児入所施設(改正前の条例第二条第一項第三号の指定福祉型障害児入所施設をいう。以下この項において同じ。)及び改正前の条例第五条第六項の規定により改正前の条例第五条第一項から第五項までに規定する基準を満たすものとみなされて指定を受けている指定福祉型障害児入所施設については、この条例による改正後の東京都指定障害児入所施設の人員、設備及び運営の基準に関する条例第四条第一項及び第二項並びに第五条第一項から第五項までの規定にかかわらず、令和六年三月三十一日までの間は、なお従前の例による。

(2) With regard to a designated welfare services facility for children with disabilities (referring to the designated welfare services facility for children with disabilities set forth in Article 2 paragraph (1) item (iii) of the Ordinance prior to the amendment; the same applies hereinafter in this paragraph) which, at the time of enforcement of this Ordinance, is deemed as meeting the standards prescribed in Article 4, paragraphs (1) and (2) of the Ordinance prior to its amendment pursuant to Article 4, paragraph (3) of the Tokyo Metropolitan Ordinance prior to its amendment by this Ordinance (hereinafter referred to as "Ordinance prior to amendment" in this paragraph) and has been designated as such, and a designated welfare services facility for children with disabilities which is to be deemed as meeting the standards prescribed in Article 5, paragraphs (1) through (5) of the Ordinance prior to amendment pursuant to the provisions of Article 5, paragraph (6) of the Ordinance prior to amendment, and has been designated as such, notwithstanding the provisions of Article 4, paragraphs (1) and (2) and Article 5, paragraphs (1) through (5) of the Amended Concerning Standards for Personnel, Equipment and Operation of Designated Institutions for Children with Disabilities, until March 31, 2024, the provisions then in force shall remain applicable.

(令三条例三四・令四条例四三・一部改正)

(Partially amended by Ordinances No. 34 of 2021, No. 43 of 2022)

附 則(令和元年条例第八七号)

Supplementary Provisions (Ordinance No. 87 of 2019)

この条例は、公布の日から施行する。

This ordinance comes into effect as of the date of the promulgation.

附 則(令和三年条例第三四号)

Supplementary Provisions (Ordinance No. 34 of 2021)

(施行期日)

(Effective Date)

1 この条例は、令和三年四月一日(以下「施行日」という。)から施行する。

(1) This ordinance comes into effect as of April 1, 2021 (hereinafter referred to as the "effective date").

(経過措置)

(Transitional measures)

2 施行日から令和四年三月三十一日までの間、第一条の規定による改正後の東京都指定障害児入所施設の人員、設備及び運営の基準に関する条例(以下「改正後の条例」という。)第三条第四項及び第四十条第二項(改正後の条例第五十六条において準用する場合を含む。)の規定の適用については、これらの規定中「講じなければならない」とあるのは「講じるよう努めなければならない」とする。

(2) During the period from the date of enforcement to March 31, 2022, with regard to the application of the provisions of the Tokyo Metropolitan Government Ordinance on Standards for Personnel, Equipment and Operation of Designated Admission Institutions for Children with Disabilities Article 3, paragraph (4) and Article 40, paragraph (2), after the amendment pursuant to the provisions of Article 1 (hereinafter referred to as the "amended ordinance") (including if it applies mutatis mutandis in Article 56 of the amended ordinance), the term "must take" in these provisions shall be read as "must endeavor to take".

3 施行日から令和六年三月三十一日までの間、改正後の条例第九条の二(改正後の条例第五十六条において準用する場合を含む。)の規定の適用については、改正後の条例第九条の二第一項中「講じなければならない」とあるのは「講じるよう努めなければならない」と、同条第二項中「実施しなければならない」とあるのは「実施するよう努めなければならない」と、同条第三項中「行う」とあるのは「行うよう努める」とする。

(3) During the period from the effective date to March 31, 2024, with regard to the application of the provisions of Article 9-2 of the Amended Ordinance (including the cases where it is applied mutatis mutandis to Article 56 of the Amended Ordinance), "must formulate" and "must take" in Article 9-2, paragraph (1), shall be read as "must endeavor to formulate" and "must endeavor to take," "must implement," in Article 9-2, paragraph (2), shall be read as "must endeavor to implement," and "must review" and "must make" in Article 9-2, paragraph (3), shall be read as "must endeavor to review" and "must endeavor to make".

4 施行日から令和六年三月三十一日までの間、改正後の条例第三十六条第二項(改正後の条例第五十六条において準用する場合を含む。)の規定の適用については、改正後の条例第三十六条第二項中「講じなければならない」とあるのは「講じるよう努めなければ

ならない」とする。

- (4) From the effective date to March 31, 2024, with regard to the application of the provisions of Article 36, paragraph (2) of the Amended Ordinance (including the cases where it is applied mutatis mutandis in Article 56 of the Amended Ordinance), the term "must take" in Article 36, paragraph (2) of the Amended Ordinance shall be read as "must endeavor to take".

- 5 施行日から令和四年三月三十一日までの間、改正後の条例第三十九条第三項(改正後の条例第五十六条において準用する場合を含む。)の規定の適用については、改正後の条例第三十九条第三項中「講じなければならない」とあるのは「講じるよう努めなければならない」とする。

- (5) From the effective date to March 31, 2022, with regard to the application of the provisions of Article 39, paragraph (3) of the Amended Ordinance (including the cases where it is applied mutatis mutandis in Article 56 of the Amended Ordinance), the term "must take" in Article 39, paragraph (3) of the Amended Ordinance shall be read as "must endeavor to take".

附 則(令和三年条例第七一号)

Supplementary Provisions (Ordinance No. 71 of 2021)

この条例は、令和三年七月一日から施行する。

This Ordinance comes into effect as of July 1, 2021.

附 則(令和四年条例第四三号)

Supplementary Provisions (Ordinance No. 43 of 2022)

この条例は、令和四年四月一日から施行する。

This Ordinance comes into effect as of April 1, 2022.

附 則(令和五年条例第二九号)

Supplementary Provisions (Ordinance No. 29 of 2023)

(施行期日)

(Effective Date)

- 1 この条例は、令和五年四月一日から施行する。ただし、第四十一条の改正規定は、公布の日から施行する。

- (1) This ordinance comes into effect as of April 1, 2023. However, the amended provisions of Article 42 come into effect as of the date of the promulgation.

(経過措置)

(Transitional measures)

- 2 令和五年四月一日から令和六年三月三十一日までの間、この条例による改正後の東京都指定障害児入所施設の人員、設備及び運営の基準に関する条例(以下「改正後の条例」という。)第四十八条の二第一項及び第二項(改正後の条例第五十六条において準用

する場合を含む。)の規定の適用については、改正後の条例第四十八条の二第一項中「講じなければならない」とあるのは「講じるよう努めなければならない」と、同条第二項中「実施しなければならない」とあるのは「実施するよう努めなければならない」とする。

- (2) During the period from April 1, 2023 to March 31, 2024, with regard to the application of the provisions of Tokyo Metropolitan Government Ordinance on Standards for Personnel, Equipment and Operation of Designated Admission Institutions for Children with Disabilities Article 48-2, paragraph (1) and paragraph (2), after the amendment pursuant to this Ordinance (hereinafter referred to as the "amended ordinance") (including if it applies mutatis mutandis in Article 56 of the amended ordinance), the term "must take" in Article 48-2, paragraph (1) of the Ordinance after amendment shall be read as "must endeavor to take".

附 則(令和五年条例第六二号)

Supplementary Provisions (Ordinance No. 62 of 2023)

この条例は、公布の日から施行する。

This ordinance comes into effect as of the date of the promulgation.

附 則(令和六年条例第五三号)

Supplementary Provisions (Ordinance No. 53 of 2024)

この条例は、令和六年四月一日から施行する。ただし、第四十四条第一項の改正規定は、障害者の日常生活及び社会生活を総合的に支援するための法律等の一部を改正する法律(令和四年法律第百四号)附則第一条第四号に規定する日から施行する。

This ordinance comes into effect as of April 1, 2024. However, the amended provisions of Article 44, paragraph (1) come into effect as of the date provided in Article 1, item (iv), the supplementary provision to the Act Partially Amending the Act on the Comprehensive Support for the Daily Life and Life in Society of Persons with Disabilities and other acts (Act No. 104 of 2022).