290-5-8-02 GOVERNING BODY.

(1) There shall be a governing body which assumes full legal responsibility for the overall conduct of the home.
(3) The governing body shall be responsible for compliance with all applicable laws and regulations pertaining to the home.
(4) The governing body shall certify to the Commissioner, the name of the person to whom is delegated the responsibility for the management of the home, including the carrying out of rules and policies adopted by the governing body. This person shall be known as the administrator.
(5) The word hospital, sanitorium or sanitarium shall not be used in the official title of any home permitted under the provisions of these rules and regulations.

290-5-8-03 ADMINISTRATION.

(1) Each nursing home shall be under the supervision of a licensed nursing home administrator. An administrator may serve as the administrator of not more than one facility, except that two facilities having common ownership or management located on the same premises may be served by a single administrator. Distinct part facilities sharing a common roof shall be considered one facility. In exceptional circumstances, a waiver may be granted by the Department for a period of six months. Existing facilities not currently meeting this requirement would be exempt for a period of two years from the effective date of this regulation. If an existing facility should undergo a change of administrators during this two-year period, such facility would be required to comply with the regulations.
(2) Each home shall be operated in accordance with policies approved by the Department. These policies shall include but not be limited to those governing admissions, transfers, discharges, physicians' services, nursing services, dietary services, restorative services, pharmaceutical services, diagnostic services, social services, environmental sanitation services, recreational services and clinical records.
(3) Each home shall have a written transfer agreement in effect with one or more hospitals. Nursing homes that are a Distinct Part of a hospital will be considered to meet this requirement if acceptable provisions for the transfer of patients are included in the facility's policies.
(4) There shall be a separate personnel folder maintained for each employee. This folder shall contain all personal information concerning the employee, including the application and qualifications for employment, physical examination and job title assigned. A current job description shall be available for each classification of employee, but may be maintained separately from the personnel folder. In addition to all other documents required by state or federal regulations, the nursing home shall maintain documentation of successful completion of the dining assistant training program for each dining assistant.
(5) The home and its premises shall be used only for the purposes for which the home is operated and permitted.
(6) In response to a reasonable request by a patient or visitor, privacy shall be afforded for conversation and/or consultations.
290-5-8-.04 NURSING SERVICE.

...(9) An active in-service nursing education program shall be in effect for all nursing personnel. This program shall be developed and conducted by a registered nurse who may be employed part-time and under the direction of the director of nursing services.
(10) The in-service nursing educational program shall be in writing and shall show the frequency of training. Attendance and progress records shall be kept for each person receiving instruction.

290-5-8-.06 DIETARY SERVICE.

...(6) Sufficient perishable foods for a twenty-four hour period and nonperishable foods for a three-day period shall be on the premises for use in an emergency.

290-5-8-.07 SOCIAL SERVICE.

...(3) All nursing personnel and employees having contact with patients shall receive social service orientation and in-service training toward understanding emotional problems and social needs of patients.

290-5-8-.11 RECORDS.

(1) Each home shall maintain a complete medical record on each patient containing sufficient information to validate the diagnosis and to establish the basis upon which treatment is given. All active medical records shall be maintained at the nurses’ station. The completed record shall normally contain the following:
(a) Name, address, birth date, sex, marital status of the patient and religion; the name, address and telephone number of physician; the name, address and telephone number of the responsible party to contact in emergency;
(b) Date and time of admission;
(c) Date and time of discharge or death;
(d) Admitting diagnosis;
(e) Final diagnosis;
(f) Condition on discharge;
(g) History and physical examination;
(h) Treatment and medication orders;
(i) Physicians’ progress notes (at least monthly);
(j) Nurses’ notes;
(k) Special examination and reports.
(2) Each home shall keep patient statistics, including admissions, discharges, deaths, patient days, and percent of occupancy. Statistical records shall be open for inspection and upon request, data shall be submitted to the Department.

290-5-8-.19 APPLICATION FOR PERMIT.

...(5) Proof of ownership shall accompany the application.
(a) Corporations shall submit a copy of their charter and the name and address of all owners with ten (10) percent or more of the stock and shall identify each corporate officer;
(b) Nonprofit associations and hospital authorities shall submit legal proof of the organization, the name and address of each trustee and the office held, if any;
(c) All others shall submit the name and address of each person owning any part of the facility.

290-5-8-.20 PERMITS.
...(6) A permit shall be required for each home located on different premises where more than one home is operated under the same governing body. When a home operates as distinct parts, then a permit shall be required for each distinct part.

290-5-8-.25 DINING ASSISTANTS.
...(6) The minimum requirements of the dining assistant training program shall include a minimum of 16 hours of training. The training shall include practical application of feeding and hydration skills and shall include at least the following components:
...(e) Safety and emergency procedures, including the Heimlich Maneuver...