

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.
- (D) For purposes of this paragraph, "transient guest" means an individual, whether related to a resident or not, who stays in a licensed part of a home for more than twenty-four consecutive hours. No nursing home shall house transient guests overnight in a licensed part of a home. Overnight accommodations may be provided in an area or areas outside the licensed part of a home.

Effective:

Five Year Review (FYR) Dates: 08/08/2017

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 3721.04  
Rule Amplifies: 3721.01, 3721.04, 3721.06, 3721.07  
Prior Effective Dates: 5/2/1966, 11/15/76, 9/30/88, 12/21/92, 10/20/01,  
4/1/2012