

## **388-97-1620 General administration**

### **(1)**

The nursing home must be administered in a manner that enables it to use its resources effectively and efficiently to attain or maintain the highest practicable physical, mental, and psychosocial well-being of each resident.

### **(2)**

The nursing home must: (a) Be licensed under chapter 18.51 RCW; (b) Operate and provide services in compliance with: (i) All applicable federal, state and local laws, regulations, and codes; (ii) Accepted professional standards and principles that apply to professionals providing services in nursing homes; and (c) Have a governing body or designated individuals functioning as a governing body, that is legally responsible for establishing and implementing policies regarding the management and operation of the nursing home.

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Be licensed under chapter 18.51 RCW;

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All applicable federal, state and local laws, regulations, and codes;

**(ii)**

Accepted professional standards and principles that apply to professionals providing services in nursing homes; and

**(c)**

Have a governing body or designated individuals functioning as a governing body, that is legally responsible for establishing and implementing policies regarding the management and operation of the nursing home.

**(3)**

The governing body of the nursing home must appoint the administrator who: (a) Is licensed by the state; (b) Is responsible for management of the nursing home; (c) Keeps the licensee informed of all surveys and notices of noncompliance; (d) Complies with all requirements of chapter 18.52 RCW, and all regulations adopted under that chapter; (e) Is an on-site, full-time individual in active administrative charge at the premises of only one nursing home, a minimum of four days and an average of forty hours per week except as provided in WAC 246-843-010.

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one nursing home, a minimum of four days and an average of forty hours per week except as provided in WAC 246-843-010.

**(4)**

Nursing homes temporarily without an administrator may operate up to four continuous weeks under a responsible individual authorized to act as nursing home administrator designee. (a) The designee must be qualified by experience to assume designated duties; and (b) The nursing home must have a written agreement with a nursing home administrator, licensed in the state of Washington, who must be readily available to consult with the designee. (c) The nursing home may make a written request to the department's designated aging and disability services administration field office for an extension of the four weeks by stating why an extension is needed, how a resident's safety or well-being is maintained during an extension and giving the estimated date by which a full-time, qualified nursing home administrator will be on-site.

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The nursing home may make a written request to the department's designated aging and disability services administration field office for an extension of the four weeks by stating why an extension is needed, how a resident's safety or well-being is maintained during an extension and giving the estimated date by which a full-time, qualified nursing home administrator will be on-site.

**(5)**

The nursing home must employ on a full-time, part time or consultant basis those professionals necessary to carry out the requirements of this chapter.

**(6)**

If the nursing home does not employ a qualified professional individual to furnish a specific service to be provided by the nursing home, the nursing home must: (a) Have that service furnished to residents by an individual or agency outside the nursing home under a written arrangement or agreement; and (b) Ensure the arrangement or agreement referred to in (a) of this subsection specifies in writing that the nursing home assumes responsibility for: (i) Obtaining services that meet professional standards and principles that apply to professionals providing services in nursing homes; and (ii) The timeliness of services.

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**(b)**

Ensure the arrangement or agreement referred to in (a) of this subsection specifies in writing that the nursing home assumes responsibility for: (i) Obtaining services that meet professional standards and principles that apply to professionals providing services in nursing homes; and (ii) The timeliness of services.

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Obtaining services that meet professional standards and principles that apply to professionals providing services in nursing homes; and

**(ii)**

The timeliness of services.

**(7)**

The nursing home must: (a) Report to the local law enforcement agency and the department any individual threatening bodily harm or causing a disturbance which threatens any individual's welfare and safety; (b) Identify, investigate, and report incidents involving residents, according to department established nursing home guidelines; and (c) Comply with "whistle blower" rules as defined in chapter 74.34 RCW.

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**(b)**

Identify, investigate, and report incidents involving residents, according to department established nursing home guidelines; and

**(c)**

Comply with "whistle blower" rules as defined in chapter 74.34 RCW.

**(8)**

The department will: (a) Investigate complaints, made to the department according to established protocols including protocols described in RCW 74.39A.060; (b) Take action against a nursing home that is found to have used retaliatory treatment toward a resident or employee who has voiced grievances to nursing home staff or administration, or lodged a good faith complaint with the department; and (c) Report to local law enforcement: (i) Any mandated reporter that knowingly fails to report in accordance with WAC 388-97-0640; and (ii) Any person that intentionally, maliciously or in bad faith makes a false report of alleged abandonment, abuse, financial exploitation, or neglect of a vulnerable adult.

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Take action against a nursing home that is found to have used retaliatory treatment toward a resident or employee who has voiced grievances to nursing home staff or administration, or lodged a good faith complaint with the department; and

**(c)**

Report to local law enforcement: (i) Any mandated reporter that knowingly fails to report in accordance with WAC 388-97-0640; and (ii) Any person that intentionally, maliciously or in bad faith makes a false report of alleged abandonment, abuse, financial exploitation, or neglect of a vulnerable adult.

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and

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Any person that intentionally, maliciously or in bad faith makes a false report of alleged abandonment, abuse, financial exploitation, or neglect of a vulnerable adult.

**(9)**

Refer also to WAC 388-97-1840, Retaliation.