

1 10A NCAC 13D .2701 is proposed for amendment as follows:

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3 **10A NCAC 13D .2701 PROVISION OF NUTRITION AND DIETETIC SERVICES**

4 (a) ~~The~~ A facility shall ensure that each patient is provided with a palatable diet that meets his or her daily
5 nutritional and specialized nutritional needs.

6 (b) The facility shall designate a person to be known as the director of food service who shall be responsible for the
7 facility's dietetic service and for supervision of dietetic service personnel. If this person is not a ~~dietitian~~, licensed
8 dietitian/nutritionist or a registered dietitian with the Commission on Dietetic Registration, ~~he or she shall meet the~~
9 ~~criteria for membership in the Dietary Managers Association which is hereby incorporated by reference including~~
10 ~~subsequent amendments and editions. Copies of criteria may be obtained from the Dietary Managers Association,~~
11 ~~406 SurrySurrey Woods Drive, St. Charles , IL 60174 at no cost. or it can be accessed online at~~
12 ~~www.DMAonline.org. If the course has not been completed, this person shall be enrolled in a course and making~~
13 ~~satisfactory progress for completion within the time limit specified by course requirements.~~ a Certified Dietary
14 Manager who is certified by the Certifying Board of the Dietary Managers, Dietetic Technician Registered, who is
15 registered by the Commission on Dietetic Registration of the American Dietetic Association, or an individual who
16 has met the academic requirements as referenced in G.S. 90-357(3)b.1., c.1. and d., then the person shall enroll in a
17 course of study to obtain these qualifications and make satisfactory progress for completion within the time limit
18 specified by course requirements.

19 (c) If the food service supervisor is not a dietitian, the facility shall employ a licensed dietitian/nutritionist ~~dietitian~~
20 on at least a consultant basis. The consultant shall submit written reports of clinical and food service operation
21 recommendations to the administrator and food service supervisor.

22 (d) The dietitian shall spend sufficient time in the facility to assure the following parameters of nutrition have been
23 addressed and that recommended successful interventions by the facility have been met:

- 24 (1) An analysis of weight loss or gain;
25 (2) Laboratory values;
26 (3) Clinical indicators of malnutrition;
27 (4) Drug therapy that may contribute to nutritional deficiencies;
28 (5) The amount of meal and supplement consumed to meet nutritional needs;
29 (6) Increased nutritional needs related to disease state or deterioration in physical or mental status, i.e.,
30 decubitus, low protein status, inadequate intake, or nutrition provided via enteral or parenteral
31 route.

32 (e) There shall be sufficient dietetic personnel employed ~~competent~~ to meet the nutritional needs of all patients in
33 the areas of therapeutic diets, food preparation and service, principles of sanitation, and resident's rights as related to
34 food services.

35 (f) The facility shall ensure that menus are followed which meet the nutritional needs of patients in accordance with
36 the recommended dietary allowances of the Food and Nutrition Board of the National Research Council, National
37 Academy of Sciences which are incorporated by reference, including subsequent amendments. Copies of this

1 publication ~~can~~ may be obtained by contacting The National Academy Press, ~~2401 Constitution Avenue N.W.,~~
2 ~~Lockbox 285, Washington, D.C., 20055.~~ 500 Fifth St. N.W., Washington, D.C. 20001 or accessing it at
3 http://www.nap.edu/catalog.php?record_id=1349. ~~Cost of this publication is eighteen dollars and ninety five cents~~
4 ~~(\$18.95) and includes shipping and handling.~~ Menus shall:

- 5 (1) be planned at least 14 days in advance,
- 6 (2) provide for substitutes of similar nutritive value for patients who refuse food that is served, and
- 7 (3) be provided to patients orally or written through such methods as ~~posting,~~ posting and daily
8 ~~announcements, periodic newsletters, etc.~~ announcements.

9 (g) Food must be prepared to conserve its nutritive value and appearance.

10 (h) Food shall be served at the preferred temperature as discerned by the resident and customary practice, in a form
11 to meet the patient's individual needs and with assistive devices as dictated by the patient's needs. Hot foods shall
12 leave the kitchen (or steam table) above ~~140~~ 135 degrees F; and cold foods below 41 degrees F; ~~F, and freezer~~
13 ~~temperatures at 0 degrees F or below.~~ The freezer must keep frozen foods frozen solid.

14 (i) If patients require assistance in eating, food shall be maintained at the appropriate temperature until assistance is
15 provided.

16 (j) All diets, including enteral and parenteral nutrition therapy, shall be as ordered by the physician or other legally
17 authorized person, and served as ordered.

18 (k) At least three meals shall be served daily to all patients in accordance with medical orders.

19 (l) No more than 14 hours shall elapse between an evening meal containing a protein food and a morning meal
20 containing a protein food.

21 (m) Hour-of-sleep (hs) nourishment shall be available to patients upon request or in accordance with nutritional
22 plans.

23 (n) Between meal fluids for hydration shall be available and offered to all patients in accordance with medical
24 orders.

25 (o) The facility shall have a current online or hard copy nutrition care manual or handbook approved by the
26 dietitian, medical staff and the Administrator which shall be used in the planning of the regular and therapeutic diets
27 and be accessible to all staff.

28 (p) Food services shall comply with Rules Governing the Sanitation of Restaurants and Other Foodhandling
29 Establishments (15A NCAC 18A .1300) as promulgated by the Commission for Public Health which ~~is~~ are
30 incorporated by reference, including subsequent amendments, assuring storage, preparation, and serving of food
31 under sanitary conditions. Copies of these Rules can be ~~obtained, at no charge, by contacting the N.C. Department~~
32 ~~of Environment and Natural Resources, Division of Environmental Health Services, 1630 Mail Service Center,~~
33 ~~Raleigh, NC 27699-1630.~~ accessed online at http://www.deh.enr.state.nc.us/rules.htm.

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35 *History Note:* Authority G.S. 131E-104; 90-368(4)
36 RRC objection due to lack of statutory authority Eff. July 13, 1995;
37 Eff. January 1, 1996. 1996;

