

1 10A NCAC 13F .0504 is amended with changes as published in 36:18 NCR 1487-1495 as follows:

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3 **10A NCAC 13F .0504    COMPETENCY EVALUATION AND VALIDATION FOR LICENSED HEALTH**  
4 **PROFESSIONAL SUPPORT TASKS**

5 ~~(a) An adult care home [The facility] shall assure that non licensed personnel and licensed personnel [non licensed~~  
6 ~~staff and licensed staff] not practicing in their licensed capacity as governed by their practice act and [in accordance~~  
7 ~~with] occupational licensing laws are competency validated by return demonstration for any personal care task~~  
8 ~~specified in Subparagraph (a)(1) through (28) of Rule .0903 of this Subchapter [Subchapter. The facility shall assure~~  
9 ~~the competency validation occurs] prior to staff performing the task and that their ongoing competency is assured~~  
10 ~~through facility staff oversight and supervision.~~

11 ~~(a) When a resident requires one or more of the personal care tasks listed in Subparagraphs (a)(1) through (a)(28) of~~  
12 ~~Rule .0903 of this Subchapter, the task may be delegated to non-licensed staff or licensed staff not practicing in their~~  
13 ~~licensed capacity after a licensed health professional has validated the staff person is competent to perform the task.~~

14 ~~(b) The licensed health professional shall evaluate the staff person's knowledge, skills, and abilities that relate to the~~  
15 ~~performance of each personal care task. The licensed health professional shall validate that the staff person has the~~  
16 ~~knowledge, skills, and abilities and can demonstrate the performance of the task(s) prior to the task(s) being performed~~  
17 ~~on a resident.~~

18 ~~(b)(c) Competency Evaluation and validation of competency shall be performed by the following licensed health~~  
19 ~~professionals: professionals in accordance with his or her North Carolina occupational licensing laws:~~

- 20       (1) A registered nurse shall validate the competency of staff who perform any of the personal care tasks  
21       specified in Subparagraphs (a)(1) through ~~(28)~~ (a)(28) of Rule .0903 of this ~~Subchapter.~~ Subchapter;
- 22       (2) In lieu of a registered nurse, a licensed respiratory care practitioner ~~licensed under G.S. 90, Article~~  
23       ~~38,~~ may validate the competency of staff who perform personal care tasks specified in  
24       Subparagraphs (a)(6), (a)(11), (a)(16), (a)(18), ~~(a)(19)~~(a)(19), and (a)(21) of Rule .0903 of this  
25       ~~Subchapter.~~ Subchapter;
- 26       (3) In lieu of a registered nurse, a ~~registered~~ licensed pharmacist may validate the competency of staff  
27       who perform the personal care ~~task~~ tasks specified in Subparagraph (a)(8) and (a)(11) of Rule .0903  
28       of this Subchapter. An immunizing pharmacist may validate the competency of staff who perform  
29       the personal care task specified in Subparagraph (a)(15) of Rule .0903 of this [Subchapter.]  
30       Subchapter; and
- 31       (4) In lieu of a registered nurse, an occupational therapist or physical therapist may validate the  
32       competency of staff who perform personal care tasks specified in Subparagraphs (a)(17) and (a)(22)  
33       through ~~(27)~~ (a)(27) of Rule .0903 of this Subchapter.

34 ~~(c) Competency validation of staff, according to Paragraph (a) of this Rule, for the licensed health professional support~~  
35 ~~tasks specified in Paragraph (a) of Rule .0903 of this Subchapter and the performance of these tasks is limited~~  
36 ~~exclusively to these tasks except in those cases in which a physician acting under the authority of G.S. 131D 2.2(a)~~

1 ~~certifies that non-licensed personnel can be competency validated to perform other tasks on a temporary basis to meet~~  
2 ~~the resident's needs and prevent unnecessary relocation. [relocation of the resident.]~~

3 (d) If a physician certifies that care can be provided to a resident in an adult care home on a temporary basis in  
4 accordance with G.S. 131D-2.2(a), the facility shall ensure that the staff performing the care task(s) authorized by the  
5 physician are competent to perform the task(s) in accordance with Paragraphs (b) and (c) of this Rule. For the purpose  
6 of this Rule, "temporary basis" means a length of time as determined by the resident's physician to meet the care  
7 needs of the resident and prevent the resident's relocation from the adult care home.

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9 *History Note: Authority G.S. 131D-2.16; 131D-4.5; 143B-165;*

10 *Temporary Adoption Eff. September 1, 2003;*

11 *Eff. July 1, 2004;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*  
13 *2018;*

14 *Amended Eff. October 1, 2022; July 1, 2021.*