

3701-18-09

Personnel requirements for training and competency evaluation programs.

(A) Each approved TCEP shall be administered by a program coordinator who possesses the qualifications prescribed by paragraph (B) of this rule. The program shall enter into a written agreement with the program coordinator providing for his or her service in that capacity, except a facility-based TCEP is not required to have a written agreement if the program coordinator is an employee of the facility operating the program. If a program coordinator leaves the program, the program:

- (1) Shall notify the director immediately;
- (2) May complete the program currently in progress; and
- (3) Shall not begin a new program until the program contracts with a qualified replacement or substitute and that individual begins functioning as the program coordinator.

(B) A program coordinator for an approved TCEP shall meet all of the following requirements:

- (1) Shall possess a current, valid license to practice nursing as a registered nurse issued under Chapter 4723. of the Revised Code or other state code. In the case of a facility-based TCEP, a director of nursing who meets the qualifications of paragraph (B) of this rule may serve as the program coordinator, but shall not serve as a primary instructor or perform skills testing;
- (2) Shall have a minimum of two years of nursing experience as a licensed registered nurse, at least one of which shall be in the provision of long-term care facility services; and
- (3) Shall have successfully completed a TTT program approved by the director or the director's designee pursuant to division (D) of section 3721.31 of the Revised Code and paragraph (A) of rule 3701-18-16 of the Administrative Code. An individual shall be considered to meet the requirements of this paragraph if he or she has received the training manual required by paragraph (D) of rule 3701-18-21 of the Administrative Code from an approved TTT program and if he or she meets one of the following requirements:
 - (a) Received, before September 30, 1989, an approval number as a "teaching network instructor" from the "Ohio teaching network program" sponsored by the nursing home areawide training centers established

under section 3721.41 of the Revised Code and has successfully completed instruction from an approved TTT program covering TTT program curriculum topic areas II, and V as prescribed in the appendix to rule 3701-18-06 of the Administrative Code as it existed prior to September 5, 1993;

- (b) Possesses a bachelor's or master's degree or a doctorate in education or possesses a currently valid vocational education certificate for teaching health occupations issued by the Ohio board of education. He or she also has successfully completed instruction from an approved TTT program covering the following TTT program curriculum, as prescribed by the appendix to rule 3701-18-21 of the Administrative Code: topic area II; standard III.1; standard III.4; standard VI.3; and topic area VIII. For the purposes of this paragraph, "vocational education certificate" means either a permanent certificate issued under section 3319.26 of the Revised Code, a professional certificate issued under section 3319.25 of the Revised Code, a provisional certificate issued under section 3319.24 of the Revised Code, or a one-year vocational certificate issued under former section 3319.281 of the Revised Code;
- (c) Possesses the qualifications prescribed by paragraphs (C)(1)(a), (C)(1)(b), (C)(1)(c), and (C)(1)(d) of rule 3701-18-18 of the Administrative Code and either has taught an entire approved twenty-eight hour TTT program or the TTT program instruction described in paragraph (B)(3)(b) of this rule, or has completed successfully the instruction from an approved TTT program described in paragraph (B)(3)(b) of this rule; or
- (d) Has been granted a variance from part or all of the requirements of this paragraph pursuant to paragraph (G) of this rule.

~~An individual who met the requirements of paragraph (A) of rule 3701-18-04.1 of the Administrative Code as it existed before September 5, 1993 and who has not had any lapse of twenty-four or more consecutive months in service as a program coordinator of an approved and operating TCEP shall be considered to meet the requirements of this paragraph.~~

- (4) An individual who met the requirements of paragraph (A) of rule 3701-18-04.1 of the Administrative Code as it existed before September 5, 1993 and who has not had any lapse of twenty-four or more consecutive months in service as a program coordinator of an approved and operating TCEP shall be considered to meet the requirements of this paragraph.

- (C) The program coordinator of an approved TCEP shall be responsible for the overall administration and accountability of the program, which includes being accessible to the primary instructors and trainees whenever the program is operating and assuring the program's compliance with the applicable provisions of this chapter.
- (D) ~~Approved~~ An approved TCEP shall arrange for individuals to serve as primary instructors in accordance with the applicable provisions of this rule.
- (1) The primary instructors of a TCEP collectively shall be responsible for providing the instruction required by rule 3701-18-12 of the Administrative Code and for supervising instruction by guest lecturers.
 - (2) Programs may use individuals who possess the qualifications of a primary instructor as substitutes in cases of absences, vacations, and emergencies.
 - (3) In the case of a facility-based TCEP for which the facility's director of nursing serves as the program coordinator, he or she shall not serve as a primary instructor or perform skills testing.
- (E) Each TCEP shall arrange for the services of a sufficient number of primary instructors to provide the classroom instruction and to maintain, at minimum, a ratio of one primary instructor for every eight trainees for the clinical experience portions of the program. Each primary instructor shall meet all of the following requirements:
- (1) Shall possess a current, valid license to practice nursing as a registered nurse issued under ~~chapter~~ Chapter 4723. of the Revised Code. In the case of a facility-based TCEP, an individual who possesses a current, valid license to practice nursing as a licensed practical nurse issued under Chapter 4723. of the Revised Code may serve as a primary instructor;
 - (2) Shall have a minimum of two years of experience in caring for the elderly or chronically ill of any age. This experience may be obtained through employment in a long-term care facility, geriatrics department, home health agency, hospital providing care to chronically ill individuals, or other long-term care setting. Experience in evaluating, in a long-term care setting, the clinical skills of individuals providing care shall be considered experience in caring for the elderly or chronically ill; and
 - (3) Shall possess the qualifications prescribed by paragraph (B)(3) of this rule or have been granted a variance from those qualifications pursuant to paragraph (G) of this rule.

~~The program coordinator may serve as a primary instructor except in a facility-based TCEP in which the facility's director of nursing is the program coordinator.~~

(4) The program coordinator may serve as a primary instructor except in a facility-based TCEP in which the facility's director of nursing is the program coordinator.

(F) No approved TCEP shall permit an individual to serve as program coordinator or a primary instructor if he or she has not served as either a program coordinator or as a primary instructor of at least one TCEP or faculty member of at least one TTT program within the previous twenty-four consecutive months, unless the individual meets both of the following requirements:

(1) Currently possesses the qualifications prescribed by paragraph (B) or (E) of this rule, as applicable; and

(2) Within the previous twenty-four months has successfully completed instruction from a TTT program approved by the director or the director's designee under division (D) of section 3721.31 of the Revised Code and paragraph (A) of rule 3701-18-16 of the Administrative Code that covers TTT program curriculum topic areas II and VIII, and standards II.4 and VI.3, as prescribed in the appendix to rule 3701-18-21 of the Administrative Code.

(G) The director or the director's designee may grant a variance from part or all of the requirements of paragraph (B)(3) of this rule, if the individual who is to serve as the program coordinator or primary instructor provides documentation evidencing training or education achievements and teaching experience comparable to that specified in paragraph (B)(3) of this rule. The director or designee may grant a waiver from the requirement of paragraph (F) of this rule, if the individual provides documentation evidencing that he or she, during the twenty-four month period, has provided or coordinated training comparable to a TCEP or had other comparable experience.

(1) The request for a variance or waiver shall be made in writing to the director or the designee. The director or designee may establish conditions that the individual must meet for the variance or waiver to be operative.

(2) An individual whose request for a variance or waiver has been denied may request an informal conference with the director or designee concerning the denial, if requested within thirty days of the mailing of the notice of denial, but denial of a request for a variance or waiver does not entitle the individual to a hearing under Chapter 119. of the Revised Code.

- (H) The program coordinator or a primary instructor shall personally supervise all clinical experience. As used in this paragraph, "personally supervise" means to be present physically on the floor where the trainee is providing services, to be available at all times to respond to requests for assistance from the trainee, and to be within a distance which allows the coordinator or instructor periodically to observe the trainee providing services.
- (I) The program coordinator of a TCEP may arrange for an individual or individuals to serve as guest lecturers to provide training in their areas of expertise and within their scopes of practice, if needed to meet planned program objectives for a particular portion of the program. A guest lecturer shall not conduct any skills testing or other form of evaluation. No more than thirty hours of the total classroom instruction may be taught by guest lecturers or by a combination of guest lecturers and media presentations. Each guest lecturer shall be registered, certified, or licensed to practice in his or her area of expertise in Ohio, if required by law, or shall be otherwise appropriately qualified. Each guest lecturer also shall have knowledge of current developments relevant to the instruction he or she will provide.
- (J) An approved TCEP's guest lecturers may include but are not limited to licensed health professionals, dietitians, sanitarians, ombudsmen, counselors, activities specialists, gerontologists, fire safety experts, residents, or nurse aides. Nurse aides who serve as guest lecturers shall possess the qualifications prescribed by division (B) or (C) of section 3721.28 of the Revised Code and paragraph (B) or (C) of rule 3701-17-07.1 of the Administrative Code, as applicable. Guest lecturers providing instruction concerning direct care of long-term care facility residents shall have had at least one year of experience caring for the elderly or chronically ill of any age. Guest lecturers shall not supervise any clinical experience.
- (K) Approved programs may use videotapes, films, audio tapes, interactive videodiscs, or similar media to augment classroom instruction.
 - (1) When a program uses a videotape, film, audio tape, interactive videodisc, or similar medium for a portion of the classroom instruction, a primary instructor or guest lecturer shall be available in person, at minimum, at the conclusion of the presentation to respond to questions and generate discussion about the presentation.
 - (2) Not more than thirty hours of the minimum number of hours of classroom instruction for a TCEP may be taught through use of videotape, films, audio tapes, interactive videodiscs, or similar media, or through a combination of guest lecturers and media presentations. Videotapes, films, audio tapes, interactive videodiscs, or similar media or a combination of media

presentations shall not be used for more than two consecutive hours or, for more than a total of six hours in any day, or more than fifteen of the thirty hour total.

- (3) Use of an interactive videodisc system does not relieve a program of its responsibility to conduct the evaluation of the trainee required by rule 3701-18-13 of the Administrative Code.

Effective:

R.C. 119.032 review dates: 12/28/2011

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 3721.28, 3721.29, 3721.30
Rule Amplifies: 3721.28, 3721.29, 3721.30, 3721.21, 3721.31,
3721.32, 3721.33, 3721.34
Prior Effective Dates: 8/31/1989 (Emer.), 12/1/89 (Emer.), 4/20/90 (Emer.),
7/16/90, 9/5/93, 2/10/02, 5/1/07