

TO BE RESCINDED

3701-17-06 **Responsibility of operator and nursing home administrator;
quality assurance committee; notice to residents.**

(A) The operator is responsible for:

- (1) Operation of the nursing home;
- (2) Payment of the annual license renewal fee to the director;
- (3) Submission of such reports as may be required, using an electronic system prescribed by the director, including the immediate reporting of real, alleged, or suspected abuse, neglect, or misappropriation;
- (4) Ensuring the nursing home participates in at least one quality improvement project every two years from those approved by the department of aging through the nursing home quality initiative established under section 173.60 of the Revised Code; and
- (5) Compliance with Chapter 3721. of the Revised Code, Chapters 3701-13 and 3701-61, and rules 3701-17-01 to 3701-17-26 of the Administrative Code, and all federal, state, and local laws applicable to the operation of a nursing home.

(B) Each operator shall appoint an administrator. The administrator is responsible for:

- (1) Daily operation of the nursing home in accordance with rules 3701-17-01 to 3701-17-26 of the Administrative Code;
- (2) Implementation of the provisions of section 3721.12 of the Revised Code, including the development of policies and procedure that ensure the rights of residents are not violated;
- (3) Ensuring that individuals used by the home are competent to perform their job responsibilities and that services are provided in accordance with acceptable standards of practice; and
- (4) If the nursing home is physically part of a hospital, inform a prospective resident, prior to admission, that the home is licensed as a nursing home and is not part of the acute care service of the hospital.

(C) Each nursing home shall establish and maintain a quality assurance committee consisting of the director of nursing, the medical director or physician designee and at least three other members of the home's staff.

- (1) The quality assurance committee shall meet at least quarterly to systematically:
 - (a) Monitor and evaluate the quality of care and quality of life provided in the home;
 - (b) Review and investigate incidents and accidents that have occurred in the home, including, but not limited to, those related to the use of restraints as required by rule paragraph (H) of rule 3701-17-15 of the Administrative Code;
 - (c) Identify problems and trends; and
 - (d) Develop and implement appropriate plans of action to correct identified problems.
- (2) The records of the quality committee meetings are not required to be disclosed to the director. The director shall verify through interviews with committee members and, as necessary, direct care staff that:
 - (a) The home has a quality assurance committee which addresses quality concerns;
 - (b) Staff know how to access that process; and
 - (c) The committee has established a protocol or method for addressing specific quality problems in the nursing home that the home believes to have now been resolved.
- (3) Good faith attempts by the committee to identify and correct quality deficiencies will not be used as a basis for sanctions.

Effective:

Five Year Review (FYR) Dates: 08/08/2017

Certification

Date

Promulgated Under: 119.03
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