R432-150-5. Scope of Services.

(1) An intermediate level of care facility must provide 24-hour licensed nursing services.

(a) The facility shall ensure that nursing staff are present on the premises at all times to meet the needs of residents.

(b) The facility shall provide at least one registered nurse either by direct employ or by contract to provide direction to nursing services.

(c) The facility may employ a licensed practical nurse to act as the health services supervisor in lieu of a director of nursing provided that a registered nurse consultant meets regularly with the health services supervisor.

(2) A skilled level of care facility must provide 24-hour licensed nursing services.

(a) The facility shall ensure that nursing staff are present on the premises at all times to meet the needs of residents. A licensed nurse shall serve as charge nurse on each shift.

(b) The facility shall employ a registered nurse for at least eight consecutive hours a day, seven days a week.

(c) The facility shall designate a registered nurse to serve as the director of nursing on a full-time basis. A person may not concurrently serve as the director of nursing and as a charge nurse.

R432-150-10. Staff and Personnel.

... (6) Any person who provides nursing care, including nurse aides and orderlies, must work under the supervision of an RN or LPN and shall demonstrate competency and dependability in resident care.

R432-200-15. Nursing Care. [Small health care facilities]

...(2) Responsibilities of the Health Services Supervisor.

The health services supervisor shall have the following responsibilities and comply with R432-1-3(55):

(a) Direct the implementation of physician’s orders;
b) Plan and direct the delivery of nursing care, treatments, procedures, and other services to assure that each resident’s needs are met;

c) Review the health care needs of each resident admitted to the facility and formulate with other professional staff a resident care plan according to the attending physician’s orders;

d) Review the medication system for completeness of information, accuracy in the transcription of physician’s orders, and adherence to stop-order policies;

e) Ensure that nursing notes describe the care rendered including the resident’s response. Instruct staff on the legal requirements of charting;

f) Supervise clinical staff to assure they perform restorative measures in their daily care of residents;

g) Teach and coordinate habilitative and rehabilitative care to promote and maintain optimal physical and mental functioning of the resident;

h) Keep the administrator and attending physician informed of significant changes in the resident’s health status;

i) Plan with the physician, family, and health-related agencies the care of the resident upon discharge;

j) Coordinate resident services through the quality assurance committees (see R432-200-10);

k) Assign qualified supervisory and supportive staff throughout the day and night to assure that the health needs of residents are met;

l) Develop written job descriptions for all health service personnel and orient all new personnel to the facility and their duties and responsibilities;

m) Evaluate and document the performance of each member of the staff at least annually. This evaluation shall be available for Departmental review;

n) Plan and conduct documented orientation and in-service programs for staff.

3) Required Staffing Hours.

a) Any facility that provides nursing care shall provide at least two hours (120 minutes) of nursing-staff coverage (RN + LPN + Aides) per resident per 24 hours of which 20 percent or 24 minutes per resident shall be provided by licensed staff (RN + LPN).

b) Facilities providing rehabilitative or habilitative care shall:

i) Provide adequate staff care and supervision to meet the resident’s needs based on the resident-care plan, or;

ii) Conform to the specific program requirements in the appropriate supplement.
(c) The above requirements are minimum only. Additional staff may be necessary to ensure adequate coverage in the event of staff illness, turnover, sudden increase in resident population, or similar event.

(d) Facilities that participate in the Medicare/Medicaid programs shall, as a condition of such participation, meet the staffing standards approved through administrative rule.