

## **002.DEFINITIONS.**

For the purposes of these rules the following terms are used, as defined herein: (1-1-88)

**01. Administrator.** The person delegated the responsibility for management of a facility by the legal owner, employed as a full-time administrator in each facility, and licensed by the state of Idaho. The administrator and legal owner may be the same individual. (12-31-91)

**02. Annex.** A subsidiary building to the main building located on the same premises. (12-13-91)

**03. Auxiliary Personnel.** Nonlicensed workers employed to assist the nurse in providing nursing care to patients/residents. This excludes persons employed as housekeepers, dietary and maintenance personnel, occupational and physical therapists, social workers and activity program staff. (12-31-91)

**04. Average Occupancy Rate.** The total number of patient/resident days in a three (3) month period divided by the number of calendar days in that period. It shall be recalculated on a quarterly basis. (12-31-91)

**05. Board.** The Idaho State Board of Health and Welfare. (12-31-91)

**06. Change of Ownership.** The sale, purchase, exchange, or lease of an existing facility by the present owner or operator to a new owner or operator. (12-31-91)

**07. Charge Nurse.** One (1) or more licensed nurse(s) who has direct responsibility for nursing services in an operating unit or physical subdivision of a facility during one (1) eight (8) hour shift, to be provided by herself and by any other licensed nurse or auxiliary personnel under her immediate charge. (12-31-91)

**08. Chemical Restraints.** The use of drugs which prevent the patient/resident from doing what he might do voluntarily on his own. (12-31-91)

**09. Day Care.** Nonresident daily services and supervision provided by a health-related care facility to individuals who are in need of intermediate or skilled nursing care outside of their personal residence for a portion of the day. Day care services may be provided within the scope of services for which the facility is licensed up to twelve (12) hours during daytime. (1-1-88)

**10. Department.** The Idaho Department of Health and Welfare. (12-31-91)  
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**11. Director.** The Director of the Department of Health and Welfare or his designee. (12-31-91)

**12. Existing Facility.** A nursing home currently licensed. (12-31-91)

**13. Food Service Supervisor.** A person who: (12-31-91)

- a. Is a qualified dietitian; or (1-1-88)
- b. Has a baccalaureate degree with major studies in food and nutrition or food service management; or (1-1-88)
- c. Is a graduate of a state approved Food Service Supervisor's (Dietetic Assistant) course, classroom or correspondence; or (1-1-88)
- d. Has training and experience in food service management in military service equivalent in content to program in paragraph c. (1-1-88)

**14. Governmental Unit.** The state of Idaho, any county, municipality, or other political subdivision, or any department, division, board or other agency thereof. (12-31-91)

**15. Hospital Licensing Act.** The act set out in Sections 39-1301 through 39-1314, Idaho Code. (12-31-91)

**16. Intermediate Care Facility (ICF Nursing Home).** A facility that is: (12-31-91)

- a. Designed to provide area, space and equipment to meet the restorative, rehabilitative, recreational, intermittent health needs, and daily living needs of two (2) or more individuals who require in-residence care and services for twenty-four (24) or more consecutive hours; and (1-1-88)
- b. Designed to provide for regular but less than daily medical and skilled nursing care (Section 39- 1301(c), Idaho Code). (1-1-88)

**17. Licensee.** The person or organization to whom a license is issued. (12-31-91)

**18. Licensing Agency.** The Department of Health and Welfare. (12-31-91)

**19. Licensed Nursing Personnel.** A professional registered nurse (R.N.) or licensed practical nurse (L.P.N.) currently licensed by the Idaho State Board of Nursing. (12-31-91)

**20. Licensed Practical Nurse (L.P.N.).** A person currently licensed by the Idaho State Board of Nursing. (12-31-91)

**21. Mechanical Restraint.** Any apparatus that physically prevents the patient/resident from doing what he might voluntarily do on his own. This includes, but is not limited to, safety belts. Mechanical supports used in normal situations to achieve proper body position shall not be considered restraints. (12-31-91)

**22. New Construction.** (7-1-93)

- a. New buildings to be used as a facility. (1-1-88)
- b. Additions to existing buildings and/or added bed capacity. (1-1-88)
- c. Conversion of existing buildings or portions thereof for use as a facility. (1-1-88)

**23. Nurse Practitioner.** A licensed professional nurse having specialized skills, knowledge and experience who is authorized under the Idaho Board of Nursing rules to provide certain health services in addition to those performed by registered nurses (R.N.). (12-31-91)

**24. On Duty.** Being awake, and actively carrying out assigned duties in the facility. (12-31-91)

**25. Patient/Resident.** An individual requiring and receiving skilled or intermediate nursing care and residing in a facility licensed to provide the level of care required. (12-31-91)

**26. Person.** Any individual, firm, partnership, corporation, company, association, joint stock association, governmental unit, or legal successor thereof. (12-31-91)

**27. Pharmacist.** Any person licensed by the Idaho Board of Pharmacy as a licensed pharmacist. (12-31-91)

**28. Physician.** Any person who holds a license issued by the State Board of Medicine to practice medicine and surgery, osteopathic medicine and surgery, or osteopathic medicine, provided further, that others authorized by law to practice any of the healing arts shall not be considered physicians (Section 54-1803(3), Idaho Code). (12-31-91)

**29. Provisional License.** A license which is granted to a facility for a period not to exceed six (6) months, which is in substantial compliance with these rules, but temporarily unable to meet all rules, pending the satisfactory correction of all deficiencies. (12-31-91)

**30. Registered Nurse (R.N.).** A person currently licensed by the Idaho State Board of Nursing as a registered nurse. (12-31-91)

**31. Shall.** Shall used herein indicates a requirement. (1-1-88)

**32. Shelter Home.** One (1) or more buildings or any facility, however named, operated on either a profit or a nonprofit basis, for the purpose of providing a home with continuous protective oversight and necessary personal care services and facilities for three (3) or more persons not related to the owner who are eighteen (18) years of age or older and are unable to care for themselves. There are two (2) types of shelter homes recognized in Idaho: (12-31-91)

**a.** Those referred to as shelter homes providing continuous protective oversight and twenty-four (24) hour supervision; and (1-1-88)

**b.** Those referred to as specialized shelter homes providing continuous protective oversight, twenty-four (24) hour supervision, individualized habilitation plans, and not exceeding a licensed capacity of fifteen (15) beds for only one (1) of the following categories of patients/residents: (1-1-88) i. Developmentally disabled; (1-1-88) ii. Mentally ill. (1-1-88)

**33. Skilled Nursing Facility (SNF Nursing Home).** A facility designed to provide area, space, and equipment to meet the health needs of two (2) or more individuals who, at a minimum, require inpatient care and services for twenty-four (24) or more consecutive hours for unstable chronic health problems requiring daily professional nursing supervision and licensed nursing care on a twenty-four (24) hour basis, restorative, rehabilitative care and assistance in meeting daily living needs. Medical supervision is necessary on a regular, but not daily, basis (Section 39-1301, Idaho Code). (12-31-91)

**34. Substantial Compliance.** A facility is in substantial compliance with these rules, regulations and minimum standards when there are no deficiencies which would endanger the health, safety, or welfare of the patients/residents. (12-31-91)

**35. Supervising Nurse.** The one (1) licensed nurse designated by the Director of Nursing Services to be responsible for the overall direction and control of all nursing services throughout the entire facility during one (1) eight (8) hour shift. (12-31-91)

**36. Temporary License.** A license issued for a period not to exceed six (6) months and issued initially upon application when the Department determines that all application information is acceptable. A temporary license allows the Department time to evaluate the facility's ongoing capability to provide services and to meet these rules. (12-31-91)

**37. Waiver or Variance.** A waiver or variance to these rules and minimum standards in whole or in part that may be granted under the following conditions: (12-31-91)

**a.** Good cause is shown for such waiver and the health, welfare or safety of patients/residents will not be endangered by granting such a waiver; (1-1-88)

**b.** Precedent shall not be set by granting of such waiver. The waiver may be renewed annually if sufficient written justification is presented to the Licensing Agency.