

Section 1.0 Definitions

1.15 “*Health care provider*” means any person licensed by this state to provide or otherwise lawfully providing health care services, including, but not limited to, a physician, hospital, intermediate care facility or other health care facility, dentist, nurse, optometrist, podiatrist, physical therapist, psychiatric social worker, pharmacist, or psychologist, and any officer, employee or agent of that provider acting in the course and scope of his or her employment or agency related to or supportive of health services.

Section 11.0 *Quality Improvement Program*

11.3 The nursing facility’s quality improvement committee shall include at least the following members:

- The nursing facility administrator;
- The director of nursing;
- The medical director;
- A social worker; and
- A representative of dietary services.

Section 17.0 Medical Records

17.3 Each medical record shall contain sufficient information to identify the resident and to justify diagnosis, treatment, care and documented results and shall include as deemed appropriate:

n) documentation of all care and services rendered (e.g., dental reports, physical and occupational therapy reports, social service summaries, podiatry reports, inhalation therapy reports, etc.);

Section 31.0 *Social Services*

31.1 Every facility shall provide social services to attain or maintain the highest practicable physical, mental and psychological well being of each resident. Social services must be provided either directly by a qualified social worker or by arrangement with an appropriate health or social service agency or through consultation with a qualified social worker who would supervise a social work designee appointed by the administrator.

a) Services shall pertain to no less than the following:

- i. identification of social and emotional needs of residents through a comprehensive psychosocial assessment including a social history;
- ii. establishment of a plan of care based on residents' needs;
- iii. procedures for referral of residents, when indicated, to appropriate social agencies and discharge planning as indicated

31.2 A qualified social worker is defined as an individual with a minimum of a BSW from an accredited School of Social Work. A social work designee is defined as a staff member appointed by the administrator who is suited by training or experience to implement plans and procedures enumerated in accordance with section 31.1 (a) above.

31.3 Notwithstanding any provisions in §§ 5-39.1-1 – 5-39.1-14 or any other general or public law to the contrary, any nursing facility licensed under Chapter 17 of Title 23 that employs a social worker or social worker designee who meets all of the criteria in section 31.4 below shall be granted a variance to the "qualified social worker" provisions stated herein.

31.4 Such criteria shall be limited to: (1) meets the centers for Medicare and Medicaid requirements for long-term care facilities under 42 CFR part 483, subpart B (or any successor

regulation); (2) is currently employed by a nursing facility licensed under Chapter 17 of Title 23; and (3) has been continuously employed in a nursing facility licensed under Chapter 17 of Title commencing on or before July 1, 2003.

31.5 Sufficient supportive personnel shall be available to meet resident needs.

31.6 Appropriate records shall be maintained of all social services rendered, including consultation services, and reports shall be included in the resident's medical record.

31.7 Policies and procedures shall be established to assure confidentiality of all resident information consistent with the requirements of reference 17