

310_675-1-2 Definitions

The following words and terms, when used in this Chapter, shall have the following meaning unless the context clearly indicates otherwise:

means Title 63 of the Oklahoma Statutes, Sections 1-1901 and following as amended also known as the Nursing Home Care Act.

means one of the following persons: physician assistant, physical, speech, or occupational therapist, occupational therapy assistant, physical therapy assistant, or qualified social worker.

means a drug, sometimes called a major tranquilizer, used to treat symptoms of severe psychiatric disorders, including but not limited to schizophrenia and bipolar disorder.

means the person having control of an animal/pet visiting or in residence in a facility.

means the mandatory state government process by which an agency or program is reviewed, and publicly proclaimed, to render a service worthy of note.

means the nurse aide competency evaluation program.

means the process by which a non-governmental agency, or association, or governmental agency attests that an individual or facility has met certain predetermined standards specified by the certifying body.

means a person who has passed a Department approved program for administering medications.

means any person who provides, for compensation, nursing care or health-related services to residents of a facility, who is not a licensed health professional and has completed a Department approved training and competency program.

means a registered nurse or licensed practical nurse responsible for supervising nursing services on a specific shift.

means the use of a medication for the purpose of discipline, convenience, or in an emergency situation to control mood or behavior and not required to treat the resident's symptoms.

means a registered nurse who provides consultation to the director of nursing and administrator concerning the delivery of nursing care for all residents in the facility.

means a decision made by the appropriate body to disapprove an application.

means nursing, activity, social and therapy staff.

means either a registered nurse or licensed practical nurse, who has the authority and responsibility to administer nursing services within the facility.

means, for the purposes of Title 63 O.S. § 1-1912 , a serious, potentially life-threatening or life-endangering situation in which immediate action is necessary to ensure the health, safety, or welfare of residents, and for which the facility:

(A) does not have a plan acceptable to the Department to ensure health, safety or welfare of residents; or

(B) refuses to remedy the situation.

means any medically directed service provided by any person in a facility that may include but is not limited to, the following:

(A) Positioning and turning of residents;

(B) Self-help skill training;

(C) Assistance with prosthetic/assistive devices;

- (D) Medication administration;
- (E) Nutrition and hydration;
- (F) Monitoring of resident vital signs;
- (G) Catheter and nasogastric care;
- (H) Behavior modification programs;
- (I) Administering a medically related care plan; and
- (J) Restorative services.

and means the administrator must have the requisite authorization from the licensee to make those purchases and incur those necessarily attendant debts in order to comply with the rules promulgated by the Board and all pertinent state statutes.

means activities intended to assist the individual to acquire, maintain, and/or increase competence in fulfilling the assigned responsibilities specific to the employer's expectations.

means one of the following: a physician; dentist, podiatrist, chiropractor, physician assistant, nurse practitioner; pharmacist; physical, speech, or occupational therapist; registered nurse, licensed practical nurse; licensed or certified social worker; or licensed/registered dietitian.

means a registered nurse or a licensed practical nurse who is currently licensed by the Oklahoma Board of Nursing.

means a person who is a graduate of an accredited pharmacy program and is currently licensed by the Oklahoma Board of Pharmacy.

means a person who is a graduate of a state approved practical nursing education program, or who meets other qualifications established by the Oklahoma Board of Nursing, and is currently licensed by the Oklahoma Board of Nursing.

means the process by which the Department grants to persons or entities the right

to establish, operate, or maintain any facility.

means:

(A) The municipal police department, if the facility is within the jurisdiction of any municipality of this state, or

(B) The county sheriff, if the facility is outside the jurisdiction of any municipality within this state.

means:

(A) a nursing facility as defined in 63 O.S. § 1-1902;

(B) a continuum of care facility as defined under the Continuum of Care and Assisted Living Act; or

(C) the nursing care component of a life care community as defined by the Long-term Care Insurance Act.

means the person or entity which performs administrative services for the licensee. The manager or supervisor is not legally responsible for the decisions and liabilities of the licensee, and does not stand to gain or lose financially as a result of the operation of the facility. The manager is paid a fee or salary for services, and the primary remuneration shall not be based upon the financial performance of the facility.

means the taking, secretion, misapplication, deprivation, transfer, or attempted transfer to any person not entitled to receive any property, real or personal, or anything of value belonging to or under the legal control of a resident, without the effective consent of the resident or other appropriate legal authority, or the taking of any action contrary to any duty imposed by federal or state law prescribing conduct relating to the custody or disposition of resident's property.

means any person providing nursing or nursing related services to residents in a facility, but does not include an individual who is a licensed health professional, or

who volunteers to provide such services without monetary compensation.

means any person who has been employed by a facility to provide nursing care or health related services, and is enrolled in but has not completed a Department approved training and competency program.

means the training for a particular job activity given to all employees.

means food supplies, to include dietary supplements and intravenous feedings, medical supplies, and medications.

means any manual method or physical or mechanical device, material or equipment attached or adjacent to the resident's body that the resident cannot remove easily, that is not used for the purpose of therapeutic intervention or body alignment as determined by resident assessment and care planning, and which restricts the resident's desired freedom of movement and access to his or her body.

means:

(A) an allopathic or osteopathic physician licensed by and in good standing with the Oklahoma State Board of Medical Licensure and Supervision or the Oklahoma State Board of Osteopathic Examiners, as appropriate;

(B) a physician assistant licensed by and in good standing with the Oklahoma State Board of Medical Licensure and Supervision; or

(C) an Advanced Practice Registered Nurse licensed by and in good standing with the Oklahoma Board of Nursing.

is a Department approved person who holds a baccalaureate with major studies in food and nutrition, dietetics, or food service management; has one year experience in the dietetic service of a health care institution; and participates in continuing education annually.

means a person who is registered as a dietitian by the American Dietetic

Association and licensed by the Oklahoma Board of Medical Licensure and Supervision.

means a person who is a graduate of a state approved registered nursing education program, and who is currently licensed by the Oklahoma Board of Nursing.

means a Department maintained list of individuals who have successfully completed a nurse aide training and competency evaluation program, or a competency evaluation program, approved by the Department.

means a representative of a resident as defined by 63 O.S. § 1-1902.

means a resident as defined by 63 O.S. § 1902.

means to rescind approval of a previous action.

means any facility which offers or provides inpatient long-term care services on a twenty-four hour basis to a limited category of persons requiring such services, including, but not limited to, a facility providing health or habilitation services for developmentally disabled persons, infants and/or children, or Alzheimer's and dementia residents.

means an authoritative statement that describes a level of care or performance common to the profession of nursing by which the quality of nursing practice can be judged. Standards of nursing practice include both standards of care and standards of professional performance.

means a description of a competent level of care demonstrated by a process of accurate assessment and diagnosis, planning, appropriate interventions, and predicted patient outcomes. (Appendix B of this Chapter.)

means a description of a competent level of behavior in the professional role including activities related to quality assurance, education, consultation, research, ethics, resource utilization, accountability, peer review, and interdisciplinary

collaboration.

means a license that is issued for a period not to exceed three years to a facility which has temporarily closed or ceased operations.

means a program approved by the Department to instruct and evaluate individuals to act as nurse aides.

means the move of a resident from one facility to another facility.

means the moving of a resident from one room to another within a facility.

means a change of substantial, or controlling interest, in the ownership of a facility.

A change of less than five percent (5%) of the interest of the owner does not constitute a transfer of ownership unless it also results in a change of control of the owner.

means:

(A) a pattern of violation of staffing requirement;

(B) a violation of staffing requirement in which the facility knew or should have known staffing would be insufficient to meet the requirement yet took no action to avert the violation; or

(C) the reporting of materially inaccurate or misleading information of staffing to the Health Care Authority.