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5122-30-21 Staffing requirements ~~for type 2 facilities~~.

(A) Each ~~type 2~~ facility shall:

~~null Specify the staffing pattern of the facility in the affiliation agreement. Staffing patterns shall be updated annually with affiliation agreements and/or the licensure application;~~

~~(2)~~ (1) Provide sufficient numbers and types of staff in the facility, scheduled for appropriate periods of time during each twenty-four hour period, to assure that the room, board, ~~and/or~~ personal care, ~~and/~~or mental health service needs of each resident are met in a timely manner, as appropriate to the licensure type of the facility and ~~ISP~~ individual needs of each resident;

(2) Specify the minimum staffing pattern of the facility in the resident agreement.

(3) Ensure that ~~residents~~ no resident shall ~~not~~ be required to vacate the facility or shall not have access to the facility at any time because of the absence of available staff;

(4) In a class two or three facility at least one staff person shall be available on or off the premises to residents twenty-four hours per day. In the event that no staff person is on the premises, residents shall be informed of how to locate staff, who shall be promptly available to provide appropriate and needed assistance to residents;

(5) If the facility is locked during any portion of the day, a staff member shall be immediately available on the premises to open the door or each resident shall be provided with a key. The exception is when all residents are with staff on a facility outing. If residents are provided a key, an emergency contact number shall also be posted at all times on the outside of the facility in an easily accessible and viewable area, e.g. a door or first floor window;

(6) In the event that no staff person is on the premises, the operator shall be responsible for ascertaining and ensuring that each resident is capable of self-preservation, and is knowledgeable about obtaining emergency assistance; and

~~(4)~~ (7) Ensure that no resident shall be required or designated to supervise other residents, provide for the personal care or mental health service needs of other residents, or supervise any aspect of the operation or management of the facility;

~~(5)~~ (8) ~~Ensure continuous care for residents in accordance with the ISP.~~ A class one or class two facility providing services to children or adolescents shall maintain continuous staffing.Each shift staffing for a class one facility providing services to children or adolescents shall be provided by staff who are on duty and awake~~;~~.

~~(6)~~ (6) ~~At least one staff person shall be available on or off the premises to residents twenty-four hours per day;~~

~~(7)~~ (7) ~~In the event that no staff person is on the premises, the operator shall be responsible for ascertaining and ensuring that each resident is capable of self-preservation, and is knowledgeable about obtaining emergency assistance; and~~

~~(8)~~ (8) ~~In the event that no staff person is on the premises, residents shall be informed of how to locate staff,~~

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~~who shall be promptly available to provide appropriate and needed assistance to residents.~~

(B) A residential facility which uses volunteers or students shall have a written policy for screening, orientation, training, supervising and assigning volunteers and students, as appropriate to the functions to be performed.

(C) Volunteers or students whose duties include the same general duties as direct care staff shall be trained in the mission of the facility to which they are assigned.

(D) Volunteers or students ~~for practicum experience~~ whose duties include the same general duties as direct care staff shall receive training in accordance with rule 5122-30-20 of the Administrative Code and shall be appropriately supervised by ~~agency~~ provider staff.

(E) Volunteers or students for practicum experience shall be given specific written job descriptions delineating the functions to be performed.

(F) A facility which accepts students for practicum experience shall have a written agreement with each school placing students. This agreement shall, at a minimum, include:

(1) A statement of the students' roles and responsibilities;

(2) A description of the minimum qualifications the students must possess; and

(3) A statement outlining the respective supervisory and evaluation responsibilities of the ~~agency~~ provider and the placing school.

(G) A facility shall not use volunteers or students for practicum experience as replacement for paid staff. Volunteers shall not be counted to meet required staff to client ratios.

(H) The operator shall establish a schedule for staff coverage that includes coverage during vacations, emergency situations, and long-term absences due to illness.

When only one staff member is on duty, the facility shall designate another staff member who can be contacted immediately in case of emergency.

(I) Each class one facility for adults shall have at least one staff person on the premises of the facility who shall be immediately available at all times to residents when residents are present in the facility or on its premises.

Each class one facility for children and adolescents shall have at least one staff person on the premises of the facility for each ten residents, who shall be immediately available at all times to residents when residents are present in the facility or on its premises. At no time should the facility be closed to residents, even when the residents are scheduled to be off the premises. Each shift staffing shall be provided by staff who are on duty and awake.

(J) Each crisis stabilization unit shall ensure the ability to adjust staffing levels according to the number and clinical needs of the persons being served at any given time.

(K) An operator of a class two facility serving children or adolescents shall also assure the following:

(1) Have prior written approval, from the parent/guardian/custodian specifying whether or not the child/adolescent may be left unattended, and if so, for what period of time

(2) Alternative arrangements for the care of a child/adolescent in the facility, by someone other than the operator, or staff, shall be approved in writing from the custodian, guardian, or parent.

(3) The operator shall have a prior written plan of care for the child/adolescent in emergency situations. This plan shall be approved by the custodian, guardian, or parent.

(L) At any time a resident is present in a class two facility, including non-waking hours, weekends, and holidays, with one or more of the following needs, the facility shall ensure the physical presence in the facility of at least one staff member who is qualified in accordance with rule 5122-30-20 of the Administrative Code:

(1) The resident requires assistance with walking and moving, bathing, toileting, dressing, or eating;

(2) The resident requires ongoing supervision;

(3) The resident is non-ambulatory as defined in paragraph (A)(31) of rule 5122-30-03 of the Administrative Code; or

(4) The resident is prescribed one or more medications to be taken or applied on an "as required" or pro re nata (PRN) basis.

(5) If the resident requires assistance with self-administration of any prescription medications, rule 5122-30-28 of the Administrative Code, a staff member shall be present at the time of the self-administration of the medication or medications and remain on duty for a sufficient amount of time to supervise the individual, which shall be a minimum of one hour after the resident self-adminsters the medication, and longer if indicated by physician instructions or the individual's known history of reaction to medication, e.g. an individual with an increased risk of falling for a period of time after taking medication.

(M) A class two facility licensed for five or fewer individuals may temporarily use an individual who is not a staff member to stay in the facility in accordance with the following:

(1) An individual temporarily providing coverage in a home under this paragraph shall meet the following requirements:

(a) At least eighteen years of age;

(b) Be capable of calling for emergency assistance and assisting residents in responding to an emergency;

(c) Not be a resident of the adult care facility

(2) The residents shall not be left without staff members for more than four consecutive hours in any twenty-four hour period and not for more than nine hours in any thirty-day period.

(3) A non-staff member individual shall not provide any personal care services, such as assistance with walking or moving, bathing, toileting, dressing or eating or assistance with self-administration of medications.

(N) The operator shall identify whether the operator or a designated manager is responsible for the day-to-day operations. The operator or manger shall be present in the facility a sufficient number of hours to assure compliance with the Ohio Administrative Code.

(O) No individual shall work in a facility under either of the following circumstances:

(1) During the communicable stage of a disease which may be transmitted in the performance of the individual's job responsibilities; or

(2) When the individual is under the influence of illicit drugs, is using alcohol, or is using medications to the extent that the health or safety of any resident of the facility is jeopardized. Illicit drugs includes the use of illegal drugs and the abuse of prescription medications.