

TO BE RESCINDED

5122-30-26

Provisions of personal care in type 1 and 2 facilities.

- (A) The provisions of this rule are applicable to type 1 and 2 residential facilities which are required to provide personal care services. The provision of room and board shall be secondary or ancillary to the primary purpose of the facility to provide personal care, but the provision of room and board for an individual resident need not terminate in the event that personal care assistance is no longer needed by or is being provided for the individual resident. Additionally, the facility may admit a person not in need of personal care, but shall be required to be licensed as a type 2 facility if the facility provides personal care to at least one resident. The provision of personal care service to a child or adolescent shall also include the consent of the parent, guardian or custodian, as appropriate. Such personal care to a child or adolescent shall be age appropriate, consistent with specified client rights requirements and, as appropriate, ISP recommendation.
- (B) Personal care services include assisting residents in activities of daily living, assisting residents with self-administration of medications and/or the preparation of special diets, as specified in division (A)(1)(c) of section 5119.22 of the Revised Code.
- (1) Personal care service, advice and assistance shall be provided to each mental health resident in accordance with that resident's individual needs and preferences. The requirement to provide such personal care shall not be construed to require or permit the imposition of such activity, advice, or assistance on any matter in which the resident is able to perform the activity under his own direction.
- (2) Personal care service, advice, or assistance shall be provided in a manner and to an extent that supports individual stability, growth, privacy and personal dignity. No commentary or information about any resident's personal care skills or needs shall be communicated to any other persons without the permission of the resident.
- (C) Each resident, in conjunction with the facility staff and the referring mental health entity, or the resident's current mental health provider, shall determine the individualized personal care services to be provided, and the resulting specific obligations and responsibilities of the facility to provide for those personal care needs.
- (1) The agreed-upon, specific personal care services to be performed by the facility for the individual resident shall be written in the individualized service plan, and the residential agreement between the facility and the resident.

- (2) Monthly progress notation documentation of personal care services rendered shall be maintained in the residential facility.
- (D) Personal care service, advice, or assistance may be provided to a resident in regard to the budgeting and management of his money
- (E) Residents shall be encouraged to participate in community activities, social events and mental health services. The facility staff shall demonstrate a reasonable effort to facilitate and support such involvement by providing at least one local daily newspaper or current community activity brochures and advertisements, and provide transportation or information about the accessibility of transportation.
- (F) The facility shall demonstrate reasonable provision for social and recreation activities, or opportunity for such activities, within the facility by residents. This shall include, but not be limited to, the provision of television. Sufficient, well-lighted space shall be provided for engaging in crafts, reading, or games. The staffing pattern for the facility shall assure reasonable amounts of time for staff to engage in social and recreational activity with residents.
- (G) The operator(s), and/or staff shall be responsible for the care of a child/adolescent.
- (1) Alternative arrangements for the care of a child/adolescent in the facility, by someone other than the operator, or staff, shall be approved in writing from the custodian, guardian, or parent.
 - (2) The operator shall have a prior written plan of care for the child/adolescent in emergency situations. This plan shall be approved by the custodian, guardian, or parent.
- (H) An operator shall have prior written approval, from the parent/guardian/custodian, for each child/adolescent specifying whether or not the child/adolescent may be left unattended, and if so, for what period of time.

Effective: 01/01/2018

Five Year Review (FYR) Dates: 01/20/2017

CERTIFIED ELECTRONICALLY

Certification

04/05/2017

Date

Promulgated Under: 119.03
Statutory Authority: 5119.34
Rule Amplifies: 5119.34
Prior Effective Dates: 5-10-1979, 1-1-2000