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Authorized Signature

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Issue date: 5/23/2017

Topic: Licensing

Transmitting (check the box that best applies):

- New policy
 Policy change
 Policy clarification
 Executive letter
 Administrative Rule
 Manual update
 Other: _____

Applies to (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> All DHS employees | <input type="checkbox"/> County Mental Health Directors |
| <input checked="" type="checkbox"/> Area Agencies on Aging | <input type="checkbox"/> Health Services |
| <input checked="" type="checkbox"/> Aging and People with Disabilities | <input type="checkbox"/> Office of Developmental Disabilities Services(ODDS) |
| <input type="checkbox"/> Self Sufficiency Programs | <input type="checkbox"/> ODDS Children’s Intensive In Home Services |
| <input type="checkbox"/> County DD Program Managers | <input type="checkbox"/> Stabilization and Crisis Unit (SACU) |
| <input type="checkbox"/> ODDS Children’s Residential Services | <input type="checkbox"/> Other (please specify): |
| <input type="checkbox"/> Child Welfare Programs | |

Policy/rule title:	AFH Licensing Clarification on APD AFH Licensee's Responsibilities regarding RN Delegation		
Policy/rule number(s):	OAR 411-050-0645(7), 411-050-0655(6)	Release no:	
Effective date:	May 1, 2017	Expiration:	
References:			
Web address:			

Discussion/interpretation: This policy provides direction to APD adult foster home (AFH) Licensors regarding expectations and responsibilities of the Adult Foster Home licensee when nursing procedures are delegated for residents. Much of the RN delegation process is the responsibility of the RN.

Implementation/transition instructions: There are specific activities and responsibilities the AFH licensee must adhere to in order to remain in compliance with AFH Oregon Administrative Rules (OARs). The AFH licensee is not responsible for the components of RN delegation that are the sole responsibility of the RN.

The RN's role and responsibilities include the following:

- Assessment
- Teaching
- RN delegation documentation
- Step-by-step written instructions for the caregiver
- Observation of caregiver performing delegated nursing procedure
- Periodic inspection, supervision and re-evaluation of delegated procedure

If the Licenser or Case Manager has concerns regarding these requirements, contact:

- RN delegation (Division 47) requirements: N2N.HSU@state.or.us
- AFH licensing requirements: APD.AFHTeam@state.or.us
- Long-term Care Community nursing program: LTC.NSG@state.or.us

Training/communication plan: A fact sheet identifying specific information about AFH licensees' responsibilities regarding RN delegation will be shared with AFH providers via an AFH Provider Alert entitled "Licensee's Responsibilities Regarding RN Delegation." The fact sheet, which is attached to this transmittal, will be posted on the APD AFH Provider Information website at <http://www.oregon.gov/DHS/PROVIDERS-PARTNERS/LICENSING/APD-AFH/Pages/Alerts.aspx>. A copy of the Provider Alert with the fact sheet will be emailed to APD AFH licensing staff.

Local/branch action required: Licensing staff will become familiar with the expectations outlined in this policy and coach AFH providers within their jurisdiction as needed. Licensing staff will refer AFH providers to the AFH Provider Alert on the APD AFH Provider Information web page as appropriate.

Central office action required: None

Field/stakeholder review: Yes No

If yes, reviewed by: APD Operations Committee, APD Policy Group

Filing instructions:

If you have any questions about this policy, contact:

Contact(s):	Sylvia Rieger		
Phone:	503-373-2133	Fax:	503-378-8966
Email:	Sylvia.A.Rieger@state.or.us		

APD Adult Foster Home Delegated Procedures

AFH Delegated Nursing Procedure

PURPOSE

This document outlines the intent of the registered nurse (RN) delegation process, the use of real-time communications technology and the responsibility of the delegated caregivers working in Adult Foster Homes (AFH).

REAL-TIME COMMUNICATION TECHNOLOGY

Due to significant advances in electronic communication, this technology is sometimes used in healthcare settings. The use of electronic devices, not limited to computers, tablets and cell phones, must meet the strict Federal guidelines as outlined under the Health Insurance Portability and Accountability Act (HIPAA). Use of real-time communication technology, such as Skype or FaceTime, in the RN Delegation process is not always appropriate. The RN Delegation process is intended to be a face-to-face interaction between the RN, the resident requiring a nursing procedure and the caregiver asked to perform a nursing procedure.

The use of real-time communications technology, is never to be used for an RN's **initial delegation** or the **transfer of delegation** to another nurse. It is not a substitute for the RN conducting a face-to-face assessment of the resident and the caregiver. However, there may be unique circumstances when the use of real-time communication technology is appropriate when re-evaluating a delegated nursing procedure.

If the RN considers using real-time communication technology it is the RN's responsibility to ensure all equipment used, including equipment used at the AFH, meets all HIPAA requirements. Additionally, the RN must ensure the storage of electronic healthcare conforms to HIPAA.

AFH DELEGATION RESPONSIBILITIES

As an AFH licensee you have responsibilities when you and/or your staff are delegated a nursing procedure. Below are a few of the key responsibilities:

- Anytime there is an order for a procedure that may require RN delegation before the resident is admitted you must: contact the resident's case manager for a referral to a Long-term Care Community Nurse (LTCCN); or if private pay contact your contracted RN. This should be part of your screening process prior to admitting a resident to your AFH;

- Ensure all the necessary supplies and equipment (e.g. syringes, feeding pump or medication) are available before the RN is scheduled to visit your AFH. For example an RN cannot delegate the administration of insulin if the insulin hasn't been delivered, or tube feedings if the tube feeding pump hasn't been delivered;
- Allowing the RN access to the AFH to conduct an evaluation. RNs must have access during the time the nursing procedure is scheduled to be performed.
- Ensure all delegated staff follow the RN's written step-by-step instructions every time the delegated nursing procedure is performed;
- Document in the resident' narrative, Medication Administration Record (MAR), and/or resident care plan as directed by the RN or required by the AFH OARs;
- Contact the RN as directed by the RN
- Contact the RN immediately:
 - When there are any changes with the residents health or when there are changes to medical orders;
 - Any time you have concerns about the delegated nursing procedure;
 - About the step-by-step instructions:
 - If they were not left at the AFH;
 - When there are any questions regarding the instructions;
 - If any delegated staff is unable to read or follow the instructions;
 - If you believe there is missing information;
 - If you have concerns about a delegated caregivers ability to perform the delegated nursing procedure;
 - When a caregiver is no longer working in the AFH for any reason.

For additional information on the RN Delegation process and your responsibilities as the licensed AFH provider, a DHS self-study titled "RN Delegation for Lay Caregivers" is available on the APD AFH Training and Education website: www.tinyurl.com/DHS-AFHTraining

If an RN has questions refer them to the *Fact Sheet – APD Policy: RN Delegation Process; Use of Real-time Communications* found on the Long-term Care Community Nursing (LTCCN) website: www.tinyurl.com/DHS-LTCCN