§11-94-3 Licensing.

(a) The facility shall meet all requirements for licensure under state law. All skilled nursing and intermediate care facilities shall be licensed except those operated by the federal government or agency thereof. The proprietor, the governing body, or the person in charge shall file an application with the director on forms furnished by the department, and the facility shall be licensed pursuant to this chapter prior to admitting patients.

...(d) No facility licensed under the provisions of this chapter, shall deny admission to any individual on account of race, religion, ancestry, or national origin.

...(f) In the event of a change of name, location, ownership, or occupancy, the director shall be notified fifteen days prior to the change; an inspection at the discretion of the director, shall be conducted and, if the provisions of this chapter are met, a new license issued.

...(i) The current license shall be posted in a conspicuous place visible to the public within the facility. A facility which has fulfilled the requirements to be licensed both as a skilled nursing facility and as an intermediate care facility shall be known as an SNF/ICF swing bed facility and this shall be indicated on their license.

§11-94-5 Adult day health center. If an SNF/ICF facility chooses to operate an adult day health center in its facility, the following must be observed:

(1) The space and staff requirements for the adult day health center activities shall not affect reduction in the space and staff requirements of the SNF/ICF facility.

...(3) Where appropriate, as determined by the director, all or part of sections 11-94-1 through 11-94-32 shall apply to the adult day health center.

§11-94-6 Administrator. The facility shall be administered on a full time basis by:

(1) A person licensed in the State of Hawaii as a nursing home administrator; or

(2) In the case of a hospital qualifying as a skilled nursing or intermediate care facility, by the hospital administrator; or

(3) In the absence of the administrator by a suitable employee who has been designated, in writing, to act on the administrator’s behalf.

§11-94-14 General policies and practices.

(a) There shall be written policies and procedures available to staff, patients, and the public which govern:

(1) All services provided by the facility.

(2) Admission, transfer, and discharge of patients.
(b) There policies shall insure that:

(1) The facility shall not deny admission to any individual on account of race, religion, color, ancestry, or national origin.

§11-94-15 Governing body and management.

(a) Each facility shall have an organized governing body, or designated persons so functioning, who has overall responsibility for the conduct of all activities. The facility shall maintain methods of administrative management which assure that the requirements of this section are met.

(c) Personnel policies.

(1) There shall be written job descriptions available for all positions. Each employee shall be informed of their duties and responsibilities at the time of employment.

(2) All professional employees shall have appropriate licenses as required by law and their licenses shall be readily available for examination by the director or the director's representative.

(3) Ethical standards of professional conduct shall apply in the facility.

(4) The facility’s personnel policies and practices shall be in writing and shall be available to all employees.

(5) Written policy shall prohibit mistreatment, neglect, or abuse of patients. Alleged violations shall be reported immediately, and thoroughly investigated and documented. The results of any investigation shall be reported to the administrator or designated representative within twenty-four hours of the report of the incident; and appropriate sanctions shall be invoked when the allegation is substantiated.

(6) There shall be an organization chart showing the major operating programs of the facility, with staff division, administrative personnel in charge of programs and divisions, and their lines of authority, responsibility, and communication.