Class Two Residential Facilities Quarterly Meeting

13 March 2018

Licensure and Certification Staff Changes
Licensure & Certification Staff
Michaela Peterson, Deputy Director

Central Office (Columbus)
- Denise Cole, Private Psychiatric Hospitals Administrator & Surveyor Supervisor
- Calvin Daniels, Surveyor – Retiring 4/1/18
- Rosland Hawkins, Program Administrator
- Jill Hay, PT Surveyor (Incident Reports)
- Teri Hill, Surveyor
- Greg Lewis, Program Administrator, Supervisor
- VACANT, Surveyor Supervisor

Licensure & Certification Staff
Michaela Peterson, Deputy Director

Central Office (Columbus)
- Tina Nutter, Surveyor
- Janel M. Pequignot, Chief
- Henry Robinson, Surveyor (Starting 3/18/18)
- Kisha Stewart, Mental Health Administrator
- Holly L. Stone-Zabawski, Surveyor
- Kelly Taynor-Arledge, Surveyor
- Tina Weller, Surveyor
Licensure & Certification Staff

Cincinnati
- LaTaunia Pitts-Wilson, Surveyor
- Joy Sherer, Surveyor

Cleveland
- Cheryl Casto, Surveyor
- Magda (Maggie) Cooper, Surveyor
- Robert (Rob) Huggins, Surveyor
- Sarah Malik, Surveyor
- Donna Sabo, Surveyor
- Vacant, Surveyor
- Vacant, Surveyor Supervisor

Massillon
- Jim Budimlic, Surveyor
- Laura Schering, Surveyor
- Susan Sekely, Surveyor Supervisor

Toledo
- Chris Dunlevy, Surveyor
- Sheila Clark, Surveyor
Webinars

Webinars covering all the rules, including powerpoints and handouts, are available at:


From MHAS Home Page, search “residential standards webinars”, then select “residential standards webinars OAC Chapter 5122-30”

Fire Inspection, Fire Suppression Systems and Food Service Licenses
Every Class Two facility must have fire inspection by certified fire inspector. Deficiencies must be corrected.

- Lic/Cert staff aware that in some communities there is a back-log, in particular in Cleveland

One or more non-ambulatory resident requires smoke detectors, fire alarm, automatic fire extinguishing systems, and two independent means of exit for each occupied floor and cellar.

- Annual alarm and sprinkler system testing
- Facilities licensed as of the effective date of the rule shall have two years from the rule effective date to obtain an automatic fire extinguishing system.
Food Service License

- No change in requirements from former ACF rules

Facility Policies, Procedures and Plans

(The following section does not include policies, procedures and plans included in incident reporting, resident rights & grievance procedures, or resident agreement. It also does not include resident “plans”)

John R. Kasich, Governor
Tracy J. Plouck, Director
**5122-30-12 Safety**

(K) Each facility shall establish a disaster plan appropriate to the facility's location, which includes contingencies for such items as the loss of utility service or the immediate evacuation of residents. The facility shall determine the requirements for training and disaster drills based on the facility's disaster plan, except fire evacuation drills, and shall document the requirements and provision of training and drills.

**5122-30-14 Sleeping and Living Space**

(H) Adequate drawer and closet space shall be provided for each resident to store his/her own clothes and personal belongings. Storage space shall be in the bedroom of each facility serving adults and each adult shall have upon request an individual locked storage space provided by the facility freely available within the facility, with the exception of crisis stabilization units. Facilities serving children shall have some storage space in bedrooms, and additional storage of clothes and belongings may be in staff monitored areas of the facility.

Each facility shall develop a policy regarding the facility's access to the resident's locked storage space and inform the resident of this policy upon admission to the facility.
5122-30-15 Housekeeping and Property Maintenance

(K) The facility shall develop a plan for responding to temperatures outside of the range specified in paragraph (I) of this rule. The plan shall include measures to be taken to assure the health, safety, and comfort of residents.

➢ (I) The facility shall maintain room temperatures appropriate for the comfort and health of residents but shall not exceed eighty-one degrees Fahrenheit.

5122-30-19 Facility Administration and Management

(A) The residential facility shall assure appropriate polices and procedures regarding the administration and management of the facility including compliance with the requirements for licensure. This responsibility shall also include, but may not be limited to:

(1) Arranging for necessary permits and inspections, and paying all fees and costs associated with inspections;

(2) Daily monitoring and supervising staff to assure acceptable performance of assigned job duties and compliance with the requirements for licensure;

(3) Participating in an appropriate and cooperative working relationship with the board or the department;
### 5122-30-19 Facility Administration and Management

(A) The residential facility shall assure appropriate polices and procedures regarding the administration and management of the facility including compliance with the requirements for licensure. This responsibility shall also include, but may not be limited to:

1. **Reporting**
   - (4) Reporting to the department any change regarding facility operation or use that relates to the requirements for licensure;
   - (5) For a class two or three facility, reporting to the department a current emergency contact telephone number for the operator and manager.
   - (6) Securing appropriate, alternative responsibility for the operation and staffing of the facility for planned or unplanned staff/operator absence;

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(A) The residential facility shall assure appropriate polices and procedures regarding the administration and management of the facility including compliance with the requirements for licensure. This responsibility shall also include, but may not be limited to:

1. **Maintaining**
   - (7) Consistently maintaining the finances necessary for the stable and safe operation of the facility;
   - (8) Maintaining a stable and supportive environment for residents of the facility, through respect for the rights of residents, as well as sensitivity and responsiveness to resident's needs, preferences and culturally competent services and care; and

(9) Knowledge of and compliance with federal, state, and local laws concerning the ownership and operation of the facility, including, but not limited to zoning requirements or equal opportunity employment practices.
5122-30-21 Staffing Requirements

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

5122-30-23 Facility Records

(B) The facility shall also maintain:
(1) Fire and other disaster policies and procedures, including evacuation, emergency contact, etc.
(D) Each staff record shall be stored in a locked area accessible only by individuals permitted by facility policy or state or federal law.
5122-30-28 Medication

(F)(3) The residential facility shall develop and follow written procedures for the disposal of any prescribed medications that are no longer being used by the person for whom they were prescribed. This shall include that disposal of prescribed medications is verified and recorded by two staff members of an independent external entity. Records of medication destroyed by the facility shall be maintained for a minimum of three years or longer if required by law.

Content of Resident Agreements

Disclaimer: The following does not contain all the rule requirements of resident agreements
5122-30-24 Resident Agreement

- Specifications of accommodations
- Supervision
- Personal care services available to a resident
- Monthly charges and additional itemized fees
- If facility accepts RSS, statement that monthly charges for room and board, supervision and personal care services cannot exceed limits in OAC Chapter 5122-36 (Currently $1100)
- Information regarding refund of resident's monthly charges in the event of the absence from the facility.
- If security deposit is required, amount, and terms for refunding deposit resident in the event of the resident's discharge or transfer from the facility.

5122-30-24 Resident Agreement

- Statement that no charges, fines, or penalties will be assessed against the resident other than those stipulated in agreement.
- Statement that operator will provide thirty day prior verbal and written notification if increasing monthly charges.
- Procedures to be used for the referral of a resident with mental illness for mental health evaluation and services and the role of the facility
- Facility policies the resident must follow, including smoking policy or "house rules" if applicable
  - Contained in agreement, or agreement references posted policies/house rules
Visitation policy
Roommate policy
Statement that facility may not assume payeeship for a resident's income, require income checks to be signed over to or be cashed by facility staff, or establish any controls over the handling of any resident's funds
If facility offers central locked storage for resident funds & valuables, whether the resident may:
  - Access his/her property at any time upon request OR
  - Schedule of hours each day during which a resident may access his/her property
Other Rules Which Contain Resident Agreement Content Requirements

5122-30-15 Housekeeping and property maintenance.
(G) Resident responsibilities for assisting in cleaning, and for maintaining an acceptable housekeeping standard, shall be specified in the residential agreement between the operator and the resident. Regardless of the resident agreement, the operator remains solely responsible for assuring a clean facility.

5122-30-21 Staffing requirements.
(2) Specify the minimum staffing pattern of the facility in the resident agreement.

Personal Care Services Plan & Progress Notation
**5122-30-26 Provisions of Personal Care in Class One and Two Facilities**

(E) Each resident, in conjunction with the facility staff and the referring entity, if applicable, shall determine the individualized personal care services to be provided, and the resulting specific obligations and responsibilities of the facility to provide for those personal care needs.

(F) The agreed-upon, specific personal care services to be performed by the facility for the individual resident shall be written in a personal care service plan developed by the facility within fourteen days of a resident's admission. A class one facility may develop a separate personal care service plan or may include the personal care services to be provided in the resident's individualized treatment plan.

**5122-30-23 Facility Records**

(A) Each facility shall maintain resident and staff records, including at a minimum:

(2) For each resident, the facility shall maintain:

(j) Personal care services plan for residents of class one and class two facilities, or notation that the resident is not in need of personal care services.

(k) Notation of provision of personal care services, including the resident’s progress or functional status, in accordance with the following schedule:

(ii) For residents of a class two facility, at least weekly.
Resident Rights and Grievance Procedures

Brief Summary

5122-30-23 Facility Records

- Develop and post resident rights policies and procedures in area(s) accessible to residents
- OK to “cut and paste” list of rights
- Use rule as template for grievance procedures including identifying Resident Rights Advocate
- Train all staff on rights policy and grievance procedures
- Provide verbal explanation of rights & grievance procedures to residents. Provide written copy upon resident request.
- Provide management oversight to assure staff are respectful of resident rights
- Assist resident in filing grievance upon request
- Follow time frames in making resolution decision
- Maintain documentation of grievances at least three years
Questions?