

3701-17-05

**Prohibitions.**

- (A) No nursing home, except a nursing home that is owned and operated by, and physically part of, a hospital registered under section 3701.07 of the Revised Code, may use the word "hospital" in its name or letterhead.
- (B) No applicant for a license to operate a nursing home shall accept more than two residents, who require skilled nursing care or personal care services, before receiving a license.
- (C) No operator, administrator, employee, or other person shall:
- (1) Interfere with the inspection of a licensed nursing home by any state or local official who is performing duties required by Chapter 3721. of the Revised Code. All licensed nursing homes shall be open for inspection. As used in this paragraph, "interfere" means to obstruct directly or indirectly any individual conducting an authorized inspection from carrying out his or her prescribed duties. Interference includes, but is not limited to, harassment, intimidation, delay of access to premises or records, and refusal to permit the director or his authorized representative upon presentation of official department identification, for the purpose of inspecting or investigating the operation of a nursing home, to enter and inspect at any time a building or premise where a home is located, or to enter and inspect records which are kept concerning the operation of the home for information pertinent to the legitimate interest of the department including, but not limited to, the records and reports required by rule 3701-17-19 of the Administrative Code.
  - (2) Use profane or abusive language directed at or in the presence of residents or the director or his authorized representatives.
  - (3) ~~Set up beds for resident use in a nursing home which exceeds~~ Exceed the nursing home's authorized maximum licensed capacity.
  - (4) Knowingly falsify records, or misrepresent information to the director.
  - (5) Allow transient guests to remain in a licensed part of a home for more than thirty-six hours in any seventy-two hour period. Accommodations for transient guests may be provided in an area or areas outside the licensed part of a home.
- (D) For purposes of this rule, "transient guest" means an individual, whether related to a resident or not, who stays in a home. "Transient guest" does not include an individual who stays in a home for a period of time not exceeding fourteen days and is:
- (1) Admitted to the home for short term respite care;

(2) Staying with a resident upon admission to the home; or

(3) Staying with a resident receiving end-of-life care.

Effective: 1/1/2018

Five Year Review (FYR) Dates: 8/8/2017 and 11/01/2022

CERTIFIED ELECTRONICALLY

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Certification

10/19/2017

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Date

Promulgated Under: 119.03

Statutory Authority: 3721.04

Rule Amplifies: 3721.01, 3721.07, 3721.06, 3721.04

Prior Effective Dates: 5/2/1966, 11/15/76, 9/30/88, 12/21/92, 10/20/01,  
4/1/2012