

Arkansas

Downloaded 01.2011

100 DEFINITIONS

Intermediate Care Facility (ICF) is a nursing home licensed by Arkansas Social Services as meeting the Intermediate Care Facility regulations. It is a health facility or a distinct part of a hospital or Skilled Nursing Facility staffed, organized, operated, and maintained to provide 24-hour long term inpatient care and other restorative services under nursing supervision.

Qualified Social Worker is a person who is registered by the State Board of Social Work and is a graduate of a school of social work accredited or approved by the council on Social Work Education.

306.6 REPORTING SUSPECTED ABUSE OR NEGLECT. In this chapter,

306.6.3 The requirement that facility personnel, including but not limited to, licensed nurses, nursing assistants, physicians, social workers, mental health professionals and other employees in the facility who have reasonable cause to suspect that a resident has been subjected to conditions or circumstances which have or could have resulted in abuse or neglect are required to immediately notify the facility administrator or his or her designated agent.

314 SOCIAL SERVICE POLICIES

Facilities which do not directly provide social service shall have written procedures for referring patients in need of social services to appropriate service agencies.

328 SOCIAL SERVICES

If a facility provides social services directly and the designated staff member is not a qualified social worker, a written agreement shall be established to provide consultation from such a qualified person or a recognized social agency.

580 SOCIAL WORK SERVICES AND ACTIVITIES PROGRAMMING

581 POLICIES AND PROCEDURES

581.1 Separate policies must be written for social services and activity programs.

581.2 They shall be individualized for the individual long-term care facility.

581.3 They shall reflect the actual programs in operation at that facility.

581.4 They shall provide for the social and emotional needs of the residents and provide activities that encourage restoration and normal activity.

581.5 The policy manual shall include a statement of the range of social services provided. When all needed services are not provided directly, the manual shall state how needed services shall be arranged.

581.6 Procedures shall clearly outline the steps for identification of social and emotional needs and the mechanism for meeting these needs.

581.7 Procedures shall reflect, concerning resident social service records:

- ◆ Type of information to be obtained.
- ◆ Confidentiality of data and protection.
- ◆ Availability of data: who, when, how, and why.
- ◆ Transmittal of data on referral.

582 JOB DESCRIPTION

Separate for social services designee/worker.

Include actual functions of position.

Include other duties that may be assigned to designee/worker.

583 SOCIAL SERVICES RECORDS

583.1 Social History/Assessment

Should give clear picture of individual over life span to date. Incomplete information should specify reason for such. Reflects current functioning level, limitations, strengths, and weaknesses.

583.2 Progress Notes

Important happenings shall be entered promptly into social services' progress record. At least a quarterly update shall be done.

583.3 Referral Form

Pertains to referrals for social/emotional needs rather than medical. May be a separate form or reflected in progress notes.

583.4 Resident Rights

1. Appropriately signed:

- ◆ Resident capable of understanding: signs with one witness.
- ◆ Resident incompetent: legal documentation of such; guardian and one witness sign patient's rights.
- ◆ Resident incapable because of illness: Doctor must write statement saying why resident cannot understand; responsible party and two witnesses sign.
- ◆ Resident mentally retarded: Rights read and if he/she understands, resident signs along with staff member and outside disinterested party. If he/she cannot understand, rights explained to and signed by guardian and witness.

2. Copies posted around the facility.

3. Staff members who administer rights must understand them fully.

4. Facility staff must understand patients' rights and respect them.

584 STAFFING AND CONSULTATION FOR SOCIAL SERVICES/ACTIVITIES

584.1 The social services designee shall comply with the qualification requirements as set forth in Federal Regulations.

584.2 There shall be one (1) full-time social services designee/activities director for the first one-hundred five (105) patients and one (1) additional worker for every fifty (50) patients thereafter.

584.3 The social service designee shall:

- ◆ Have an office or space and privacy in which he/she can talk with residents and/or family.
- ◆ Be aware of policies and procedures for social services and the other relevant policies of the long term care facility.
- ◆ Be knowledgeable of community and government resources.
- ◆ Be familiar with the residents and their needs, limitations, and strengths.
- ◆ Possess the skills to deal with families and their needs as they relate to the resident and the long term care facility.
- ◆ Be able to identify problems and needs and plan accordingly.

585 PROGRAM OPERATIONS

585.1 There shall be adequate staff to provide activity/recreational programs daily, including Saturdays and Sundays. There should be at least two (2) group activities scheduled daily.

585.2 Activities shall be varied in nature and shall be designed to meet the needs, interests, limitations of residents. This is to include all residents: bedfast, ambulatory, and disabled. These activities should provide for the mental, physical, social, and spiritual stimulation of the residents.

585.3 Residents and patients will be informed of events and given opportunities to participate. A calendar of events shall be posted in obvious places throughout the facility. The calendar should reflect the actual activity program.

585.4 The utilization of community volunteers is encouraged, but they must work under the direction of the facility's activity director.

585.5 The activity director shall be aware of the limitations, strengths, and weaknesses of residents.

585.6 Plans for activity involvement both on individual and group basis shall be developed for all residents.

585.7 Activity supplies as a minimum:

A. Television

B. Dominoes

C. Checkers

D. Outside furniture (50% of ambulatory patients)

E. Two daily newspapers (one local and one having state-wide circulation) for each thirty-five (35) patients and current copies of four (4) popular magazines.

604 RETENTION AND PRESERVATION OF RECORDS

604.1 Retention Requirements for Active Clinical Records

a. The maintenance schedule for records on resident charts are as follows:

16. Consultant Reports (Initial and Most Recent)

- Physicians

- Occupational Therapist

- Speech Therapist

- Physical Therapist

- Social Worker

- Psychologist

- Others

905 STAFFING

Alzheimer's Special Care Units shall staff according to the Rules and Regulations for Nursing Facilities. Furthermore, the following staffing requirements are established for Alzheimer's Special Care Units.

a. Professional Program Services

A social worker or other professional staff, e.g., physician, Registered Nurse, or Psychologist currently licensed by the State of Arkansas, shall be utilized to perform the following functions:

1. Complete an initial social history evaluation on each resident on admission;

2. Develop, coordinate, and use state or national resources and networks to meet the needs of the residents or their families;

3. Offer or encourage participation in monthly family support group meetings with documentation of meetings offered; and,

4. Assist in development of the ISP, including but not limited to:

A. Assuring that verbal stimulation, socialization and reminiscing is identified in the ISP as a need;

B. Defining the services to be provided to address those needs identified above; and,

C. Identifying the resident's preferences, likes, and dislikes.

1010 REPORTING OF PROGRESS OF RECEIVER

e. If the Court determines and orders the facility to be closed, upon receipt of the decision for closure, along with instructions regarding needed information and procedures, the receiver shall:

12. Work with social service staff and the families of residents in securing appropriate placement in other facilities.

1011 QUALIFICATIONS AND MAINTENANCE OF LIST FOR RECEIVER

a. Through consultation with the long-term care industry associations, professional organizations, consumer groups and health-care management corporations, the Department shall maintain a list of receivers. This list shall be updated semiannually.

To be placed on the list, individuals must:

3. In addition to 1 and 2 above, individuals placed on the list shall:

C. Possess one year of experience in working with the elderly in programs or fields such as patient care, social work, or advocacy and having successfully completed a baccalaureate degree in management program or field; or possess a license in that program or field; or have two (2) years full-time working experience in the Arkansas long-term care industry in a management capacity.

Rules and Regulations for the Arkansas Long Term Care Facility Nursing Assistant Training Program

Section III DEFINITIONS. In this chapter,

Licensed Health Professional - A physician, physician assistant, nurse practitioner, physical, speech, or occupational therapist, physical or occupational assistant, registered professional nurse, licensed practical nurse, or certified social worker.

Section VI QUALIFICATIONS OF INSTRUCTORS

C. Additional Instructors/Trainers

1. Instructors may use other qualified resource personnel from the health field as guest instructors in the program to meet the objectives for a specific unit.

Examples are pharmacists, dietitians, social workers, sanitarians, advocates, gerontologists, nursing home administrators, etc. Guest instructors must have a minimum of one (1) year of experience in their respective fields and must not have current disciplinary action by their respective regulatory board.

APPENDIX A

RULES OF ORDER FOR ALL APPEALS BEFORE THE LONG TERM CARE FACILITY ADVISORY BOARD

5. All papers filed in any proceeding shall be typewritten on white paper using one side of the paper only and will be double-spaced. They shall bear a caption clearly showing the title of the proceeding in connection with which they are filed together with the docket number if any. All papers shall be signed by the party or his authorized representative or attorney and shall contain his address and telephone number. All papers shall be served either on the Legal Department of Social Services, the attorney for the party, or if no attorney for the party, service shall be made on the party.

20. At the conclusion of testimony and deliberations by the Board, the Board shall vote on motions for disposition of the appeal. After reaching a decision by majority vote, the Board may direct that findings of fact and conclusions of law be prepared to reflect the Board's recommendations to the Commissioner of Social Services. At this discretion and for good cause the Commissioner of Social Services shall have the right to accept, reject or modify a recommendation, or to return the recommendation to the Board for further consideration for a more conclusive recommendation. All decisions shall be based on findings of fact and law and are subject to and must be in accordance with applicable State and Federal laws and regulations.

The final decision by the Commissioner of Social Services shall be rendered in writing to the appellant.