

173-39-02.16 **Assisted living services.**

(A) Assisted living service (AL) is designed to promote aging in place by supporting individual independence, choice, and privacy through the provision of the following services, as authorized in a consumer's assisted living care plan:

(1) Personal care services as defined in rule 3701-17-50 of the Administrative Code.

(2) Supportive services, such as housekeeping, laundry and maintenance.

(3) Twenty-four hour on-site response capability to meet scheduled and/or unscheduled consumer needs.

(4) The co-ordination of the provision of three meals per day as described in paragraph (B) of rule 3701-17-60 of the Administrative Code.

(5) Social and recreational programming.

(6) Non-medical scheduled transportation, as agreed upon by the consumer and the provider, and ordered in the assisted living care plan.

(7) Nursing services, including:

(a) Health assessments and monitoring;

(b) Medication oversight, to the extent permitted under state law; and,

(c) Incidental skilled nursing provided on a part-time intermittent basis as provided in rule 3701-17-59 of the Administrative Code, when not available to the consumer through a third party payor.

(8) Skilled nursing care provided on a part-time intermittent basis as provided in rule 3701-17-59 of the Administrative Code, supervision of special diets, administration of medication, and the application of dressings; and,

(B) All providers of the assisted living service described in this rule must also provide the community transition services described in rule 173-39-02.17 of the Administrative Code, when appropriate.

(C) The provider may provide the services listed in paragraph (A) of this rule to the consumer directly, or indirectly through the provider's use of a subcontractor.

(D) One unit of assisted living service is equal to one day.

(E) An eligible provider of assisted living services is a certified assisted living provider licensed as a residential care facility by the Ohio department of health in accordance with rules 3701-17-50 to 3701-17-68 of the Administrative Code.

- (F) The provider's facility must have common areas accessible to the participant, including a dining area or areas, and an activity center or centers that may also serve as living or dining areas.
- (G) The provider must provide consumers with their own residential living units. The living units must:
- (1) Be single occupancy unless otherwise requested by the consumer;
 - (2) Be able to be locked by the consumer unless contra-indicated in writing by the consumer's physician;
 - (3) Include a bathroom with a working toilet, sink, and shower or tub; and,
 - (4) Include identifiable space for socialization.
- (H) The provider must retain, either directly or through the use of a subcontractor, the services of a registered nurse or a licensed practical nurse pursuant to Chapter 4723. of the Revised Code.
- (I) The provider must furnish sufficient on-duty staff, as defined in paragraph (Y) of rule 3701-17-50 of the Administrative Code, on a twenty-four hour basis to meet, in a timely manner, the consumer's unpredictable care, supervisory and emotional needs, reasonable requests for services, and adequately assist the consumer in performing all activities of daily living.
- (J) The provider must document that, prior to service delivery, facility staff members, as defined in paragraph (KK) of rule 3701-17-50 of the Administrative Code, received orientation in the following:
- (1) Principles and philosophy of assisted living;
 - (2) The aging process;
 - (3) Intermittent cuing, redirecting, and environmental cues for cognitively and/or behaviorally impaired consumers;
 - (4) Confidentiality;
 - (5) The consumer service plan process; and,
 - (6) The risk agreement process, as described in paragraphs (E) and (F) of rule 3701-17-57 of the Administrative Code.
- (K) The provider must assure and document that facility staff members, as defined in paragraph (KK) of rule 3701-12-50 of the Administrative Code, who provide

personal care and are under eighteen years of age, do not:

(1) Assist with medication supervision and/or administration or delegated nursing tasks;

(2) Provide transportation; or,

(3) Provide hands-on assistance with bathing, toileting, or transferring without on-site supervision.

(L) The provider must assure and document a minimum of eight hours of continuing education every twelve months for each facility staff person providing personal care.

(M) The provider's registered nurse or licensed practical nurse must:

(1) Document that each consumer is given an opportunity, at least quarterly, for input regarding the consumer's satisfaction with, and the appropriateness of, the consumer's assisted living care plan;

(2) Review service delivery records at least quarterly to assure implementation of the assisted living care plan as ordered; and,

(3) Document, at least quarterly, that the facility staff are providing personal care in accordance with acceptable standards of practice.

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Certification

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Date

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