

Ad Hoc Nursing Facilities Rule Review Committee
Appointed by the Long Term Care Facility Advisory Board May 10, 2006

June 26, 2006 Special Meeting

1:30 p.m.

Oklahoma State Department of Health
1000 NE 10th Street – Room 1102
Oklahoma City, OK

Consensus July 17, 2006

Minutes

1) Call to Order

Kay Parsons called the special meeting to order at 1:35 p.m. Monday, June 26, 2006. The meeting notice was filed and posted with the Secretary of State's office May 19, 2006. The agenda was posted on the OSDH website on June 22, 2006 and at the front entrance of OSDH on June 23, 2006.

Identified attendees were: Kay Parsons, Committee Chair and Long-Term Care Facility Advisory Board (LTCFAB) member; Mich Magness, LTCFAB Vice-Chair; Esther Houser, State Long-Term Care (LTC) Ombudsman and LTCFAB member; Dawn Ann Mendenhall, Nursing Home Administrator and LTCFAB member; Wendell Short, RC Administrator and LTCFAB member; Penny Ridenour, Executive Director, Oklahoma Assisted Living Association (OKALA); Mary Fleming, Director, LTC, OSDH; Mary Brinkley, Oklahoma Association for Homes and Services for the Aging (OKAHSa); Norma Noles, Silver Oak; Greg Guymon, OKALA; Leslie Roberts, LTC, OSDH; James Joslin, Assistant Chief, LTC, OSDH; and Rebecca 'Becky' Moore, Executive Director, Oklahoma Association of Health Care Providers (OAHCP).

Agenda item #3 was moved to agenda item #2.

2) Update of Appendix B: Reference List for Standards of Practice

The proposed revisions to Appendix B update the reference list for standards of practice. The revised list of references follows:

- "Physical Examination and Health Assessment" - Third Edition -Carolyn Jarvis
- "Medical-Surgical Nursing Assessment and Management of Clinical Problems" - Fifth Edition - Lewis, Heitkemper and Dirksen (Mosby)
- "Handbook of Geriatric Nursing" - Second Edition - Lippincott, Williams and Wilkins
- "Clinical Nursing Skills - Basic To Advanced Skills" - Fifth Edition - Smith, Duell and Martin
- Oklahoma Board of Nursing Guidelines and Position Statements:
 - o "A Decision-Making Model for Determining RN/LPN Scope of Practice Model - Model for Scope of Nursing Practice Decisions"
 - o "Abandonment Statement"
 - o "Advanced Practice Nurses with Prescriptive Authority Exclusionary Formulary"

Meetings are posted at:

<http://www.health.state.ok.us/calendar/mtngs/index.html>
<http://www.sos.state.ok.us/meetings/agencymeets.asp?intAgency=316>

- o "Delegation of Nursing Functions to Unlicensed Persons"
- o "Guidelines for Employment of Individuals Enrolled in or Non-Licensed Graduates of Nursing Education Programs"
- o "Guidelines for the Registered Nurse in Administering, Managing and Monitoring Patients Receiving Analgesia/Anesthesia by Catheter Techniques"
- o "Issuance of Temporary Licenses for RNs and LPNs"
- o "Licensure Verification and Photocopying of Nursing Licenses"
- o "Patient Assessment Guidelines"
- o "Refresher Course Policy"
- o "Wound Debridement by Licensed Nurses Guideline"
- Standards of the American Nurses Association and Specialty Nursing Organizations:
 - o "Nursing: Scope and Standards of Practice" Pub# 03SSNP - 2004
 - o "Scope and Standards for Nurse Administrators" (Second Edition); Pub#03SSNA – 2004
 - o "Scope and Standards of Diabetes Nursing Practice" (2nd Edition); Pub# DNP23 - 2003
 - o "Scope and Standards of Forensic Nursing Practice" Pub# ST-4 - 1997
 - o "Scope and Standards of Gerontological Nursing Practice" 2nd Edition; Pub# GNP21 - 2001
 - o "Scope and Standards of Hospice and Palliative Nursing Practice" Pub# HPN22 - 2002
 - o "Scope and Standards of Neuroscience Nursing Practice" Pub# NNS22 - 2002
 - o "Scope and Standards of Nursing Informatics Practice" Pub# NIP21 - 2001
 - o "Scope and Standards of Psychiatric-Mental Health Nursing Practice" Pub# PMH-20 - 2000
 - o "Statement on the Scope and Standards for the Nurse Who Specializes in Developmental Disabilities and/or Mental Retardation" Pub# 9802ST - 1998
- "Statement on the Scope and Standards of Oncology Nursing Practice" Pub# MS-23 – 1996

Mr. Magness asked what the reference list accomplishes. Mr. Joslin explained the appendix is used by the facility for reference of standards of practice. For instance, if a question regards the standards of care for diabetes nursing practice, then one source of reference would be the Standards of the American Nurses Association, "Scope and Standards of Diabetes Nursing Practice". The list of references is the standards in which the Department looks for facilities to meet. The appendix is a part of the rule that needs to be updated periodically as books are updated. There is no set schedule when books are updated.

The Committee reached consensus on Appendix B.

Ms. Parsons requested a moment for introductions before proceeding to the next agenda item.

3) Statutory Change in incident reporting: Incident reporting change to 24 hours; OAC 675-7-5.1(e) to incorporate statutory change at 63 O.S. 1-1939.I(1)

Mr. Joslin explained the proposed revisions as a result of changes in statutory language requiring 24 hours reporting instead of 12 hours. In addition, he suggested other changes to help clarify some language. After discussion, Mr. Joslin stated he would research into the reporting requirements to other agencies, check with the Department's legal staff for definition of 'criminal intent', and bring them back to the next meeting.

4) Sex Offender Law: to incorporate new law at 63 O.S. 1-1946

Mr. Joslin guided the Committee through the statutory change at §63-1-1909.4 regarding the conspicuous posting requirement of sex and violent offenders, and §63-1-1944. which established the Long-term Care Security Act. During the discussion of §63-1-1946. Notification of sex or violent offender status, the group agreed that there are problems with the Statute. One issue is that Department of Corrections does not place people in nursing homes, they release them and someone else admits them. The Department of Corrections does not send notices to notify local law enforcement agency of release. It is the individual sex/violent offender's responsibility to register with their local law enforcement agency. The Department of Corrections list of sex/violent offenders is on their website and that is how they make it available to everyone, including law enforcement agencies.

Mr. Joslin stated a rule is needed to develop the process set forth in §63-1-1946.2. which requires long-term care facilities to determine from local law enforcement or the Department of Corrections the sex/violent offender registration status of an applicant for admission, a resident, or an employee. The facility will need to provide some documentation to verify these checks have been completed.

Discussion involved what is to be posted in facility and the obligation of a facility to check the Department of Corrections website. The facility is required to post the offender notice received from local law enforcement.

5) Adjournment

The special meeting was adjourned at 3:25 p.m.

For reference, the link to the current and complete Continuum of Care and Assisted Living Rules is <http://www.health.ok.gov/PROGRAM/condiv/663ccast.pdf>.