

1 10A NCAC 13J .1107 is proposed for reoption with substantive changes as follows:

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3 **10A NCAC 13J .1107 IN-HOME AIDE SERVICES**

4 (a) If an agency provides in-home aide services, the services shall be provided in accordance with the client's plan of
5 care. The plan of care shall be signed and dated by the registered nurse and the client or designee. A copy of the
6 signed and dated plan of care shall be left in the home. Agencies participating in the Home and Community Care
7 Block Grant or Social Services Block Grant through the Division of Aging and Adult Services shall comply, for those
8 clients, with the in-home aide service level rules contained in 10A NCAC 06A and 10A NCAC 06X which are hereby
9 incorporated by reference with all subsequent amendments. All other agencies providing in-home aide services shall
10 comply with the provisions in Paragraphs (b) and (c) of this Rule.

11 (b) The plan of care shall contain the level of assistance required by the client for each ADL. If the client's plan of
12 care requires the in-home aide to provide extensive assistance assistance, as defined in Rule .0901(9) of this
13 Subchapter the in-home aide shall be listed on the Nurse Aide Registry pursuant to G.S. 131E-255. However, if the
14 client's plan of care requires the in-home aide to provide only limited assistance as defined in Rule .0901(18) of this
15 Subchapter assistance, the in-home aide is not required to be listed on the Nurse Aide Registry.

16 (c) In-home aides shall follow instructions for client care written by the ~~health care practitioner required for the~~
17 ~~services provided.~~ registered nurse. In-home aide duties may include the following:

- 18 (1) help with prescribed exercises ~~which that~~ the client and in-home aides have been taught by a health
19 care ~~practitioner licensed pursuant to G.S. 90; practitioner;~~
- 20 (2) provide or assist with ~~personal care (i.e., bathing, care of mouth, skin and hair); ADLs;~~
- 21 (3) ~~assist with ambulation;~~
- 22 (4) (3) assist client with self-administration of medications ~~which that~~ are ordered by a physician or other
23 person authorized by state law to prescribe;
- 24 (5) (4) perform ~~incidental household services which~~ IADLs that are essential to the client's care at home;
25 and
- 26 (6) (5) record and report changes in the client's condition, family ~~situation~~ situation, or needs to ~~an~~
27 ~~appropriate health care practitioner.~~ the registered nurse.

28 (d) For agencies providing in-home aide services, the initial assessment shall be conducted in the client's home by the
29 registered nurse. The initial assessment shall include the client's functional status in the areas of social, mental,
30 physical health, environmental, economic, ADLs, and IADLs.

31 (e) The initial assessment shall be conducted prior to the development of the plan of care and signed and dated by the
32 registered nurse.

33 (f) Agencies providing in-home aide services shall provide availability of the registered nurse for supervision and
34 consultation.

35 (g) Agencies participating in the Home and Community Care Block Grant or Social Services Block Grant through
36 the Division of Aging and Adult Services shall comply with the in-home aide service level rules contained in 10A
37 NCAC 06A and 10A NCAC 06X are hereby incorporated by reference with all subsequent amendments and editions.

1 Copies of these rules may be accessed electronically at <http://reports.oah.state.nc.us/ncac.asp?folderName=\Title 10A>
2 - Health and Human Services\Chapter 06 - AGING - PROGRAMS OPERATIONS at no cost. All other agencies
3 providing in-home aide services shall comply with the provisions in Paragraphs (a) through (f) of this Rule.

4 (h) In order to assure supervision of services provided by in-home aides, geographic service areas for these services
5 shall be limited to the area that includes the county where the agency is located, counties that are contiguous with the
6 county where the agency is located, or within 90 minutes driving time from the site where the agency is located,
7 whichever is greater. Agencies providing services to any client prior to January 1, 2006 who resides in a geographic
8 service area that prior to January 1, 2006 is beyond the counties that are contiguous with the county where the agency
9 is located or greater than 90 minutes driving time from the site where the agency is located, may continue to provide
10 services to the client in these areas until the client is discharged from the agency.

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12 *History Note: Authority G.S. 131E-140;*

13 *Eff. July 1, 1992;*

14 *Amended Eff. January 1, 2010; October 1, 2007; October 1, 2006; February 1, ~~1996-1996~~;*

15 *Readopted Eff. January 1, 2018.*