

## **10A NCAC 13J .1110 SUPERVISION AND COMPETENCY OF IN-HOME CAREGIVERS**

(a) In-home caregivers subject to occupational licensing laws shall meet requirements consistent with the rules established by the occupational licensing board that they are subject. Each agency shall document that its in-home caregivers are competent to perform client care tasks or activities that they are assigned. Meeting competency includes a demonstration of tasks to the health care practitioner. In-home caregivers shall perform delegated activities under the supervision of persons authorized by state law to provide such supervision.

(b) Those in-home caregivers who are not subject to occupational licensing laws shall only be assigned client care activities that they have demonstrated competency, and the documentation of competency is maintained by the agency. Meeting competency includes a demonstration of tasks to the health care practitioner. Each agency shall document that its in-home caregivers demonstrate competence for all assigned client care tasks or activities. In-home caregivers shall be supervised by the health care practitioner who may further delegate specific supervisory activities to in-home caregivers as designated by agency policy, provided that the following criteria are met:

- (1) there is availability of the health care practitioner for supervision and consultation; and
- (2) accountability for supervisory activities delegated is maintained by the health care practitioner.

(c) In-home caregivers subject to Paragraph (a) of this Rule shall be subject to the method and frequency of supervision defined in the agency's policy. The health care practitioner shall supervise an in-home caregiver subject to Paragraph (b) of this Rule by making a supervisory visit to each client's place of residence every 90 days with or without the in-home caregiver's presence, and annually, while the in-home caregiver is providing care to each client. The supervisory visit shall include review of the client's general condition, progress, and response to the services provided by the in-home caregiver.

(d) Documentation of supervisory visits shall be maintained in the agency's records and shall contain date of visit, findings of visit, and signature of person performing the visit.

(e) When follow-up corrective action is needed for any type of in-home caregiver based on findings of the supervisory visit, documentation of such corrective action by the health care practitioner shall be maintained in the employee(s) record.

(f) A health care practitioner conducting a supervisory visit for any in-home caregiver may simultaneously conduct the case review every 90 days as required in Rule .1202 of this Subchapter.

(g) The health care practitioner shall be available for supervision during the hours that in-home care services are provided.

*History Note: Authority G.S. 131E-140;  
Eff. July 1, 1992;  
Amended Eff. July 1, 1993;  
RRC Objection due to lack of statutory authority and ambiguity Eff. November 16, 1995;  
Amended Eff. February 1, 1996;  
Temporary Amendment Eff. April 1, 2006;  
Amended Eff. November 1, 2006;  
Readopted Eff. June 1, 2018.*