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Chapter 411@ DEPARTMENT OF HUMAN SERVICES, AGING AND PEOPLE WITH DISABILITIES AND DEVELOPMENTAL DISABILITIES

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Division 90@ NURSING FACILITIES/LICENSING - VENTILATOR ASSISTED PROGRAM (VAP)

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Section 411-090-0160@ Staffing

411-090-0160 Staffing

(1)

STAFFING. The unit must employ or contract with a full-time Ventilator Assisted Program Unit Director.

(2)

In a designated Ventilator Assisted Program unit, the following staffing requirements apply: (a) Licensed Nurses. (A) A licensed nurse must be on duty 24 hours a day, seven days a week. (i) A registered nurse must be on duty at least 16 hours a day. (ii) Other types of licensed nurses may cover the other 8 hours in the 24-hour period. (B) The facility shall not assign more than 15 Ventilator Assisted Program residents per Ventilator Assisted Program trained licensed nurse. (C) These hours do not include the Resident Care Manager functions and oversight of care plans for non-Ventilator Assisted Program residents. (b) The facility shall not assign more than 12 Ventilator Assisted Program residents per licensed respiratory therapist and must have an on-site, licensed respiratory therapist 24 hours a day, seven days a week in the designated area. (c) Certified Nursing Assistants (CNA). The facility must have Ventilator Assisted Program trained CNAs in the ratios noted below: (A) Day Shift: 1 nursing assistant per 6 residents. (B) Evening Shift: 1 nursing assistant per 9 residents (C) Night Shift: 1 nursing assistant per 12 residents. (d) At all times the facility must have at least two Ventilator Assisted Program trained staff present within the designated area. (e)

The facility shall ensure the 24 hour on-call availability of the Medical Director or designated physician for the Ventilator Assisted Program in the event the resident's primary care physician is not available. (f) The facility shall ensure the availability of a licensed pulmonologist on sight in the designated unit at least one time per week and ensure the on-call availability of a pulmonologist. (g) Within this unit, staffing levels must be sufficient to meet the scheduled and unscheduled needs of residents. (h) The facility must maintain separate staffing records posted within the unit for the nursing and respiratory staff responsible for the ventilator dependent residents. (i) The facility shall report monthly, to the Department, their staffing levels for first year of their endorsement, or until the Department has found them to be sufficient in maintaining required staffing levels, whichever date comes later. (j) In an emergency situation, as defined in 411-090-0110, when trained CNA staff are not available to provide services, the facility may assign staff who have not completed the required training in accordance with this rule. The emergency must be documented and immediately reported to relevant APD local office staff and the Department. The documentation must address: (A) The nature of the emergency. (B) How long the emergency lasted. (C) The names and positions of staff that provided coverage. (D) The contingency plan.

(a)

Licensed Nurses. (A) A licensed nurse must be on duty 24 hours a day, seven days a week. (i) A registered nurse must be on duty at least 16 hours a day. (ii) Other types of licensed nurses may cover the other 8 hours in the 24-hour period. (B) The facility shall not assign more than 15 Ventilator Assisted Program residents per Ventilator Assisted Program trained licensed nurse. (C) These hours do not include the Resident Care Manager functions and oversight of care plans for non-Ventilator Assisted Program residents.

(A)

A licensed nurse must be on duty 24 hours a day, seven days a week. (i) A registered nurse must be on duty at least 16 hours a day. (ii) Other types of licensed nurses may cover the other 8 hours in the 24-hour period.

(i)

A registered nurse must be on duty at least 16 hours a day.

(ii)

Other types of licensed nurses may cover the other 8 hours in the 24-hour period.

(B)

The facility shall not assign more than 15 Ventilator Assisted Program residents per Ventilator Assisted Program trained licensed nurse.

(C)

These hours do not include the Resident Care Manager functions and oversight of care plans for non-Ventilator Assisted Program residents.

(b)

The facility shall not assign more than 12 Ventilator Assisted Program residents per licensed respiratory therapist and must have an on-site, licensed respiratory therapist 24 hours a day, seven days a week in the designated area.

(c)

Certified Nursing Assistants (CNA). The facility must have Ventilator Assisted Program trained CNAs in the ratios noted below: (A) Day Shift: 1 nursing assistant per 6 residents. (B) Evening Shift: 1 nursing assistant per 9 residents (C) Night Shift: 1 nursing assistant per 12 residents.

(A)

Day Shift: 1 nursing assistant per 6 residents.

(B)

Evening Shift: 1 nursing assistant per 9 residents

(c)

Night Shift: 1 nursing assistant per 12 residents.

(d)

At all times the facility must have at least two Ventilator Assisted Program trained staff present within the designated area.

(e)

The facility shall ensure the 24 hour on-call availability of the Medical Director or designated physician for the Ventilator Assisted Program in the event the resident's primary care physician is not available.

(f)

The facility shall ensure the availability of a licensed pulmonologist on sight in the designated unit at least one time per week and ensure the on-call availability of a pulmonologist.

(g)

Within this unit, staffing levels must be sufficient to meet the scheduled and unscheduled needs of residents.

(h)

The facility must maintain separate staffing records posted within the unit for the nursing and respiratory staff responsible for the ventilator dependent residents.

(i)

The facility shall report monthly, to the Department, their staffing levels for first year of their endorsement, or until the Department has found them to be sufficient in maintaining required staffing levels, whichever date comes later.

(j)

In an emergency situation, as defined in 411-090-0110, when trained CNA staff are not

available to provide services, the facility may assign staff who have not completed the required training in accordance with this rule. The emergency must be documented and immediately reported to relevant APD local office staff and the Department. The documentation must address: (A) The nature of the emergency. (B) How long the emergency lasted. (C) The names and positions of staff that provided coverage. (D) The contingency plan.

(A)

The nature of the emergency.

(B)

How long the emergency lasted.

(C)

The names and positions of staff that provided coverage.

(D)

The contingency plan.

(3)

The facility shall notify the Department on official letterhead within 10 days of any change related to use of on-sight and contracted Ventilator Assisted Program Unit staff caring for residents.