

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

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

5 ~~(a) A family 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)(c) Competency Evaluation and validation of competency shall be performed by the following licensed health  
15 professionals: professionals in accordance with his or her North Carolina occupational licensing laws:

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

30 ~~(e) Competency validation of staff, according to Paragraph (a) of this Rule, for the licensed health professional support~~  
31 ~~tasks specified in Paragraph (a) of Rule .0903 of this Subchapter and the performance of these tasks is limited~~  
32 ~~exclusively to these tasks except in those cases in which a physician acting under the authority of G.S. 131D-2(a1)~~  
33 ~~[131D-2.2(a)] certifies that non-licensed personnel can be competency validated to perform other tasks on a temporary~~  
34 ~~basis to meet the resident's needs and prevent unnecessary relocation. [relocation of the resident.]~~

35 (d) If a physician certifies that care can be provided to a resident in a family care home on a temporary basis in  
36 accordance with G.S. 131D-2.2(a), the facility shall ensure that the staff performing the care task(s) authorized by the  
37 physician are competent to perform the task(s) in accordance with Paragraphs (b) and (c) of this Rule. For the purpose

1 of this Rule, “temporary basis” means a length of time as determined by the resident’s physician to meet the care  
2 needs of the resident and prevent the resident’s relocation from the family care home.

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

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

6 *Eff. July 1, ~~2004~~ 2004;*

7 *Readopted Eff. October 1, 2022.*