

R432. Health, Family Health and Preparedness, Licensing.

R432-32. Licensing Exemption for Non-Profit Volunteer End-of-Life Care.

R432-32-1. Purpose and Authority.

(1) The purpose of this rule is to establish the exemption from licensure requirements for non-profit facilities that provide volunteer end-of-life care.

(2) This rule is adopted pursuant to Subsection 26-21-6(2)(c).

R432-32-2. Requirements for Designation as a Non-Profit Facility Providing End-of-Life Care Using Only Volunteers.

(1) A non-profit facility that provides end-of-life care using only volunteers is exempt from licensure if it meets the following requirements:

- (a) the facility shall operate as a non-profit facility with a board of trustees to oversee its direction and operation;
- (b) no more than six unrelated individuals shall reside in the facility;
- (c) the residents of the facility may not pay for room or board;
- (d) each facility resident has a terminal illness and contracts with a licensed hospice agency to receive medical care;

and

(e) there is no direct compensation for direct care staff at the facility; however, administrative staff who coordinate with volunteer staff may be compensated.

(2) Each resident shall sign an admission agreement that:

- (a) indicates the level of service to be provided by volunteers;
- (b) provides notice that the facility is not a regulated health care facility under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act; and

(c) provides procedures to report grievances to the Board of Directors.

(3) The facility shall:

(a) screen each staff member, including volunteer staff, for criminal convictions through the Department of Public Safety and staff that have a conviction for any of the crimes identified in Section R432-35-8 may not serve;

(b) provide in-service training on the reporting requirements for adult abuse, neglect and exploitation to each staff member and volunteer staff;

(c) ensure each resident has a self-directed medical care plan for end-of-life treatment decisions;

(d) provide each resident a form for a Physician Order for Life-Sustaining Treatment;

(e) comply with local zoning, health and fire inspection requirements;

(f) offer adult immunizations for staff and residents as required in Rule R432-40; and

(g) have an infection control program, which includes universal precautions, process for reporting communicable diseases and Occupational Safety and Health Administration standards.

KEY: health care facilities

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Authorizing, and Implemented or Interpreted Law: 26-21-7(6)