

SECTION .0900 - GENERAL

10A NCAC 13J .0901 DEFINITIONS

Terms used in this Subchapter have the meanings as defined in G.S. 131E-136 and as follows:

- (1) "Activities of Daily Living" (ADL) means mobility, eating, bathing, dressing, and toileting.
- (2) "Agency" means a home care agency.
- (3) "Agency director" means the person having administrative responsibility for the operation of the agency.
- (4) "Client" means as defined in G.S. 131E-136 (2b).
- (5) "Clinical respiratory services" means the provision of respiratory equipment and services that involve the assessment of a client's pulmonary status, monitoring of a client's response to therapy, and reporting to the client's physician. Procedures include: oximetry, blood gases, delivery of medication via aerosolization, management of ventilatory support equipment, pulmonary function testing, and infant monitoring.
- (6) "Department" means the North Carolina Department of Health and Human Services.
- (7) "Extensive Assistance" means a client is totally dependent or requires hands on assistance more than half the time while performing part of an activity, and meets one of the following criteria:
 - (a) requires extensive assistance in more than two activities of daily living (ADLs), as defined in Item (1) of this Rule;
 - (b) needs an in-home aide to perform at least one task at the nurse aide II level; or
 - (c) requires extensive assistance in more than one ADL and has a medical or cognitive impairment as defined in Item (19) of this Rule.
- (8) "Follow-up care" means services provided to a licensed hospital's discharged client in their home by a hospital's employees. No services shall exceed three visits in any two month period and shall not extend beyond a 12 month period following discharge, except pulmonary care, pulmonary rehabilitation, or ventilator services.
- (9) "Governing body" means the person or group of persons having legal authority for the operation of the agency.
- (10) "Hands-on care" means any home care service that involves touching the patient in order to implement the patient's plan of care.
- (11) "Health care practitioner" means as defined in G.S. 90-640(a).
- (12) "Infusion nursing services" means those services related to the administration of pharmaceutical agents into a body organ or cavity. Routes of administration include sub-cutaneous intravenous, intraspinal, epidural, or intrathecal infusion. Administration shall be by or under the supervision of a registered nurse in accordance with their legal scope of practice.
- (13) "In-home aide services" are hands-on services that assist individuals, their family, or both with home management tasks, personal care tasks, or supervision of the client's activities to enable the individual, their family, or both to remain and function at home.
- (14) "In-home caregiver" means any individual who provides home care services as enumerated in G.S. 131E-136.
- (15) "Instrumental Activities of Daily Living" (IADL) means meal preparation, housekeeping, medication reminders, shopping, errands, transportation, money management, phone use, reading, and writing.
- (16) "Licensed Clinical Social Worker" means as defined in G.S. 90B-3(6a).
- (17) "Licensed practical nurse" means as defined in G.S. 90-171.30 or G.S. 90-171.32.
- (18) "Limited Assistance" means care to a client who requires hands-on care involving guided maneuvering of limbs with eating, toileting, bathing, dressing, personal hygiene, self-monitoring of medications, or other tasks assigned that require hands on assistance half the time or less during the activity and does not meet the definition of extensive assistance.
- (19) "Medical or cognitive impairment" means a diagnosis and client assessment that documents at least one of the following:
 - (a) pain that is present more than half the time that interferes with an individual's activity or movement;
 - (b) dyspneic or short of breath with minimal exertion during the performance of ADLs and requires continuous use of oxygen; or

- (c) individual is not alert and oriented or is unable to shift attention and recall directions more than half the time.
- (20) "Nursing registry" means a person or organization that maintains a list of nurses, in-home aides, or both that is made available to persons seeking nursing care or in-home aide service, but does not collect a placement fee from the worker or client, coordinate the delivery of services, or supervise or control the provision of services.
- (21) "Nursing services" means professional services provided by a registered nurse or a licensed practical nurse under the supervision of a registered nurse.
- (22) "Occupational therapist" means as defined in G.S. 90-270.67(2) or G.S. 90-270.72.
- (23) "Occupational therapist assistant" means as defined in G.S. 90-270.67(3) or G.S. 90-270.72.
- (24) "Occupational therapy" means as defined in G.S. 90-270.67(4).
- (25) "On-call services" means unscheduled home care services made available to clients on a 24-hour basis.
- (26) "Personal care" means assistance to an individual with ADL and medical monitoring.
- (27) "Physical therapist" means as defined in G.S. 90-270-24(2), G.S. 90-270-30, or G.S. 90-270-31(b).
- (28) "Physical therapist assistant" means as defined in G.S. 90-270.24(3) or G.S. 90-270-31(b).
- (29) "Physical therapy" means as defined in G.S. 90-270.24(4).
- (30) "Physician" means as defined in G.S.90-9.1 or G.S. 90-9.2.
- (31) "Plan of care" means the written description of the authorized home care services and tasks to be provided to a client.
- (32) "Practice of respiratory care" means as defined in G.S.90-648(10).
- (33) "Premises" means the location or licensed site that the agency provides home care services or maintains client service records or advertises itself as a home care agency.
- (34) "Qualified" means suitable for employment as a consequence of having met the standards of education, experience, licensure, or certification established in the applicable job description created and adopted by the agency.
- (35) "Registered nurse" means as defined in G.S. 90-171.30 or G.S. 90.171.32.
- (36) "Respiratory care practitioner" means as defined in G.S. 90-648(12).
- (37) "Scope of services" means those specific services provided by a licensed agency as listed on their home care license.
- (38) "Survey" means an inspection by the Division of Health Service Regulation in order to assess the compliance of agencies with the home care licensure rules.
- (39) "Social worker" means as defined in G.S 90B-3(8).
- (40) "Speech and language pathologist" means as defined in G.S. 90-293(5).
- (41) "Skilled Services" means all home care services enumerated in G.S. 131E-136(3) with the exception of in-home aide services.
- (42) "The practice of speech and language pathology" means as defined in G.S. 90-293(7).

*History Note: Authority G.S. 131E-136; 131E-140;
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