

## TO BE RESCINDED

3701-17-58                    **Resident health assessments.**

- (A) The residential care facility, in accordance with this rule shall require written initial and periodic health assessments of prospective and current residents. The different components of the health assessment may be performed by different licensed health professionals, consistent with the type of information required and the professional's scope of practice, as defined by applicable law. In conducting the assessment, the licensed health professional may use resident information obtained by or from unlicensed staff as long as the licensed health professional evaluates such information in accordance with their applicable scope of practice. The residential care facility shall ensure that all components of the assessments required by this rule are completed and that residents do not require accommodations or services beyond those that the residential care facility provides. Each residential care facility shall, on an annual basis, offer to each resident a vaccination against influenza and a vaccination against pneumococcal pneumonia as required by section 3721.041 of the Revised Code.
- (B) Each resident shall be initially assessed within forty-eight hours of admission, except that paragraphs (C)(11) and (C)(12) of this rule shall be performed within fourteen days after admission. If the resident had an assessment meeting the requirements of paragraph (C) of this rule performed no more than ninety days before beginning to reside in the residential care facility, the resident is not required to obtain another initial assessment.
- (C) The initial health assessment shall include documentation of the following:
- (1) Medical diagnoses, if applicable;
  - (2) Psychological history, if applicable;
  - (3) Health history and physical, including cognitive functioning and sensory and physical impairments;
  - (4) Developmental diagnosis, if applicable;
  - (5) Prescription medications, over-the-counter medications, and dietary supplements;
  - (6) Dietary requirements, including any food allergies;
  - (7) Height and weight;
  - (8) A functional assessment which evaluates how the resident performs activities of daily living and instrumental activities of daily living. For the purposes of this paragraph, "instrumental activities of daily living" means using the telephone,

acquiring and using public and private transportation, shopping, preparing own meals, performing housework, laundering, , and managing financial affairs;

- (9) Type of care or services, including the amount, frequency, and duration of skilled nursing care the resident needs as determined by a licensed health professional in accordance with the resident's assessment under paragraph (C) of this rule;
- (10) A determination by a physician or other licensed healthcare professional working within their scope of practice, as to whether or not the resident is capable of self-administering medications. The documentation also shall specify what assistance with self-administration, as authorized by paragraph (F) of rule 3701-17-59 of the Administrative Code, if any, is needed or if the resident needs to have medications administered in accordance with paragraphs (G) and (H) of rule 3701-17-59 of the Administrative Code;
- (11) If skilled care is provided to the resident by staff members, a determination by a physician or other licensed healthcare professional working within their scope of practice of:
  - (a) Whether the resident's personal care needs have been affected by the skilled nursing care needs, other than the administration of medication or supervision of special diets; and
  - (b) Whether any changes are required in the manner personal care services are provided. The individual conducting the assessment shall establish the extent, if any, of the changes required.
- (12) If skilled nursing care is provided to the resident by staff members, the resident's attending physician or other licensed healthcare professional working within their scope of practice, shall sign orders documenting the need for skilled nursing care, including the specific procedures and modalities to be used and the amount, frequency, and duration. This care shall be provided and reviewed pursuant to paragraph (B) of rule 3701-17-59.1 of the Administrative Code.
- (13) If the resident has been determined to have medical, psychological, or developmental or intellectual impairment, the assessment must include:
  - (a) A plan for addressing the assessed needs of the resident;
  - (b) The need for physical environment and design features to support the functioning of residents with assessed needs; and
  - (c) The need for increased supervision, due to decreased safety awareness or other assessed condition.

- (D) Subsequent to the initial health assessment, the residential care facility shall require each resident's health to be assessed at least annually unless medically indicated sooner. The annual health assessment shall be performed within thirty days of the anniversary date of the resident's last health assessment. This health assessment shall include documentation of at least the following:
- (1) Changes in medical diagnoses, if any;
  - (2) Updated dietary requirements, including any food allergies;
  - (3) Height and weight;
  - (4) Prescription medications, over-the-counter medications, and dietary supplements;
  - (5) A functional assessment as described in paragraph (C)(8) of this rule;
  - (6) If the resident has been determined to have medical, psychological, or developmental or intellectual impairment, an assessment as described in paragraph (C)(13) of this rule;
  - (7) Type of care or services, including the amount, frequency, and duration of skilled nursing care, the resident needs as determined by a licensed health professional in accordance with paragraph (D) of this rule;
  - (8) A determination by a physician or other licensed healthcare professional working within their scope of practice, as to whether or not the resident is capable of self-administering medications. The documentation also shall specify what assistance with self-administration, as authorized by paragraph (F) of rule 3701-17-59 of the Administrative Code, if any, is needed or if the resident needs to have medications administered in accordance with paragraphs (G) and (H) of rule 3701-17-59 of the Administrative Code; and
  - (9) If skilled care is provided to the resident by staff members, a determination by a physician or other licensed healthcare professional working within their scope of practice, of:
    - (a) Whether the resident's personal care needs have been affected by the skilled nursing care needs, other than the administration of medication or supervision of special diets; and
    - (b) Whether any changes are required in the manner personal care services are provided. The individual conducting the assessment shall establish the extent, if any, of the changes required.

- (E) The residential care facility shall require each resident's health to be assessed if a change in condition or functional abilities warrants a change in services or equipment. The assessment shall include, as applicable, documentation of paragraphs (D)(1) to (D)(9) of this rule. The facility shall make a good faith effort to obtain information from residents about assessments independently obtained outside the facility.
- (F) Prior to admitting or transferring a resident to a special care unit that restricts the resident's freedom of movement, the residential care facility shall ensure that a physician or other licensed healthcare professional working within their scope of practice, has made a determination that the admission or transfer to the special care unit is needed. This determination shall be updated, to include both improvement and decline, during the periodic reassessment required by paragraph (D) of this rule. Prior to admission to the special care unit, the residential care facility shall provide the resident with an updated resident agreement required by rule 3701-17-57 of the Administrative Code and with the facility's policy on care of residents by means of a special care unit required by paragraph (E)(5) of that rule. No resident shall be admitted to a secured special care unit based solely on his or her diagnosis.
- (G) If a resident needs services or accommodations beyond that which a residential care facility is authorized to provide or beyond that which the specific facility provides, refuses needed services, or fails to obtain needed services for which the resident agreed to be responsible under the resident agreement required by rule 3701-17-57 of the Administrative Code, the residential care facility shall take the following action:
- (1) Except in emergency situations, the residential care facility shall meet with the resident, and, if applicable, the resident's sponsor and discuss the resident's condition, the options available to the resident including whether the needed services may be provided through a medicaid waiver program, and the consequences of each option;
  - (2) If the lack of needed services has resulted in a significant adverse change in the resident, the residential care facility shall seek appropriate intervention in accordance with paragraph (A) of rule 3701-17-62 of the Administrative Code. If an emergency does not exist the facility shall provide or arrange for the provision of any needed services that the resident has not refused until the resident is discharged or transferred or the resident and the facility have mutually resolved the issue in a manner that does not jeopardize the resident's health or the health, safety or welfare of the other residents. This paragraph does not authorize a facility to provide skilled nursing care beyond the limits established in section 3721.011 of the Revised Code; and
  - (3) The residential care facility shall transfer or discharge the resident in accordance with section 3721.16 of the Revised Code and Chapter 3701-61 of the

Administrative Code if the resident needs skilled nursing care or services beyond what the facility provides and the residential care facility, based on the meeting with the resident required by paragraph (G)(1) of this rule, determines that such action is necessary to assure the health, safety and welfare of the resident or the other residents of the facility. The residential care facility may retain a resident who refuses available services if doing so does not endanger the health, safety, and welfare of other residents and the resident does not require services beyond that which a facility is authorized to provide under Chapter 3721. of the Revised Code and rules 3701-17-50 to 3701-17-68 of the Administrative Code.

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CERTIFIED ELECTRONICALLY

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Certification

01/04/2018

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Date

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