

1 10A NCAC 13E .0403 is adopted with changes as published in 31:06 NCR, pp. 462-474, as follows:

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3 **10A NCAC 13E .0403 STAFF AND STAFFING**

4 (a) Each staff person shall:

- 5 (1) have a job description that reflects actual duties and responsibilities determined by the program and
6 is shall be signed by the administrator and the employee;
- 7 (2) have a tuberculin skin test within 12 months prior to hire and annually thereafter;
- 8 (3) be able to implement all of the program's policies and procedures as defined in Rule .0501 of this
9 Subchapter and accident, fire safety, and emergency procedures for the protection of the
10 participants;
- 11 (4) be informed of the confidential nature of participant information and protect and preserve the
12 information from unauthorized use and disclosure;
- 13 (5) not hinder or interfere with the exercise of the rights as defined by program policy;
- 14 (6) have no substantiated findings listed on the North Carolina Health Care Personnel Registry pursuant
15 to G.S. 131E-256;
- 16 (7) have a statewide criminal background check, upon hire, of the past five years in accordance with
17 G.S. 143B-932; and
- 18 (8) cooperate with inspectors and the monitoring and licensing agencies in complying with the rules of
19 this Subchapter.

20 (b) Any staff member left in charge of the care of participants shall be 18 years or older.

21 (c) The staffing pattern shall be adequate to meet the needs of each participant, with at least one staff present at all
22 times qualified to administer medications as defined ~~under~~ by Rule .0702 of this Subchapter and trained to provide
23 personal care and supervision to current participants.

24 (d) Services required beyond personal care and supervision shall not be provided unless staff satisfies the license
25 requirements ~~required by law.~~ applicable to such services.

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27 *History Note:* Authority G.S. 131D-6.1;

28 Eff. April 1, 2017.