

## TO BE RESCINDED

173-3-06.5                    **Personal care service.**

## (A) Definitions:

- (1) "Personal care service" means a service comprised of tasks that help a consumer achieve optimal functioning with ADLs and IADLs. Examples of components of a personal care service are:
  - (a) Tasks that are components a homemaker service under rule 173-3-06.4 of the Administrative Code, if the tasks of the homemaker service are specified in the consumer's care plan and are incidental to the care furnished, or are essential to the health and welfare of the consumer, rather than the consumer's family;
  - (b) Tasks that assist the consumer with managing the household, handling personal affairs, and providing assistance with self-administration of medications;
  - (c) Tasks that assisting the consumer with ADLs and IADLs; and,
  - (d) Respite services.
- (2) "Personal care aide" ("PCA") means the person who performs the activities of a personal care service.

## (B) Minimum requirements for a personal care service:

- (1) In general:
  - (a) In home: The provider shall only perform a personal care service in the consumer's home, with the exception of routine transportation tasks that are components of a homemaker service.
  - (b) Availability: The provider shall maintain the capacity to provide personal care services at least five days a week and possess a back-up plan for providing the service when the provider has no PCA available.
  - (c) Records: For each service performed, the provider shall document the consumer's name; service date, arrival time, and departure time; service description; service units; name of each PCA in contact with the

consumer; provider's signature; and consumer's signature.

(2) PCA qualifications:

- (a) ODA recommends that a provider not allow an employee to begin providing the service unless the employee is listed on the Ohio department of health's nurse aide registry or has successfully completed the "Council on Aging Learning Advantages" program. However, the provider may allow any employee to provide the service if the provider has documentation that the employee successfully completed one or more of the following:
  - (i) One year of employment as a supervised home health aide or nurse aide that included the successful passage of written testing and skill testing by return demonstration;
  - (ii) A vocational program in a healthcare field that included the successful passage of written testing and skill testing by return demonstration; or,
  - (iii) Sixty hours of training on the following topics that included successful passage of written testing and skill testing by return demonstration:
    - (a) Communications skills, including the ability to read, write, and make brief and accurate oral/written reports;
    - (b) Universal precautions for infection control, including hand washing and the disposal of bodily waste;
    - (c) A homemaker service under rule 173-3-06.4 of the Administrative Code;
    - (d) Recognition of emergencies, knowledge of emergency procedures, and basic home safety;
    - (e) Reading and recording temperature, pulse, and respiration;
    - (f) Basic elements of body functioning and changes in body function that should be reported to a supervisor;

- (g) Physical, emotional, and developmental needs of consumers, including the need for privacy and respect for consumers and their property;
    - (h) Techniques in personal hygiene and grooming that include bed, tub, shower, and partial bath techniques; shampoo in sink, tub, or bed; nail and skin care; oral hygiene; toileting and elimination; safe transfer and ambulation; normal range of motion and positioning; and adequate nutrition and fluid intake; and,
    - (i) Observation, reporting, and documentation of consumer status and services provided.
  - (b) Before allowing a person to provide a personal care service as a PCA, the provider shall conduct written testing and skill testing by return demonstration of the person on the topics under paragraph (B)(2)(a)(iii) of this rule. The provider shall document the completion of training and testing, including the site and date of the training, the number of hours of training performed, a list of instructional materials and subject areas covered, the qualifications of the trainer and the tester, the trainer's and tester's signatures, and all testing results.
- (3) Employee manual: The provider shall maintain, comply with, and make available upon request a written manual of company policies and procedures that, at a minimum, shall address:
  - (a) The procedure for reporting and documenting an incident;
  - (b) The need to obtain the consumer's written permission before releasing information concerning the consumer to anyone;
  - (c) The content, handling, storage, and retention of consumer records; and,
  - (d) Personnel matters, including job descriptions, qualifications to provide the service, performance appraisals, documentation of orientation training, and an employee code of ethics.
- (4) PCA training:
  - (a) Orientation training: Before allowing an employee to have direct,

face-to-face contact with a consumer, the provider shall provide the PCA or other employee with orientation training that, at a minimum, addresses the expectations of employees, the employee code of ethics, and overview of the provider's personnel policies, incident reporting procedures, the provider's organization and lines of communication, and emergency procedures.

- (b) Additional training: The provider shall conduct additional training and skill testing by return demonstration of PCAs who are expected to provide tasks that are not included in the training topics listed in paragraph (B)(2)(a)(iii) of this rule.
- (c) Continuing education: The provider shall maintain evidence that each PCA successfully completes eight hours of in-service continuing education every twelve months, excluding agency orientation and program-specific orientation.

(5) PCA supervision:

- (a) The provider shall ensure that a PCA supervisor is available to respond to emergencies when the PCAs are scheduled to work.
- (b) The provider shall only allow a RN (or a LPN under the direction of a RN) to be the PCA supervisor, trainer, or tester.
- (c) Before allowing a PCA to begin providing a personal care service to an individual consumer, the PCA supervisor shall visit the consumer's home to define the expected activities of the PCA and prepare a written care plan for consumer. The visit may occur at the aide's initial visit to the consumer.
- (d) After the PCA provides subsequent personal care services to the individual consumer, the PCA supervisor shall evaluate compliance with the care plan, the consumer's satisfaction, and the PCA's performance by conducting a visit to the consumer at least once every sixty-two days and documenting this evaluation. The supervisor may do this without the presence of the PCA being evaluated. In the documentation, the supervisor shall include the date of the visit, supervisor's name, the consumer's name, the consumer's signature, and supervisor's signature.

(6) Monitoring: The provider shall have a monitoring system to verify that services

are provided according to the care plan. In this system, the provider shall include a plan for:

- (a) Maintaining records of the information obtained through the monitoring system; and,
- (b) Conducting random checks of the accuracy of the monitoring system. For the purpose of conducting these checks, a random check is considered to be a check of no more than five per cent of the home care visits each PCA makes to different consumers.

(C) Unit of service: A unit of personal care service is one hour of personal care service.

Effective:

R.C. 119.032 review dates: 09/03/2013

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Certification

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Date

Promulgated Under:

119.03

Statutory Authority:

121.36, 173.01, 173.02, 173.04, 173.392, Section 305(a)(1)(C) of the Older Americans Act of 1965, 79 Stat. 210, 42 U.S.C. 3001, as amended in 2006; 45 C.F.R. 1321.11 (October 1, 2012 edition)

Rule Amplifies:

121.36, 173.04, 173.392, Section 321(a)(5)(C) of the Older Americans Act of 1965, 79 Stat. 210, 42 U.S.C. 3001, as amended in 2006

Prior Effective Dates:

02/23/2009, 02/14/2010