

## **87865 Personnel Requirements**

### **(a)**

There shall be at least one staff person at the facility at all times who is able to read, write, speak and understand English.

### **(b)**

Facility personnel shall be competent to provide the services necessary to meet individual resident needs and shall, at all times, be employed in numbers necessary to meet such needs.

### **(c)**

The Department shall have the authority to require any licensee to provide additional staff whenever the Department determines that additional staff are required for the provision of services necessary to meet resident needs. The following factors shall be taken into consideration in determining the need for additional staff. (1) Needs of the particular residents. (2) Extent of the services provided by the facility. (3) Physical arrangements of the particular facility. (4) Existence of a state of emergency or disaster.

#### **(1)**

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#### **(2)**

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#### **(3)**

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**(4)**

Existence of a state of emergency or disaster.

**(d)**

The licensee shall be permitted to utilize volunteers provided that such volunteers are supervised, and are not included in the facility staff plan.

**(e)**

The following facility staff shall be at least 18 years of age: (1) Persons who supervise employees and/or volunteers. (2) Persons, including volunteers, who provide any element of care and supervision to residents.

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**(f)**

The licensee shall provide for direct supervision of residents during participation in or presence at potentially dangerous activities or areas on the facility premises.

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**(g)**

All direct care facility staff shall be given on-the-job training or shall have related experience which provides knowledge of and skill in the following areas, as

appropriate to the resident population served and, to the job assigned: (1) Principles of nutrition, food preparation and storage and menu planning. (2) Housekeeping and sanitation principles. (3) Provision of resident care and supervision, including communication. (4) Assistance with prescribed medications which are self-administered. (5) Recognition of early signs of illness and the need for professional assistance. (6) Availability of community services and resources. (7) All direct care staff shall have 20 hours of on-the-job training on AIDS-related conditions and the early recognition and prevention of tuberculosis, within three months after employment. (8) Written documentation that he/she has completed the Certified Nursing Assistant or Home Health Aides' program or has equivalent experience or training including, but not limited to, the following areas: (A) Basic information on blood borne infections. (B) Early recognition and Infection Control Requirements pursuant to Section 87895.5 for preventing the contracting and spreading of infections and tuberculosis. (C) Practices used in the work place for avoiding the contracting and spreading of infections including but not limited to the Infection Control Requirements pursuant to Section 87895.5. (9) The training specified in (g) above must be given by the appropriately skilled professional. (A) The direct care facility staff shall have documentation signed by the appropriately skilled professional which outlines the date completed and the type of training completed. (B) The licensee shall maintain a copy of the training documentation in the facility personnel file.

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**(2)**

Housekeeping and sanitation principles.

**(3)**

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**(B)**

Early recognition and Infection Control Requirements pursuant to Section 87895.5 for preventing the contracting and spreading of infections and tuberculosis.

**(C)**

Practices used in the work place for avoiding the contracting and spreading of infections including but not limited to the Infection Control Requirements pursuant to Section 87895.5.

**(9)**

The training specified in (g) above must be given by the appropriately skilled professional. (A) The direct care facility staff shall have documentation signed by the appropriately skilled professional which outlines the date completed and the type of training completed. (B) The licensee shall maintain a copy of the training documentation in the facility personnel file.

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The licensee shall maintain a copy of the training documentation in the facility personnel file.

**(h)**

All personnel, including the licensee, administrator, and facility managers shall be in good health, and shall be physically, mentally, and occupationally capable of performing assigned tasks. (1) Except for volunteers, good physical health shall be verified by a health screening performed by or under the supervision of a physician not more than one year prior to or seven days after employment or licensure. (2) A health screening report signed by the person performing such screening shall be made on each person specified in (h) above, and shall indicate the following: (A) The person's physical qualifications to perform the duties to be assigned. (B) The presence of any health condition that would create a hazard to the person, residents or other staff members. (C) For each volunteer, his/her good physical health shall be documented by his/her written statement affirming that he/she is in good health. (3) All persons specified in (h) above and volunteers

shall comply with the following tuberculosis testing requirements: (A) Obtain a Mantoux tuberculin skin test recorded in millimeters and dated no more than three months prior to licensure or his/her employment or presence into the facility. (1) If the Mantoux tuberculin skin test is positive, he/she shall obtain a chest x-ray and be examined by a physician and obtain the physician's written statement verifying that he/she does not have communicable tuberculosis. (2) A person who has had a previously positive reaction shall not be required to obtain a Mantoux tuberculin skin test but shall only be required to obtain the chest x-ray results and a physician's statement that he/she does not have communicable tuberculosis. (B) The Mantoux tuberculin skin test shall be updated at least once per year, except for persons who have had a previous positive reaction. (1) A person who has had a previously positive reaction shall not be required to obtain a Mantoux tuberculin skin test but shall only be required to obtain the chest x-ray results and a physician's statement that he/she does not have communicable tuberculosis. (4) The licensee shall ensure that a current log is maintained for all persons specified in (h) above and volunteers which includes the dates and results of Mantoux tuberculin skin tests recorded in millimeters and chest x-rays and the physician's statement verifying that the person does not have communicable tuberculosis. (5) Each direct care staff shall be informed that if he/she has HIV Disease, he/she is at an increased risk of developing tuberculosis.

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**(5)**

Each direct care staff shall be informed that if he/she has HIV Disease, he/she is at an increased risk of developing tuberculosis.

**(i)**

Personnel with evidence of physical illness that poses a threat to the health and safety of residents shall be relieved of their duties.

**(j)**

Prior to employment or initial presence in the facility, all employees and volunteers subject to a criminal record review shall:(1) Obtain a California clearance or a criminal record exemption as required by law or Department regulations or (2) Request a transfer of a criminal record clearance as specified in Section 87819(a)(2) or (3) Request and be approved for a transfer of a criminal record exemption, as specified in Section 87819.1(r), unless, upon request for a transfer, the Department permits the individual to be employed, reside or be present at the facility.

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Section 87819.1(r), unless, upon request for a transfer, the Department permits the  
individual to be employed, reside or be present at the facility.

**(k)**

Residents shall not be used as substitutes for required staff but shall be  
permitted, as a voluntary part of their program of activities, to participate in  
household duties and other tasks suited to the resident's needs and abilities. (1)  
Such duties and tasks shall be specified in the resident's needs and services  
plan.

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**(l)**

When regular staff members are absent, there shall be coverage by personnel  
capable of performing assigned tasks as evidenced by on-the-job performance.

**(m)**

Personnel shall provide for the care and safety of persons without physical or  
verbal abuse, exploitation or prejudice.

**(n)**

All personnel shall be instructed to report observations or evidence of violations of  
any of the personal rights specified in Section 87872.

**(o)**

Support staff shall be employed as necessary to perform the following duties:(1)

Office work. (2) Cooking. (3) House Cleaning. (4) Laundering. (5) Maintenance of buildings, equipment and grounds.

**(1)**

Office work.

**(2)**

Cooking.

**(3)**

House Cleaning.

**(4)**

Laundering.

**(5)**

Maintenance of buildings, equipment and grounds.