	epartment of		Insp	ection Checklist		This inspection checklist is the tool OL	
	Ith & Human Services g & Background Checks		R432-700	Home Health Ag	ency	licensors use to ensure consistency for every inspection. (<i>Revised 10/2024</i>)	
Facility Name:		Facility ID:		Phone Number:		Notes / Sticky Notes	
Address:							
P (Ma	lease review the following items ark with a check mark if completed and	prior to the insp make and necessa	ection: ary notes)	Pleas (Mark w	se review the following items d vith a check mark if completed and n	uring the inspection: nake and necessary notes)	
	Current Census and Discharge Census 6 months				Abuse reports past 6 months		
	Current Employee Roster and Former Employees past 6 months				Annual Abuse Training		
	Written Contracts and Agreements from other Providers				Client Rights		
	Governing Body information				Quality Assurance (annual and quarterly)		
	Policies and Procedures						
	Administrator Designee in writing						
Inspection Infor	mation:						
- All areas that are a during the inspection		r this inspection. Du	ring the inspection, the lice	ensor will ask to have lock	ed areas unlocked. All accessible areas	s must be compliant with all applicable rules	
- I will email you th	is inspection checklist after the inspec	tion is completed.	l will send you an official	inspection report once th	nis inspection has been approved by	OL management.	
	oncompliances are documentation and sure compliance maintenance.	/or records, please	submit them to Licensing	g by the correction requir	ed date listed. A licensor may condu	ct a follow-up inspection to verify	
- You may submit f	feedback on this inspection through yo	ur Licensing Portal	or at: <u>DLBC.utah.gov</u>				

	Signature Information											
Inspection Type:		Date:		Time Started:		Time Ended:						
	Number of rule noncompliances:		Name of Individual Info	ormed of this Inspection:								
	Licensor(s) Conducting this Inspection:				OL Staff Observing Inspection:							
	The Licensor reviewed compliance.	Please sign/t	ype individual informed r	name and date of review:		-						

Utah Depa	artment of	Inspection (Checklist		This inspection checklist is the tool OL licensors use to				
	& Human Services Background Checks	R432-700 Home H	lealth Agency		ensure consistency for every inspection.				
		Licensor Introducto	tory Items						
	Introduction of any unknow	vn OL staff to the provider							
	Give a brief explanation of t	he inspection process to the provider							
	ASK: the provider if they wa you conduct the walk- thou them.	nt you to tell staff about rule noncompliances as gh, or wait until the inspection is over to tell							
	Wash hands or use hand sa	nitizer before touching items in the facility.							
		General Not	es						

		RULES CHECKLIST									
Rule # R432-35	Rule Description C = Compliant NC = Not Compliant		NC	NA	Compliance Required By Date:	Corrected During Inspection	Notes				
<u>R432-35-4. Covered Pro</u>	NA = Not Assessed during this inspection ovider - DACS Process	с	NC	NA	Date		Notes				
R432-35-4(1)	(1) The covered provider shall enter required information into DACS to initiate a certification for direct patient access of each covered individual before issuance of a provisional license, license renewal, or engagement as a covered individual.										
R432-35-4(2)(a)-(b)	 (2) The covered provider shall ensure the engaged covered individual: (a) signs a criminal background screening authorization form that is available for review by the department; and (b) submits fingerprints within 15 working days of engagement. 										
R432-35-4(3)	(3) The covered provider shall ensure DACS reflects the current status of the covered individual within five working days of the engagement or termination.										
R432-35-4(4)	(4) The covered provider may provisionally engage a covered individual while certification for direct patient access is pending as permitted in Section 26B-2-239.										
R432-35-4(5)	(5) If the department determines an individual is not eligible for direct patient access, based on information obtained through DACS and the sources listed in Section R432-35-8, the department shall send a notice of agency action, as outlined in Rule R432-30, to the covered provider and the individual explaining the action and the individual's right of appeal.										
R432-35-4(6)	(6) The covered provider may not arrange for a covered individual who has been determined not eligible for direct patient access to engage in a position with direct patient access.										

R432-35-4(7)	(7) The department may allow a covered individual to have direct patient access with conditions, during an appeal process, if the covered individual demonstrates to the department, the work arrangement does not pose a threat to the safety and health of patients or residents.			
R432-35-4(8)	(8) The covered provider that provides services in a residential setting shall enter required information into DACS to initiate and obtain certification for direct patient access for each individual 12 years of age and older, who is not a resident, and resides in the residential setting. If the individual is not eligible for direct patient access and continues to reside in the setting, the department may revoke an existing license or deny licensure for healthcare services in the residential setting.			
R432-35-4(9)(a)-(d)	 (9) The covered provider seeking to renew a license as a health care facility shall utilize DACS to run a verification report and verify each covered individual's information is correct, including: (a) employment status; (b) address; (c) email address; and (d) name. 			
R432-35-4(10)	(10) An individual or covered individual seeking licensure as a covered provider shall submit required information to the department to initiate and obtain certification for direct patient access before the issuance of the provisional license. If the individual is not eligible for direct patient access, the department may revoke an existing license or deny licensure as a health care facility.			

		RU	LES CI	HECKL	.IST		
Rule # R432-700	Rule Description C = Compliant NC = Not Compliant NA = Not Assessed during this inspection	с	NC	NA	Compliance Required By Date:	Corrected During Inspection	Notes
R380-80-4. Providers' D	Duty to Help Protect Clients.	с	NC	NA	Date		
R380-80-4(1)	(1) The provider shall protect each client from abuse, neglect, exploitation, and mistreatment.						
<u>R380-80-5. Provider Co</u>	de of Conduct.	с	NC	NA	Date		
R380-80-5(4)	(4) Each provider shall protect clients from abuse, neglect, harm, exploitation, mistreatment, fraud, and any action that may compromise the health and safety of clients through acts or omissions and shall instruct and encourage others to do the same.						
R432-700-5. Services P	rovided by a Home Health Agency.	с	NC	NA	Date		Notes
5(1)	A licensee shall provide services to a client in their place of residence, or under special circumstances, in their place of employment.						
5(2)	Services shall be directed and supervised by a licensed practitioner.						
5(3)(a-c)	Professional and supportive personnel shall be responsible for any of the following services that they may perform: (a) providing skilled services authorized by a primary care provider; (b) nursing services assessed, provided, or supervised by a registered nurse; or (c) other related health services approved by a licensed practitioner.						
R432-700-6. Licensure	Required.	с	NC	NA	Date	CDI	Notes

6(1)	Rule R432-700, Home Health Agency does not apply to a single individual providing professional services under the authority granted by a professional license or registration.						
6(2)	The licensee shall comply with Rule R432-2, General Licensing Provisions.						
R432-700-7. Governing	Body and Policies.	с	NC	NA	Date	CDI	Notes
7(1)	The home health agency shall be organized under a governing body that assumes full legal responsibility for the conduct of the home health agency.						
7(2)(a-g)	The governing body shall: (a) develop an organization chart that shows the administrative structure; (b) be responsible for compliance with federal regulation, state rules, and local laws; (c) ensure there is no discrimination on the basis of race, color, sex, religion, ancestry, national origin; (d) adopt policies and procedures that describe functions or services and protect client rights; (e) review and make available to the department, the written annual evaluation report from the administrator and make recommendations as necessary; (f) provide resources and equipment to provide a safe working environment for personnel; and (g) establish a system of financial management and accountability;						

7(3)(a-h)	The governing body shall have the authority and responsibility to develop and implement bylaws to include: (a) a statement of purpose; (b) a statement of qualifications for membership and methods to select members of the governing board; (c) a process for the establishment, selection, and term of office for committee members and officers; (d) a description of functions and duties of the governing body, officers, and committees; (e) a statement of the authority and responsibility delegated to the administrator; (f) a statement relating to conflict of interest of members of the governing body or employees who may influence licensee decisions; (g) annually required meetings as stated in bylaws; and (h) appointment by name and in writing of a qualified administrator who is responsible for the agency's overall functions.		0				
R432-700-8. Administ	ator Responsibilities.	с	NC	NA	Date	CDI	Notes
8(1)	The administrator shall have at least one year of managerial or supervisory experience.						

a has t in the best t in the best available oorts on al to of review; agency by of review; agency by orts agency by onal to of review; agency by review; agency by onal to direction ship in the e; and atters of onnel whose the the the onnel whose the the the onnel whose the the tintenent, onnel whose the the tintenent, onnel whose the the the uing u				on who shall act signee has to act in the best ; ee is available ; and reports ast annually and date of review; f the agency by mal means of ofessional to on and direction embership in the mittee; and isary; and duties; n of office and nber; maintaining a s or letters of y; personnel whose ob have the npletion; ate functional em that f treatment, ient needs and n within the ontinuing regulations, and ectly provided by and accounting; izes services	 The administrator shall be responsible (a) designate in writing a qualified period in their absence; (b) ensure that the administrator or enough power, authority, and freedo interests of client safety and well-beil (c) ensure that administrator or design during the agency's hours of operatid (d) complete, submit and file records required by the department; (e) review policies and procedures at revise as necessary and document th (f) implement policies and procedures (g) organize and coordinate function delegating duties and establishing a staff accountability; (h) appoint the following: (i) a primary care provider: (ii) a registered nurse, or healthcare provide general supervision coordin for professional services in the agen (iii) the members and their terms of interdisciplinary quality assurance coe (iv) other committees as deemed nee (i) describe each committee function (j) develop processes for selection, the responsibilities of each committee responsibilities of each client, (l) maintain current written designat appointment in the home health age (m) employ or contract with competer qualifications are commensurate witt responsibilities and authority; (o) develop job descriptions that deli responsibilities and authority; (o) develop a staff communication of plans utilizes services or resources to mee promotes an orderly flow of informatorganization; (p) provide staff orientation as well a education in applicable policies, rule resource materials; (q) secure contracts for services not the home health agency; (r) implement a program of budgetir and (s) establish a billing system which it provided and charges submitted to the provide and charges subm	8(2)(a-s)
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<u>R432-700-9. Personne</u>	<u>L</u>	с	NC	NA	Date	CDI	Notes
9(1)	The administrator shall employ qualified personnel who are competent to perform their respective duties, services, and functions.						
9(2)(a-g)	The administrator shall develop written policies and procedures that address the following: (a) job descriptions, qualifications, validation of licensure or certificates of completion for each position held; (b) orientation for direct and contract employees; (c) criteria for, and frequency of, performance evaluations; (d) work schedules, method and period of payment, benefits such as sick leave, vacation, and insurance; (e) frequency and documentation of in-service training; (f) contents of personnel files; and (g) emergency and after-hours care policies and procedures that are made available to the client and family.						
9(3)	Each employee shall be licensed, certified, or registered as required by the Utah Department of Commerce, Division of Professional Licensing.						
9(4)	The licensee shall document that staff have been trained annually in the reporting requirements for suspected abuse, neglect, and exploitation.						
<u>R432-700-10. Health S</u>	urveillance.	с	NC	NA	Date	CDI	Notes
10(1)	The licensee shall establish and implement a policy and procedure for employee health screenings to identify any situation which would prevent the employee from performing assigned duties in a satisfactory manner.						
10(2)	Employee health screening and immunization components of personnel health programs shall be developed by the licensee, in accordance with Rule R386-702, Communicable Disease Rules.						

10(3)(a-b)	Employees shall be tested for tuberculosis by the Mantoux Method or other FDA approved in-vitro serologic test in accordance with Rule R388-804, Special Measures for Control of Tuberculosis. (a) The licensee shall ensure that employees are skin-tested for tuberculosis within two weeks of: (i) initial hiring; (ii) suspected exposure to a person with active tuberculosis; or (iii) development of symptoms of tuberculosis. (b) Skin testing shall be exempted for employees with a known positive reaction to skin tests.						
10(4)	Infections and communicable diseases reportable by law shall be reported by the licensee to the local health department in accordance with Section R386-702-3.						
R432-700-11. Orienta	tion.	с	NC	NA	Date	CDI	Notes
11(1)	The licensee shall document in writing that each employee is oriented to the home health agency and the job that they are hired to perform.						
11(2)(a-g)	The licensee shall ensure that orientation includes: (a) the functions of agency employees and the relationships between various positions or services; (b) job descriptions; (c) duties that persons are trained, certified, or licensed to perform; (d) ethics, confidentiality, and client rights training; (e) information about other community agencies including emergency medical services; (f) opportunities for continuing education appropriate to the client population served; and (g) reporting requirements for suspected abuse, neglect, or exploitation.						
R432-700-12. Contrac	ts.	с	NC	NA	Date	CDI	Notes
12(1)	The administrator shall secure written contracts or agreements from other providers, or independent contractors, who provide client services through the agency and shall arrange for an orientation to ensure that the contractor is prepared to meet the job expectations.						

12(2)	The licensee shall make any contract available for review by the department.						
12(3)(a-c)	Each contract shall include: (a) the effective and expiration dates; (b) a description of goods or services to be provided; and (c) a copy of the contractor's professional license.						
<u>R432-700-13. Acceptat</u>	ole Criteria.	с	NC	NA	Date	CDI	Notes
13(1)	The licensee shall develop written acceptance criteria and shall make criteria policy information available to the public upon request.						
13(2)(a-f)	The licensee shall accept a client for treatment if the client's needs can be met by the agency in the client's place of residence. The licensee shall base the acceptance determination on an assessment that the client needs skilled nursing services and meets the following criteria: (a) the complexity of prescribed services can be safely or effectively performed only by, or under the close supervision of, technical or professional personnel; (b) care is needed to prevent, to the extent possible, deterioration of the condition or to sustain current capacities of a client, such as one with terminal cancer; (c) special medical complications require service performance or close supervision by technical or professional persons, such as the care of a diabetic client with impaired circulation, fragile skin, or a fractured leg in a cast; (d) the client needs therapy services or support services as outlined in this rule; (e) the client, responsible family members, guardians, or legal representatives request care at home; or (f) the physical facilities in the client's place of residence can be adapted to provide a safe environment for care.						
<u>R432-700-14. Terminat</u>	tion of Services Policies.	с	NC	NA	Date	CDI	Notes

14(1)(a-o)	The licensee may discharge a client under any of the following circumstances: (a) a licensed practitioner signs a discharge statement for termination of services; (b) treatment objectives are met; (c) the client's status changes, that makes treatment objectives unattainable and new treatment objectives are not an alternative; (d) the family situation changes and affects the delivery of services; (e) the client or family is uncooperative in efforts to attain treatment objectives; (f) the client moves from the geographic area served by the agency; (g) the primary care provider fails to renew orders as required by the rules for skilled nursing or therapy services; (h) the client changes primary care providers and the licensee cannot obtain orders for continuation of services from the new primary care provider; (i) the client's payment sources become exhausted and the licensee is fiscally unable to provide free or reduced care; (j) the licensee discontinues a particular service or terminates services; (k) the licensee can no longer provide quality care in the place of residence; (l) the client or family requests agency services to be discontinued; (m) the client or family cannot or is unwilling to provide an environment that ensures safety for the both the client and provider of service; or (o) the client's payer excludes the licensee from participating as a covered provider or refuses to authorize services the licensee determines are medically necessary.				
14(2)	The person who is assigned to supervise and coordinate care for a particular client shall complete a discharge summary when services to the client are terminated.	c		Date	Notes
R432-700-15. Client Rig	Written client's rights shall be established by the licensee and made available to the client, guardian, next of kin, sponsoring agency, representative payee, and the public.			Date	NULES

15(2)	The licensee shall determine in policy how client's rights information is distributed.						
15(3)(a-k)	The licensee shall ensure that each client receiving care has the following rights: (a) to be fully informed of these rights and rules governing client conduct, as evidenced by documentation in the clinical record; (b) to be fully informed of services and related charges that the client or a private insurer may be responsible, and to be informed of the client's health condition, unless medically contraindicated and documented in the clinical record; (d) to be given the opportunity to participate in the planning of home health services, including referral to health care institutions or other agencies, and to refuse to participate in experimental research; (e) to refuse treatment to the extent permitted by law and to be informed of the medical consequences if treatment is refused; (f) to be assured confidential treatment of personal and medical records, and to approve or refuse their release to any individual outside the home health agency, except when transferring to another home health agency or health facility, or as required by law or third-party payment contract; (g) to be treated with consideration, respect and full recognition of dignity and individuality, including privacy in treatment and in care for personal needs; (h) to be assured the client, family members or other individuals providing care to the client can understand and help the client; (i) to be assured that personnel who provide care demonstrate competency through education and experience to carry out the services that they are responsible; (j) to receive proper identification from the individual providing home health services; and (k) to receive information concerning the procedures to follow to submit complaints about services being performed.						
<u>R432-700-16. Primary Ca</u>	re Provider Orders.	с	NC	NA	Date	CDI	Notes

16		The licensee shall incorporate primary care provider orders into the plan of care when skilled care is being provided that may include:						
16(1)		Diet and nutritional requirements;						
16(2)		Medications:						
16(3)		Frequency and type of service;						
16(4)		Treatments:						
16(5)		Medical equipment and supplies; and						
16(6)		Prognosis						
<u>R432-700-17. Client R</u>	ecord	<u>s.</u>	с	NC	NA	Date	CDI	Notes
17(1)		The licensee shall develop and implement record-keeping policies and procedures that address use of client records by authorized staff, content, confidentiality, retention, and storage.						
17(2)		Records shall be maintained in an organized format.						
17(3)		The agency shall maintain a client record identification system to facilitate locating each client's current or closed record.						

17(4)(a-c)	 An accurate, up-to-date record shall be maintained by the licensee, for each client receiving service through the agency. (a) Each person who has client contact or provides a service in the client's place of residence shall enter a clinical note of that contact or service in the client's record. (b) The licensee shall ensure that client record entries are dated and authenticated with the signature, or identifiable initials of the person making the entry. (c) The licensee shall document each service provided by the licensee and outcomes of these services in the individual client record. 			
17(5)(a-i)	 The licensee shall ensure that each client record contains the following information: (a) identification data including client name, address, age, and date of birth; (b) name and address of nearest relative or responsible individual; (c) name and telephone number of the primary care provider with responsibility for client care; (d) name and telephone number of any person or family member who provides care in the place of residence; (e) a written plan of care; (f) a signed and dated client assessment that identifies pertinent information required to carry out the plan of care; (g) reasons for referral to the home health agency; (h) statement of the grovision of health care services; (i) documentation of telephone consultation or case conferences with other individuals providing services; (j) signed and dated clinical notes for each client contact or home visit including services provided; and (k) a written termination of services; (ii) the care or services provided; (iii) the reason for discharge; (iv) the status of the client at time of discharge; and (v) the name of the agency or facility if the client was referred or transferred. 			

17(6)(a-f)	 For a client who receives skilled services, the licensee shall additionally include the following items in the client record: (a) diagnosis; (b) pertinent medical and surgical history; (c) a list of medications and treatments; (d) allergies or reactions to drugs or other substances; (e) any clinical summaries or other documents obtained when necessary for promoting continuity of care, especially when a client receives care elsewhere, to include: (i) a hospital; (ii) a nursing home; (iv) a primary care providers or consultant's office; or (v) other home health agency; and (f) clinical notes to include a description of the client condition and significant changes such as: (i) objective signs of illness, disorders, and body malfunction; (ii) general physical condition; (v) positive or negative physical and emotional responses to treatments and services; 						
<u>R432-700-18. Confident</u>	iality and Release of Information.	с	NC	NA	Date	CDI	Notes
18(1)(a-e)	The licensee shall: (a) develop and implement policies and procedures to safeguard client records against loss, destruction, or unauthorized use; (b) have written procedures for the use, release, and removal of medical records, including photographs, that require the written consent of the client; (c) keep client records confidential and only disclose client information to authorized persons; (d) allow authorized representatives of the Department to review records to determine compliance with licensure rules and standards; and (e) provide for filing, safe storage, and easy access to medical records.						
18(2)	When a client is referred to another agency or facility, the licensee may release information only with the written consent of the client.						
R432-700-19. Quality As	ssurance.	с	NC	NA	Date	CDI	Notes

32-700-20. Nursing	Services.	с	NC	NA	Date	CDI	Notes
19(5)(a-c)	The methodology for evaluation by the interdisciplinary quality assurance committee shall include: (a) review and evaluation of active and closed client records to ensure that established policies and procedures are being followed. The licensee shall ensure that the policy and procedure determines the methods for selecting and reviewing a representative sample of records; (b) review and evaluation of coordination of services through documentation of written reports, telephone consultation, or case conferences; and (c) review and evaluation of plans of treatment for content, frequency of updates and whether clinical notes correspond to goals written in the plan of care.						
19(4)(a-b)	An interdisciplinary quality assurance committee shall evaluate client services on a quarterly basis. A written report of findings from each meeting shall be submitted to the administrator and shall be available in the home health agency. (a) Each member of the interdisciplinary quality assurance committee shall be appointed by the administrator for a given term of membership. (b) The interdisciplinary quality assurance committee shall have a minimum of three members who represent three different licensed or certified health care professions.						
19(3)(a-d)	The licensee shall demonstrate concern for cost of care by evaluating: (a) relevance of health care services; (b) appropriateness of treatment frequency; (c) use of less expensive, but effective resources when possible; and (d) use of ancillary services consistent with client needs.						
19(2)	The administrator shall conduct an annual evaluation of the licensee's overall program and submit a written report of the findings to the governing body.						
19(1)	The quality, appropriateness, and scope of services provided shall be reviewed and evaluated annually by the governing body to determine overall effectiveness in meeting agency objectives.						

20(1)	Nursing services provided through a home health agency shall be conducted under the supervision of a director of nursing services.			
20(2)	Nursing services shall be provided by or under the supervision of a registered nurse and according to the plan of care.			
20(3)	When a licensee provides or contracts for services, the service shall be provided according to the plan of care and supervised by designated, qualified personnel.			
20(4)	The nursing staff of the home health agency shall observe, report and record written clinical notes.			
20(5)	The licensee shall recognize and use opportunities to teach health concepts to the client and family.			
20(6)	A registered nurse or licensed practical nurse employed by or contracted with the licensee shall have a valid licensefrom the Utah Department of Commerce.			

20(7)(a-g)	Responsibilities of a licensed nurse employed or contracted by the home health agency shall include the following: (a) administer prescribed medications and treatments lawfully and as permitted within the scope of the individual's license; (b) perform nursing care according to the needs of the client and as indicated in the written plan of care; (c) inform the primary care provider and other personnel of changes in the client's condition and needs; (d) document clinical notes in the individual client record for each visit or contact; (e) teach self-care techniques to the client or family; (f) develop plans of care; and (g) participate in in-service programs.			
20(8)(a-g)	The director of nursing services shall: (a) designate a registered nurse to act as director of nursing services during their absence; (b) assume responsibility for the quality of nursing services provided; (c) develop nursing service policies and procedures that shall be reviewed annually and revised as necessary; (d) establish work schedules for nursing personnel according to client needs; (e) assist in development of job descriptions for nursing personnel; (f) complete performance evaluations for nursing personnel according to policy; and (g) direct in-service programs for nursing personnel.			

The registered nurse shall:(a) make the initial nursing evaluation visit;(b) re-evaluate nursing needs based on the client's status and condition;(c) initiate the plan of care and make necessary revisions;(d) provide services that require specialized nursing skills;(e) initiate appropriate preventive and rehabilitative nursing procedures;(f) supervise staff assignments based on specific client needs, family capabilities, staff training and experience, and degree of supervision needed;(g) assist in coordinating services provided;(h) prepare termination of services statements;(i) supervise and consult with licensed practical nurses as necessary;(j) provide written instructions for a certified nursing aide to ensure provision of required services written in the plan of care;(k) supervise any certified nursing aide in the client's home as necessary, and be readily available for consultation by telephone; and (l) make supervisory visits with or without certified nursing aide's presence as follows: (i) for initial assessment;(ii) every two weeks to clients who require long-term maintenance services; and (iv) any time there is a question of change in the client's condition.						
20(10)(a-d) 20(10)(a-d) 20(10)(a-d) The licensed practical nurse shall: (a) work under the supervision of a registered nurse; (b) observe, record, and report to the immediate supervisor the general physical or mental condition of the client; (c) assist the registered nurse in performing specialized procedures; and (d) assist in development of the plan of care.						
R432-700-21. Certified Nursing Aide.	с	NC	NA	Date	CDI	Notes

21(1)(a-m)	A Certified Nursing Aide may have the following responsibilities: (a) provide only those services written in the plan of care and received as written instructions from the registered nurse supervisor, if the service is an extension of therapy, the instructions shall be written by the licensed therapist; (b) perform normal household services essential to health care at home; (c) make occupied or unoccupied beds; (d) supervise the client's self-administration of medication; (e) observe, record, and report basic client status; (f) perform activities of daily living as written in the plan of care; (g) give nail care as described in the plan of care; (h) observe and record food and fluid intake when ordered; (i) change dry dressings according to written instructions from the supervisor; (j) administer emergency first aid; (k) provide escort and transportation to appointments for client care services; (l) provide social interaction and reassurance to the client and family in accordance with the plan of care; and (m) write clinical notes in individual client records.						
21(2)(a-c)	A Certified Nursing Aide shall: (a) be at least 18 years old; (b) have a certificate of completion for the employment position within six months of the date of hire; and (c) be certified in CPR and emergency procedures.						
R432-700-22. Persona	l Care Aides.	с	NC	NA	Date	CDI	Notes
22(1)	A Personal Care Aide (PCA) shall be 18 years old.						
22(2)(a-g)	 The licensee shall ensure that PCAs: (a) receive written instructions from the supervisor; (b) perform only the tasks and duties outlined in the service agreement; (c) know of home health agency policy and procedures; (d) receive first aid training; (e) receive orientation and training in aspects of care; (f) demonstrate competency in areas of training for personal care; and (g) receive a minimum of six hours in-service training per calendar year, prorated in the first year of employment. 						

22(3)(a-k)	A PCA may assist clients with the following activities: (a) self-administration of medications by: (i) reminding the client to take medications; and (ii) opening containers for the client; (b) housekeeping; (c) personal grooming and dressing; (d) eating and meal preparation; (e) oral hygiene and denture care; (f) toileting and toilet hygiene; (g) arranging for medical and dental care including transportation to and from appointments; (h) taking and recording temperatures; (i) administering emergency first aid; (j) providing or arranging for social interaction; and (k) providing transportation.						
22(4)	A PCA shall document observations and services in the individual client record.						
R432-700-23. Plan of (lare.	с	NC	NA	Date	CDI	Notes
23(1)(a-c)	For each client, the licensee shall: (a) establish a plan of care for any care, services, or treatment provided by the licensee or any contractor: (b) describe the plan of care in the client's record; and (c) document the activities of the licensee or contractor to implement the plan of care in the client's record.						
23(2)	The plan of care shall be developed and signed by a licensed health care professional in consultation with other agency staff or contract personnel.						
23(3)	Modifications or additions to the initial plan of care shall be made by a licensed health care professional as necessary.						
23(4)	Each plan of care shall be reviewed and approved by the licensed health care professional as the client's condition warrants, at intervals not to exceed 60 days in accordance with the Code of Federal Regulations, Title 42, Part 60, Section c, 2023 edition.						

23(5)	Each written plan of care for skilled services shall be approved by a primary care provider at intervals not to exceed 60 days in accordance with the Code of Federal Regulations, Title 42, Part 60, Section c, 2023 edition.						
23(6)	The person who is assigned to supervise and coordinate care for a client shall have the primary responsibility to notify the attending primary care provider and other staff of any significant changes in the client's status. Any notifications shall be made part of the client's record.						
23(7)(a-k)	The plan of care, developed in accordance with the referring primary care provider's orders, shall include: (a) name of the client; (b) diagnoses; (c) treatment goals stated in measurable terms; (d) services to be provided, at what intervals, and by whom; (e) needed medical equipment and supplies; (f) medications to be administered by designated, licensed personnel; (g) supervision of self-administered medication; (h) diet or nutritional requirements; (i) necessary safety measures; (j) instructions to client and family; and (k) date the plan was initiated and dates of subsequent review.						
<u>R432-700-24. Medicat</u>	ion and Treatment.	с	NC	NA	Date	CDI	Notes
24(1)	Skilled treatment shall be administered only by licensed personnel to comply with a signed order from a person lawfully authorized to give the order.						
24(2)	Medication shall be administered according to signed orders from a person lawfully authorized to give the order.						
	An order that is remotely given shall be:						

24(4)	If medication is administered by agency personnel, the orders and subsequent changes in orders shall be signed by the primary care provider and included in the client's record.						
24(5)(a-d)	Unlicensed staff may administer medication only after delegation by a licensed health care professional under the professional scope of practice with the following requirements: (a) the delegation shall be in accordance with Section R156-31B-701; (b) the medication shall be administered according to the prescribing order; (c) the delegating authority shall provide and document supervision, evaluation and training of unlicensed assistive personnel assisting with medication administration; and (d) the delegating authority or another registered nurse shall be readily available either in person or by telephone.						
24(6)	An order for therapy services shall include the procedures to be used, the frequency of therapy and the duration of therapy.						
24(7)	An order for skilled services shall be reviewed or renewed by the attending primary care provider at intervals not to exceed 60 days. Primary care provider's signature and date shall be evidence of this review or renewal.						
24(8)	Primary care provider orders may be transmitted by facsimile machine. The home health agency shall obtain the original signature, upon request, if verification of the signature is requested.						
R432-700-25. Therapy	R432-700-25. Therapy Services.		NC	NA	Date	CDI	Notes
25(1)	Therapy services offered by the licensee, as either direct or contract services, shall be provided by, or under the supervision of, a licensed or certified therapist in accordance with the plan of care.						

25(2)(a-h)	The qualified therapist shall have the following general responsibilities: (a) provide treatment as ordered and approved by the attending primary care provider; (b) evaluate the home environment and make recommendations; (c) develop the plan of care for therapy; (d) observe and report findings about the client's condition to the attending primary care provider and other staff and document information in the client's record; (e) advise, consult, and instruct other personnel and family about the client's therapy program; (f) provide written instructions for the CNA to promote extension of therapy services; (g) supervise other personnel when appropriate; and (h) participate in in-service programs.						
25(3)(a-c)	A physical, speech, or occupational therapist may additionally perform the following: (a) provide written instructions for personal care aides and certified nursing aides to ensure provision of required services written in the plan of care; (b) supervise aides in the client's home as necessary, and be readily available for consultation by phone; and (c) make supervisory visits with or without the aide's presence, as required.						
R432-700-26. Medical	Supplies and Equipment.	с	NC	NA	Date	CDI	Notes
	The licensee shall develop and follow written medical supply policies and procedures that describe:						
26(1)	supply of or use of durable medical equipment and disposable medical supplies;						
26(2)	categories of medical supplies and equipment available through the agency;						

				<u> </u>				
26(3)		charges and reimbursement for medical supplies and equipment; and						
26(4)		processes for billing medical supplies and equipment to the client, insurance carrier, or another payment source.						
<u>R432-700-27. Social So</u>	ervice	<u>S.</u>	с	NC	NA	Date	CDI	Notes
27(1)		When medical social services are provided by the licensee, the services shall be provided by a certified social worker or by a social service worker supervised by a certified social worker, in accordance with the plan of care.						
27(2)(a-e)		The social worker shall be responsible to: (a) assist team members in understanding significant social and emotional factors related to health problems; (b) participate in the development of the plan of care; (c) prepare clinical notes according to rules and policy; (d) utilize community resources; and (e) participate in in-service programs.						
<u>R432-700-28. Penaltie</u>	<u>es.</u>		с	NC	NA	Date	CDI	Notes
Any person who violate Section 26B-2-208 and		rule may be subject to the penalties enumerated in R432-3	с	NC	NA	Date	CDI	Notes
		Rule Description		1				e #
Rule # R432-35		C = Compliant NC = Not Compliant NA = Not Assessed during this inspection		NC	NA	Compliance Required By Date:	Corrected During Inspection	R
R432-35-4. Covered Provider - DACS Process			с	NC	NA	Date	CDI	4 3 2 8 8 4 4 9 8 9 9 1 9 1 9 1 9 1 9 1 9 1 9 1 9 1 9

R432-35-4(1)	(1) The covered provider shall enter required information into DACS to initiate a certification for direc patient access of each covered individual before issuance of a provisional license, license renewal, or engagement as a covered individual.			R 4 3 2 - 3 5 - 4 (1)
R432-35-4(2)(a)-(b)	(2) The covered provider shall ensure the engaged covered individual: (a) signs a criminal background screening authorization form that is available for review by the department; and (b) submits fingerprints within 15 working days of engagement.			R 4 3 2 - 3 5 - 4 (2) - (b))
R432-35-4(3)	(3) The covered provider shall ensure DACS reflects the current status of the covered individual within five working days of the engagement or termination.			R 4 3 2 - 3 5 - 4 (3)

R432-35-4(4)	(4) The covered provider may provisionally engage a covered individual while certification for direct patient access is pending as permitted in Section 26B-2-239.			
R432-35-4(5)	(5) If the department determines an individual is not eligible for direct patient access, based on information obtained through DACS and the sources listed in Section R432-35-8, the department shall send a notice of agency action, as outlined in Rule R432-30, to the covered provider and the individual explaining the action and the individual's right of appeal.			
R432-35-4(6)	(6) The covered provider may not arrange for a covered individual who has been determined not eligible for direct patient access to engage in a position with direct patient access.			
R432-35-4(7)	(7) The department may allow a covered individual to have direct patient access with conditions, during an appeal process, if the covered individual demonstrates to the department, the work arrangement does not pose a threat to the safety and health of patients or residents.			

R432-35-4(8)	(8) The covered provider that provides services in a residential setting shall enter required information into DACS to initiate and obtain certification for direct patient access for each individual 12 years of age and older, who is not a resident, and resides in the residential setting. If the individual is not eligible for direct patient access and continues to reside in the setting, the department may revoke an existing license or deny licensure for healthcare services in the residential setting.			
R432-35-4(9)(a)-(d)	 (9) The covered provider seeking to renew a license as a health care facility shall utilize DACS to run a verification report and verify each covered individual's information is correct, including: (a) employment status; (b) address; (c) email address; and (d) name. 			
R432-35-4(10)	(10) An individual or covered individual seeking licensure as a covered provider shall submit required information to the department to initiate and obtain certification for direct patient access before the issuance of the provisional license. If the individual is not eligible for direct patient access, the department may revoke an existing license or deny licensure as a health care facility.			