Section 9. Nursing Services. The facility shall have sufficient nursing staff to meet the needs of the residents.

(a) Director of Nursing Services. The facility shall designate a Registered Nurse to be a full-time director of nursing services, and he/she shall have experience in areas such as nursing service administration, rehabilitation nursing, psychiatric or geriatric nursing. The director of nursing services shall be responsible for:

(i) Developing policies and procedures for the nursing department, participating in the implementation of resident care policies and bringing patient care problems requiring changes in policy to the attention of the administrator.

(ii) Recommending to the administrator the number and levels of nursing personnel to be employed, participating in their recruitment and selection, and recommending termination of employment when necessary.

(iii) Staffing, assigning, supervising and evaluating the performance of all levels of nursing personnel.

(iv) Participating in planning and budgeting for nursing service.

(v) Establishing written procedures to ensure that nursing personnel, for whom licensure or certification is required, have a valid and current license or certification to practice in Wyoming. Documentation shall be by a photostatic copy of each license or certificate.

(vi) Insuring daily nursing rounds are conducted to ensure each resident receives adequate care to meet his/her needs.

(b) Twenty-four (24) Hour Nursing Service.

(i) Duties assigned nursing personnel shall be consistent with their education, experience, licensure and/or certification. Nursing personnel includes Registered Nurses, Licensed Practical Nurses, and Certified Nursing Assistants.

(ii) Full-time or part-time members of the nursing staff shall be primarily engaged in providing nursing services and only in rare and exceptional circumstances shall be involved in food preparation, housekeeping, laundry or maintenance services. Proper infection control procedures shall be adhered to at all times.

(iii) Time schedules for each nursing station shall be planned in advance and shall indicate the name and classification of nursing personnel working on each unit for each tour of duty.
(iv) A person employed in the facility to give nursing care shall be at least sixteen (16) years of age.

... (h) Director of Nursing.

(i) Hospital - Nursing Wings.

(A) A nursing wing with a total occupancy of sixty (60) residents or less shall be allowed to share the director of nursing with the hospital.

(I) The director of nursing shall not act in a charge nurse capacity except on rare occasions with extraordinary circumstances.

(ii) A nursing wing with a total occupancy of over sixty (60) residents shall be allowed to share the director of nursing with the hospital.

(A) An assistant or supervisor shall be employed for the nursing wing and shall not function as a charge nurse except on rare occasions with extraordinary circumstances. The assistant or supervisor shall be responsible to the hospital director of nursing.

(iii) Free-standing Nursing Care Facilities.

(A) The director of nursing shall not function as a charge nurse, in facilities over sixty (60) beds except in rare instances with extraordinary circumstances.

(i) Staffing.

(i) Each nursing station shall be staffed with a Registered Nurse or qualified Licensed Practical Nurse, who is the charge nurse on the day tour of duty seven (7) days a week.

(A) All other tours of duty shall be staffed with a Registered Nurse or a Licensed Practical Nurse.

(ii) Each nursing station shall be staffed separately and shall have a separate staffing pattern.

(iii) Each nursing station shall be staffed with sufficient non-licensed nursing personnel to give adequate nursing care to the residents twenty-four (24) hours a day, seven (7) days a week.

(iv) Each facility shall have awake and on duty sufficient nursing personnel for the night tour of duty. Additional staff may be needed, depending on condition of residents, and to assure resident safety in case of fire or disaster.

(j) Nursing Care Hours (minimum).

(i) Nursing care hours shall be two and one quarter (2.25) hours for each skilled resident in a Nursing Care Facility in each twenty-four (24) hour period, seven (7) days a week, and one and one half (1.50) for each resident who is not skilled in each twenty-four (24) hour period, seven (7) days a week.