310:675-9-4.1. Supplies and equipment

... (b) The minimum level of supplies including but not limited to food and other perishables is a three (3) day supply. [Source: Added at 9 OkReg3163, eff 7-1-92 (emergency); Added at 10OkReg 1639, eff 6-1-93; Amended at 20Ok Reg 2399, eff7-11-03]

310:675-5-9. Dietary facilities

Shall be provided in such size as required to implement the type of food service system selected:

1) Control station for receiving food supplies.

2) Storage space for four (4) days' supply including cold storage.

3) Food preparation facilities as required by program. Conventional food preparation systems require space and equipment for preparing, cooking, and baking. Convenience food service systems such as frozen prepared meals, bulk packaged entrees, individual packaged portions, or systems using contractual commissary services will require space and equipment for thawing, portioning, cooking, and/or baking.

4) Hand washing facility(ies) in the food preparation Area.

5) Resident meal service space including facilities for tray assembly and distribution.

6) Dining Area for ambulatory residents, staff, and visitors.

7) Warewashing in a room or an alcove separate from food preparation and serving areas. This shall be provided for receiving, scraping, sorting, and stacking soiled tableware and for transferring clean tableware to the using areas. A lavatory shall be conveniently available.

8) Pot washing facilities.

9) Sanitizing facilities and storage areas for cans, carts, and mobile tray conveyors.

10) Waste storage facilities in a separate room which is easily accessible to the outside for direct pickup or disposal.

11) Office or suitable work space for the dietitian or the dietary service manager.

12) Toilets for dietary staff with hand washing facility immediately available.
13) Janitor's closet located within the dietary department. It shall contain a floor receptor or service sink and storage space for housekeeping equipment and supplies.

14) Self-dispensing ice making facilities. May be in area separate from food preparation area but must be easily cleanable and convenient to dietary facilities. Bulk ice dispensing units must be accessible only to authorized staff members.

310:675-9-12.1. Dietary services

a) Services. The facility shall provide dietary services to meet the resident's nutritional needs. There shall be a designated staff person qualified by experience or training, responsible for directing or supervising the dietary services. The food service supervisor, in conjunction with a qualified nutritionist or registered/licensed dietitian, shall develop a dietary care plan for each resident. There shall be sufficient dietary staff to meet the needs of all residents.

b) Clinical record. The dietary services provided to residents needing dietary intervention shall be recorded in the clinical record. Progress notes for these residents shall be written at least monthly, or when a significant change in the resident's condition occurs.

c) Nutritional assessment. A nutritional assessment shall be completed for each resident that addresses all pertinent dietary problems such as chewing or swallowing, elimination, appetite or eating habits, pertinent lab results, weight and height, diet and medication interactions, food preferences and assistive devices. The dietary staff shall have input into the resident's individual care plan.

d) Diet. The facility shall provide a nourishing, palatable, well-balanced diet that meets the resident's daily nutritional and special dietary needs.

1) Meals.

A) The facility shall serve at least three regularly scheduled meals, or their equivalent daily. There shall be at least four hours between each meal.

B) Diets shall be prescribed by the resident's physician and shall be planned, in writing, reviewed, approved and dated by a qualified nutritionist or registered/licensed dietitian. A therapeutic diet shall be served with skillful attention to the diet control system. Portioning of menu servings shall be accomplished with portioned control serving utensils.

C) Substitutes of similar nutritive value shall be offered when a resident refuses served menu items.

D) Residents at nutritional risk shall have timely and appropriate nutrition intervention.

E) Nourishments shall be available and may be offered at any time in accordance with approved diet orders and resident preference. Bedtime nourishment shall be offered to all residents.
F) There shall be an identification system established and updated, as needed, to ensure that each resident receives the prescribed diet.

G) The percentages of consumed meals, supplements and meal replacements ingested shall be observed and recorded in the clinical record at the time of observation.

(2) Menus.

A) Menus shall be posted, planned, and followed to meet the resident’s nutritional needs in accordance with the physician’s orders.

B) The menus shall, to the extent medically possible, be in accordance with the daily recommended dietary allowances of the Food and Nutrition Board of the National Research Council, National Academy of Sciences.

C) Menus covering all prescribed diets shall be approved, dated, and periodically reviewed by a qualified nutritionist or registered/licensed dietician. The facility shall maintain a thirty day record of past menus.

D) The facility shall maintain a file of tested recipes that includes therapeutic alterations for quantity food preparation for menu items.

e) Tube feeding. Tube feeding orders shall be evaluated for nutritional adequacy. The requirements for caloric intake, protein, fluid and percentage of the daily recommended dietary allowances shall be calculated to determine nutritional adequacy.

[Source: Added at 9 Ok Reg 3163, eff 7-1-92 (emergency); Added at 10 Ok Reg 1639, eff 6-1-93]

310:675-9-13.1. Food storage, supply and sanitation

(a) Food shall be stored, prepared and served in accordance with Chapter 257 of this Title (relating to food service establishments) with the following additional requirements.

(b) Ice machines available to the residents, or the public, shall be a dispenser type, or have a locking enclosure.

(c) A whole, intact, fruit or vegetable is an approved food source. The food supply shall be sufficient in quantity and variety to prepare menus for three (3) days. Leftovers that are potentially hazardous foods shall be used, or disposed of, within twenty-four (24) hours. Non-potentially hazardous leftovers that have been heated or cooked may be refrigerated for up to forty-eight (48) hours.

(d) Milk, milk products and eggs.

(1) Only grade A pasteurized fluid milk, as defined by the Oklahoma Grade A Milk and Milk Products Act, Title 2 O.S. §7-401 through 2 O.S. §7-421, shall be used for beverage and shall be served directly into a glass from a milk dispenser or container.
(2) Powdered or evaporated milk products approved under the U.S. Department of Health and Human Services’ Grade "A" Pasteurized Milk Ordinance (2003 Revision), may be used only as additives in cooked foods. This does not include the addition of powdered or evaporated milk products to milk or water as a milk for drinking purposes. Powdered or evaporated milk products may be used in instant desserts and whipped products, or for cooking. When foods, in which powdered or evaporated milk has been added, are not cooked, the foods shall be consumed within twenty-four (24) hours.

(3) Milk for drinking shall be stored at a temperature of 41° or below and shall not be stored in a frozen state.

(4) Only clean, whole eggs with shell intact, pasteurized liquid, frozen, dry eggs, egg products and commercially prepared and packaged hardboiled eggs may be used. All eggs shall be thoroughly cooked except pasteurized egg products or pasteurized in-shell eggs may be used in place of pooled eggs or raw or undercooked eggs.

(e) Applicability. This section shall only apply to food prepared or served by the facility, within the licensed facility. [Source: Added at 9 OkReg 3163, eff 7-1-92 (emergency); Added at 10OkReg 1639, eff6-1-93; Amended at 24 Ok Reg 2030, eff6-25-07; Amended at 25 Ok Reg 2482, eff 7-11-08]

310:675-13-6. Registered/licensed dietician or qualified nutritionist

(a) The facility shall have a registered/licensed dietician or qualified nutritionist to sufficiently meet the needs of all residents. The registered/licensed dietician or qualified nutritionist shall consult with the food service supervisor, director of nursing, administrator and physicians.

(b) The registered/licensed dietician or qualified nutritionist shall supervise and direct the residents’ nutritional care, advise and consult with appropriate staff, and provide in service training for food service personnel and direct care staff.

(c) A qualified nutritionist shall complete eight hours of continuing education a year approved by the Department. [Source: Added at 9 Ok Reg 3163, eff7-1-92 (emergency); Added at 100k Reg 1639, eff6-1-93]

310:675-13-7. Food service staff

(a) Food service supervisor.

(1) The food service supervisor shall be responsible for all aspects of food service preparation and delivery. The food service supervisor may serve only one facility. The food service supervisor hours shall be sufficient to meet the residents’ needs.
(2) The food service supervisor shall complete certification as a dietary manager within three (3) years of beginning employment.

(3) The food service supervisor shall complete, and maintain continuous, Serve Safe food safety certification, or a Department approved alternative, within ninety (90) days of beginning employment.

(b) Food service staff.

(1) The facility shall have food service staff on duty sufficient to meet the residents' needs. There shall be at least one (1) hour of food service staff per three (3) residents, a day based on the daily census.

(2) The food service staff shall complete basic orientation program before working in the food service area. This orientation shall include, but not be limited to: fire and safety precautions, infection control, and sanitary food handling practices.

(3) Each food service staff member shall successfully complete a food service training program offered or approved by the Department within ninety (90) days of beginning employment.

Food service training shall be renewed as required by the authorized training program.

Subchapter 19 - Feeding Assistants

310:675-19-1. Purpose

This Subchapter establishes standards for training and registration of feeding assistants in Oklahoma in accordance with 42 Code of Federal Regulations Parts 483 and 488. The intent is to give nursing, specialized nursing, and skilled nursing facilities the option to use paid feeding assistants, allowing them to provide more residents with help in eating and drinking and reduce the incidence of unplanned weight loss and dehydration.

310:675-19-2. Definitions

The following words and terms, when used in this Subchapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Feeding assistant" means an individual who is paid to feed residents by a facility or who is used under an arrangement with another agency or organization and meets the requirements cited in 42 CFR Parts 483 and 488 [63:1-1951(F)(1)].
310:675-19-3. Training course

(a) The following training curricula are approved as training courses and meet the requirements specified in 42 CFR 483.160(a):


(b) A feeding assistant training course must consist of at least eight (8) hours of training in the required areas of instruction.

(c) A feeding assistant training course instructor must hold a current valid license as:

(1) A registered nurse;

(2) A licensed practical nurse;

(3) A registered dietitian;

(4) A speech-language pathologist or speech therapist; or

(5) An occupational therapist.

(d) Successful completion of a training course is based upon the instructor's assessment using a staff competency checklist that conforms to OAC310:675-19-8.

(e) The training course must provide a certificate of completion within 30 days of course completion to each individual who successfully completed the course. The certificate shall conform to OAC 310:675-19-8.

(f) The Department will not restrict an individual from repeating a training course. The training course may establish limits on the number of times an individual may repeat the course after unsuccessful attempts. [Source: Added at 23 Ok Reg 557, eff 12-22-05 (emergency); Added at 23 Ok Reg 2415, eff 6-25-06]

310:675-19-4. Facility requirements

(a) The nursing facility, specialized nursing facility, or skilled nursing facility must maintain a record of each individual who has successfully completed the approved training course. For each individual feeding assistant employed by the facility, the facility must maintain:

(1) A copy of a staff competency checklist completed and signed by the instructor on the form specified in OAC 310:675-19-8;

(2) A copy of a certificate of completion signed by the instructor on the form specified in OAC 310:675-19-8;
(3) Verification that the facility checked with the Feeding Assistant Registry to ensure the individual is eligible for employment; and

(4) Verification of compliance with the Criminal History Background Check in 63O.S. Supp. 2004, Section 1-1950.1.

(b) Each feeding assistant must work under the supervision of a registered nurse or licensed practical nurse. In an emergency, the feeding assistant must call a supervisory nurse for help using the resident call system if the nurse is not present during the feeding of a resident.

(c) The facility must ensure that a feeding assistant only assists residents who have no complicated feeding problems. The facility must base resident selection on the charge nurse’s assessment and the resident’s latest assessment and plan of care. Complicated feeding problems include but are not limited to:

(1) Difficulty swallowing;

(2) Recurrent lung aspirations; or

(3) Tube or parenteral/IV feedings.

(d) Instructor time shall not count toward minimum staffing requirements.

(e) The facility shall check the Feeding Assistant Registry before hiring a person to work as a feeding assistant. If the registry indicates that the individual has been found to be personally responsible for abuse, neglect, exploitation, or misappropriation of resident property, that individual shall not be hired by the facility.

(f) The facility must maintain proof of compliance with this subchapter at all times at the facility site.[Source: Added at 23 Ok Reg 557, eff 12-22-05 (emergency); Added at 23 Ok Reg 2415, eff 6-25-06]

310:675-19-5. Feeding assistant registry

The Department shall maintain a feeding assistant registry consistent with the registry operation described in OAC 310:677-5-2(c). The registry shall contain information consistent with that described in 63 O.S. Supp. 2004, Section 1-1951(D)(3). [Source: Added at 23 Ok Reg 557, eff 12-22-05 (emergency); Added at 23 Ok Reg 2415, eff 6-25-06]

310:675-19-6. Feeding assistant registration

(a) An individual may perform the services of a feeding assistant upon successful completion of an approved training course and shall submit a Feeding Assistant Registration Application to the Department on the form specified in 310:675-19-8.

(b) Each registered feeding assistant shall renew individual registration once every twenty-four
(24) months. The individual shall submit a Feeding Assistant Renewal Application with proof that within the past twenty-four (24) months they have:

(1) Worked at least eight (8) hours for compensation as a feeding assistant; or

(2) Completed another eight (8) hour training course that complies with OAC 310:675-19-3.

(c) A non-refundable application fee of ten dollars ($10) shall be included with an application for initial or renewal registration.[Source: Added at 23 Ok Reg 557, eff 12-22-05 (emergency); Added at 23 Ok Reg 2415, eff 6-25-06; Amended at 26 Ok Reg 2059, eff 6-25-09]

310:675-19-7. Revocation, suspension and denial

(a) The State Health Department's procedure afforded a feeding assistant for purposes of investigating, hearing, and making findings on allegations of abuse, neglect, exploitation, or misappropriation of resident property, shall be not less than the process afforded nurse aides pursuant to Title 63 O.S. Supp. 2004 Section 1-1951(D)(4) through (12).

(b) A feeding assistant's registration may be revoked, suspended or denied if the Department determines with clear and convincing evidence that an individual has been responsible for any of the following:

(1) Abuse;

(2) Neglect;

(3) Exploitation; or

(4) Misappropriation of resident or client property. [Source: Added at 23 Ok Reg 557, eff 12-22-05 (emergency); Added at 23 Ok Reg 2415, eff 6-25-06]

310:675-19-8. Feeding assistant forms

The forms used for this subchapter are the following.

(1) Staff competency checklist. A training course using the curriculum specified in 310:675-193(a)(1) may use the checklist provided with that curriculum or the checklist provided by the Department. Other training courses shall use the checklist provided by the Department. The competency checklist provided by the Department requires the following:

(A) The name of the person being trained;

(B) Evaluation of skills task performances including:

(i) Safety and emergency procedures including the Heimlich maneuver;
(ii) Sanitation and washing hands;
(iii) Serving a meal tray;
(iv) Assistance with resident requiring total feeding;
(v) Serving supplemental nourishments; and
(vi) Serving fresh drinking water;
(C) The date of the evaluation; and
(D) Name and signature of the instructor.

(2) Certificate of completion. A training course using the curriculum specified in 310:675-193(a)(1) may use the certificate of completion provided with that curriculum or the certificate provided by the Department. Other training courses shall use the certificate provided by the Department. The certificate of completion provided by the Department requires the following:

(A) Name of the person being trained;
(B) Name of the curriculum;
(C) Location where the training occurred;
(D) Date training was completed;
(E) A statement that the person successfully completed eight hours of training to become a feeding assistant; and
(F) Name and signature of the instructor.

(3) Feeding assistant registration application. The application form requires the following for each individual:

(A) Name;
(B) Date of birth;
(C) Contact information;
(D) Information sufficient to identify the individual including social security number;
(E) A copy of the certificate of completion from a training course that meets the requirements of OAC 310:675-19-3; and
(F) Applicant's signature affirming the truthfulness and completeness of the application.

(4) Feeding assistant renewal application. The application form requires the following for each individual:

(A) Name;
(B) Date of birth;

(C) Contact information;

(D) Information sufficient to identify the individual including social security number;

(E) Proof of work experience or retraining as required in OAC310:675-19-6(c); and

(F) Applicant's signature affirming the truthfulness and completeness of the application.

[Source: Added at 23 Ok Reg 557, eff 12-22-05 (emergency); Added at 23 Ok Reg 2415, eff 6-25-06]