

1 10A NCAC 13F .0605 is readopted with changes as published in 38:11 NCR 662-677 as follows:

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3 **10A NCAC 13F .0605 ~~STAFFING OF PERSONAL CARE AIDE SUPERVISORS~~ GENERAL STAFFING**
4 **REQUIREMENTS FOR ADULT CARE HOMES**

5 ~~(a) On first and second shifts in facilities with a capacity or census of 31 or more residents and on third shift in~~
6 ~~facilities with a capacity or census of 91 or more residents, there shall be at least one supervisor of personal care aides,~~
7 ~~hereafter referred to as supervisor, on duty in the facility for less than 64 hours of aide duty per shift; two supervisors~~
8 ~~for 64 to less than 96 hours of aide duty per shift; and three supervisors for 96 to less than 128 hours of aide duty per~~
9 ~~shift. In facilities sprinklered for fire suppression with a capacity or census of 91 to 120 residents, the supervisor's~~
10 ~~time on third shift may be counted as required aide duty. (For staffing chart, see Rule .0606 of this Section.)~~

11 ~~(b) On first and second shifts in facilities with a capacity or census of 31 to 70 residents, the supervisor may provide~~
12 ~~up to four hours of aide duty per shift which may be counted as required aide hours of duty. The supervisor's hours~~
13 ~~on duty shall not be counted as required hours of aide duty except as specified in this Rule.~~

14 ~~Note: Supervisors may be involved in performing some personal care in facilities with a capacity or census of 71 or~~
15 ~~more residents, but their primary responsibility is the direct supervision of personal care aides and the time involved~~
16 ~~in performing any personal care cannot be counted as required aide hours.~~

17 ~~(c) On third shift in facilities with a capacity or census of 31 to 60 residents, the supervisor shall be in the facility or~~
18 ~~within 500 feet and immediately available, as defined in Rule .0601 of this Subchapter. In facilities sprinklered for~~
19 ~~fire suppression with a capacity or census of 31 to 60 residents, the supervisor's time on duty in the facility on third~~
20 ~~shift may be counted as required aide duty.~~

21 ~~(d) On third shift in facilities with a capacity or census of 61 to 90 residents, the supervisor shall be on duty in the~~
22 ~~facility for at least four hours and within 500 feet and immediately available, as defined in Rule .0601 of this~~
23 ~~Subchapter, for the remaining four hours. In facilities sprinklered for fire suppression with a capacity or census of 61~~
24 ~~to 90 residents, the supervisor's time on duty in the facility on third shift may be counted as required aide duty.~~

25 ~~(e) A supervisor is responsible for the direct supervision of personal care aides, including those who administer~~
26 ~~medications, to assure that care and services are provided to residents by personal care aides in a safe and secure~~
27 ~~manner and according to licensure rules. This involves observing personal care aides in the performance of their~~
28 ~~duties; instructing, correcting and consulting with aides as needed; and reviewing documentation by aides.~~

29 ~~(f) A supervisor on duty shall not serve simultaneously as the administrator but may serve simultaneously as the~~
30 ~~administrator in charge in the absence of the administrator.~~

31 ~~(g) A supervisor shall meet the following qualifications:~~

32 ~~(1) — be 21 years or older;~~

33 ~~(2) — be a high school graduate or certified under the G.E.D. program, or have passed an alternative~~
34 ~~examination established by the Department;~~

35 ~~(3) — meet the general health requirements according to Rule .0406 of this Section;~~

- (4) ~~have at least six months of experience in performing or supervising the performance of duties to be supervised during a period of three years prior to the effective date of this Rule or the date of hire, whichever is later, or be a licensed health professional or a licensed nursing home administrator;~~
- (5) ~~meet the same minimum training and competency requirements of the aides being supervised; and~~
- (6) ~~earn at least 12 hours a year of continuing education credits related to the care of aged and disabled persons in accordance with procedures established by the Department of Health and Human Services.~~

(a) Adult care homes shall staff ~~to~~ based on the facility's resident census and provide staffing to meet the care and supervision needs of the residents in accordance with the rules of this Subchapter.

(b) At no time shall residents be left alone without a staff member in the facility.

(c) The facility shall maintain a daily census log which lists current residents by name, room assignment and date of admission, which shall be available for review by the Division of Health Service Regulation and the county departments of social services.

(d) The facility shall post daily staffing information in a location accessible to residents and visitors in accordance with G.S. 131D-4.3(a)(5). The information shall include:

- (1) the name and contact information of the administrator and manager;
- (2) the number of required supervisors on each shift; and
- (3) the number of aides required on each shift.

*History Note: Authority G.S. 131D-2.16; 131D-4.3; 131D-4.5; 143B-165;
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