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Chapter HFS 132

NURSING HOMES

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Note: Chapter H 32 as it existed on July 31, 1982 was repealed and a new chapter HFS 132 was created effective August 1, 1982. Chapter HSS 132 was renumbered chapter HFS 132 under s. 13.93 (2m) (b) 1., Stats., and corrections made under s. 13.93 (2m) (b) 6. and 7., Stats., Register, December, 1996, No. 492.

Subchapter I — General

HFS 132.11 Statutory authority. This chapter is promulgated under the authority of s. 50.02, Stats., to provide conditions of licensure for nursing homes.

History: Cr. Register, July, 1982, No. 319, eff. 8-1-82.

HFS 132.12 Scope. All nursing homes licensed under s. 50.03, Stats., are subject to all the provisions of this chapter, except for those provisions that apply only to particular licensure categories, and except for those nursing homes regulated by ch. HFS 134. Nursing homes include those owned and operated by the state, counties, municipalities, or other public bodies.

History: Cr. Register, July, 1982, No. 319, eff. 8-1-82.

HFS 132.13 Definitions. In this chapter:

- (1) "Abuse" has the meaning specified under s. HFS 13.03 (1).
- (1m) "Advanced practice nurse prescriber" means a person who has been granted a certificate to issue prescription orders under s. 441.16 (2), Stats.
- (2) "Ambulatory" means able to walk independently or with limited assistance from a person or equipment, such as a walker or cane.
- (2m) "Authorized prescriber" means a person licensed in this state to prescribe medications, treatments or rehabilitative therapies, or licensed in another state and recognized by this state as a person authorized to prescribe medications, treatments or rehabilitative therapies.
- (3) "Department" means the Wisconsin department of health and family services.
- (4) "Developmental disability" means mental retardation or a related condition, such as cerebral palsy, epilepsy or autism, but excluding mental illness and infirmities of aging, which is:
 - (a) Manifested before the individual reaches age 22;
 - (b) Likely to continue indefinitely; and

(c) Results in substantial functional limitations in 3 or more of the following areas of major life activity:

1. Self-care;
 2. Understanding and use of language;
 3. Learning;
 4. Mobility;
 5. Self-direction; and
 6. Capacity for independent living.
- (5) "Dietitian" means a person who is any of the following:
- (a) Certified under s. 448.78, Stats.
 - (b) Licensed or certified as a dietitian in another state.
- (6) "Direct supervision" means supervision of an assistant by a supervisor who is present in the same building as the assistant while the assistant is performing the supervised function.
- (7) "Facility" means a nursing home subject to the requirements of this chapter.
- (8) "Full-time" means at least 37.5 hours each week devoted to facility business.
- (8m) "IMD" or "institution for mental diseases" means a facility that meets the definition of an institution for mental diseases under 42 CFR 435.1009.
- (8r) "Intensive skilled nursing care" means care requiring specialized nursing assessment skills and the performance of specific services and procedures that are complex because of the resident's condition or the type or number of procedures that are necessary, including any of the following:
- (a) Direct patient observation or monitoring or performance of complex nursing procedures by registered nurses or licensed practical nurses on a continuing basis.
 - (b) Repeated application of complex nursing procedures or services every 24 hours.
 - (c) Frequent monitoring and documentation of the resident's condition and response to therapeutic measures.
- (9) "Intermediate care facility" means a nursing home which is licensed by the department as an intermediate care facility to provide intermediate nursing care.