

3701-19-09

**General requirements for hospice care program personnel.**

- (A) Each hospice care program shall utilize personnel that have appropriate training and qualifications for the services that they provide. Any staff member, including a volunteer, who functions in a professional capacity shall meet the standards applicable to that profession, including but not limited to, possessing current Ohio licensure, registration, or certification, if required by law, and practicing within the applicable scope of practice.
- (B) The hospice care program shall provide each staff member, including volunteer and contracted staff members, with a written job description delineating his or her responsibilities. The program shall assure that the services provided by staff members, including volunteers and contracted staff, are provided:
- (1) In accordance with the patients' plans of care;
  - (2) In accordance with the policies and procedures developed by the interdisciplinary team;
  - (3) In accordance with current and accepted standards of practice;
  - (4) By staff members who comply with the program's employee health policies;
    - (a) The hospice care program shall have written employee health policies which include the following requirements for any staff, including volunteers, temporary agency employees, or paid consultants used by the hospice program who has direct patient contact;
    - (b) The hospice care program shall have a written plan to ensure the health and safety of hospice patients that includes policies and procedures regarding screening of staff, including volunteers, for communicable diseases;
    - (c) The hospice care program shall have written policies and procedures regarding measures taken to prevent staff, including volunteers, with direct hospice patient contact who have been diagnosed with a communicable disease from transmitting this disease to patients, care givers or other staff. The policies shall indicate when infected or ill staff must not render direct patient care; and
    - (d) The hospice care program shall document, as applicable, compliance with United States department of labor's occupational safety and health administration, United States- centers for disease control and prevention, and applicable Ohio department of health standards concerning health

requirements for staff provision of services in health care settings, including requirements for maintaining tuberculosis control.

- (5) Documented in the patient's central clinical record.
- (C) Each hospice care program shall ensure that all personnel treat each patient and each patient's property with respect, do not abuse, exploit, or neglect patients, and do not misappropriate a patient's property in accordance with section 3721.23 of the Ohio Revised Code.
- (D) Each hospice care program shall employ personnel without discrimination on the basis of sex, age, race, creed, national origin, or handicap.
- (E) Each hospice care program shall provide both orientation and ongoing training program for its personnel, including volunteers.
  - (1) The orientation shall be appropriate to the tasks each member will be expected to perform; and
  - (2) The continuing training shall be designed to assure maintenance of appropriate skill levels and ensure that all personnel are informed of changes in techniques, philosophies, and goals of the hospice care program.
- (F) Each hospice care program shall evaluate the performance of each staff member regularly.
- (G) Except as provided in Chapter 3701-13 of the Administrative Code, no hospice care program shall employ a person who applies on or after January 27, 1997, for a position that involves the provision of direct care to an older adult, if the person:
  - (1) Has been convicted of or pleaded guilty to an offense listed in division (C)(1) of section 3712.09 of the Revised Code; or
  - (2) Fails to complete the form(s) or provide fingerprint impressions as required by division (B)(3) of section 3712.09 of the Revised Code.

Effective: 1/23/2020  
Five Year Review (FYR) Dates: 11/6/2019 and 01/13/2025

CERTIFIED ELECTRONICALLY

---

Certification

01/13/2020

---

Date

Promulgated Under: 119.03  
Statutory Authority: 3712.03  
Rule Amplifies: 3712.01, 3712.06, 3712.09  
Prior Effective Dates: 12/31/1990, 09/05/1997, 10/17/1999, 08/23/2009,  
02/15/2015