

1 10A NCAC 13J .0901 is readopted with changes as published in 31:24 NCR 2442-2448 as follows:

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3 **10A NCAC 13J .0901 DEFINITIONS**

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

- 5 (1) "Activities of Daily Living" (ADL) means mobility, eating, bathing, dressing, ~~toileting, and~~
6 ~~continence, and toileting.~~
- 7 (2) "Agency" means a home care agency.
- 8 (3) "Agency director" means the person having administrative responsibility for the operation of the
9 agency.
- 10 ~~(4) "Allied health personnel" means licensed practical nurses, physical therapy assistants, occupational~~
11 ~~therapy assistants or other health professionals as defined in occupational licensure laws that are~~
12 ~~subject to supervision by a health professional.~~
- 13 ~~(5) "Appropriate professional means a licensed health care professional or a person with a baccalaureate~~
14 ~~degree in social work or an individual who meets the job specifications established for a social~~
15 ~~worker by the Office of State Personnel.~~
- 16 ~~(6) (4)~~ (4) "Client" means a home care client, as defined in G.S. 131E-136 (2b).
- 17 ~~(7) (5)~~ (5) "Clinical respiratory services" means the provision of respiratory equipment and services that
18 involve the assessment of a client's pulmonary status, monitoring of a client's response to ~~therapy~~
19 therapy, and reporting to the client's physician. Procedures include: oximetry, blood gases, delivery
20 of medication via aerosolization, management of ventilatory support equipment, pulmonary
21 function ~~testing~~ testing, and infant monitoring.
- 22 ~~(8) (6)~~ (6) "Department" means the North Carolina Department of Health and Human Services.
- 23 ~~(9) (7)~~ (7) "Extensive Assistance" means a client is [totally] dependent or requires ~~weight bearing support~~
24 hands on assistance more than half the time while performing part of an activity, ~~such as guiding or~~
25 ~~maneuvering of limbs~~, and meets one of the following criteria:
- 26 (a) ~~Requires~~ requires extensive assistance in more than two activities of daily living (ADLs),
27 as defined in Item (1) of this Rule; ~~or~~
- 28 (b) ~~Needs~~ needs an in-home aide to perform at least one task at the nurse aide II level; or
- 29 (c) ~~Requires~~ requires extensive assistance in more than one ADL and has a medical or
30 cognitive impairment as defined in [Item (19)] ~~[item (20)]~~ of this Rule.
- 31 ~~(10) (8)~~ (8) "Follow-up care" means services provided to a licensed hospital's discharged ~~clients~~ client in their
32 ~~homes~~ home by a hospital's employees. No services ~~except pulmonary care, pulmonary~~
33 ~~rehabilitation~~ [rehabilitation,] ~~or ventilator services~~ shall exceed three visits in any two month period
34 and shall not extend beyond a 12 month period following ~~discharge.~~ discharge, except pulmonary
35 care, pulmonary rehabilitation, or ventilator services.
- 36 ~~(11) (9)~~ (9) "Governing body" means the person or group of persons having legal authority for the operation of
37 the agency.

- 1 ~~(12)~~ (10) "Hands-on care" means any home care service ~~which that~~ involves touching the patient in order to
 2 implement the patient's plan of care.
- 3 (11) "Health care practitioner" means as defined in G.S. 90-640(a).
- 4 ~~(13)~~ (12) "Infusion nursing services" means those services related to the administration of pharmaceutical
 5 agents ~~directly~~ into a body organ or cavity. Routes of administration include ~~but are not limited to~~
 6 sub-cutaneous intravenous, intraspinal, ~~epidural~~ epidural, or intrathecal infusion. Administration
 7 shall be by or under the supervision of a registered nurse in accordance with their legal scope of
 8 practice.
- 9 ~~(14)~~ "Home aide" means an individual who provides hands-on care to home care clients.
- 10 ~~(15)~~ (13) "In-home aide services" are hands-on ~~paraprofessional~~ services ~~which that~~ assist individuals, their
 11 ~~family~~ family, or both with home management tasks, personal care tasks, or supervision of the
 12 client's ~~activities, activities or all of the above,~~ to enable the individual, their ~~family~~ family, or ~~both,~~
 13 ~~both~~ to remain and function ~~effectively at home as long as possible.~~ home.
- 14 ~~(16)~~ (14) "In-home ~~care provider~~ caregiver" means any individual who provides home care services as
 15 enumerated in G.S. 131E-136.
- 16 (15) "Instrumental Activities of Daily Living" (IADL) means meal preparation, housekeeping,
 17 medication reminders, shopping, errands, transportation, money management, phone use, reading,
 18 and writing.
- 19 (16) "Licensed Clinical Social Worker" means as defined in G.S. 90B-3(6a).
- 20 (17) "Licensed practical nurse" means ~~a person licensed as such, pursuant to as defined in G.S. 90-~~
 21 ~~471.30. G.S. 90-171.30 or G.S 90-171.32.~~
- 22 (18) "Limited Assistance" means care to a client who requires hands-on care involving guided
 23 maneuvering of limbs with eating, toileting, bathing, dressing, personal hygiene, self-monitoring of
 24 ~~medications~~ medications, or other tasks assigned that require weight bearing assistance half the time
 25 or less during the activity and does not meet the definition of extensive ~~assistance in Item (9) [Item~~
 26 ~~(8)] of this Rule.~~ assistance.
- 27 (19) "Medical or cognitive impairment" means a diagnosis and client assessment that documents at least
 28 one of the following:
- 29 (a) ~~Pain~~ pain that is present more than half the time that interferes with an individual's activity
 30 or ~~movement.~~ movement;
- 31 (b) ~~Dyspneic~~ dyspneic or ~~noticeably~~ short of breath with minimal exertion during the
 32 performance of ADLs and requires continuous use of ~~oxygen.~~ oxygen; or
- 33 (c) ~~Individual~~ individual is not alert and oriented or is unable to shift attention and recall
 34 directions more than half the time.
- 35 ~~(20)~~ "Medical social services" means those professional services ~~provided to individuals in their homes~~
 36 ~~by a medical social worker, or by a medical social worker assistant under the supervision of a~~

- 1 ~~medical social worker, when provided by an agency in conjunction with other nursing or therapy~~
2 ~~services provided by the same agency.~~
- 3 (21) ~~"Medical social worker" means a person with a master's degree from a school of social work~~
4 ~~approved by the Council on Social Work Education who is eligible for certification by the North~~
5 ~~Carolina Social Work Certification Licensure Board as a Certified Master Social Worker.~~
- 6 (22) ~~"Medical social worker assistant" means a person who has a baccalaureate degree in social work,~~
7 ~~psychology, sociology, or other field related to social work, and has had at least one year of social~~
8 ~~work experience.~~
- 9 (23) (20) "Nursing registry" means a person or organization that maintains a list of ~~nurses or~~ nurses, in-home
10 ~~aides aides,~~ or both that is made available to persons seeking nursing care or in-home aide ~~services~~
11 ~~service,~~ but does not collect a placement fee from the worker or client, coordinate the delivery of
12 ~~services services,~~ or supervise or control the provision of services.
- 13 (24) (21) "Nursing services" means professional services provided by a registered nurse or a licensed practical
14 nurse under the supervision of a registered nurse.
- 15 (25) (22) "Occupational therapist" means ~~a person licensed as such, pursuant to as defined in G.S. 90-270.70.~~
16 ~~G.S. 90-270.67(2) or G.S. 90-270.72.~~
- 17 (26) (23) "Occupational therapist assistant" means ~~a person licensed as such, pursuant to as defined in G.S.~~
18 ~~90-270.70, G.S. 90-270.67(3) or G.S. 90-270.72.~~
- 19 (27) (24) "Occupational ~~therapy services" therapy~~" means ~~professional services provided by a licensed~~
20 ~~occupational therapist or a licensed occupational therapist assistant under the supervision of a~~
21 ~~licensed occupational therapist. as defined in G.S. 90-270.67(4).~~
- 22 (28) ~~"Paraprofessional" means an in home care provider who does not hold a professional license or~~
23 ~~professional certification and through the nature of their duties assists a professional.~~
- 24 (29) (25) "On-call services" means unscheduled home care services made available to clients on a 24-hour
25 basis.
- 26 (30) (26) "Personal care" ~~includes tasks that range from means~~ assistance to an individual with ~~basic personal~~
27 ~~hygiene, grooming, feeding and ambulation to [Activities of Daily Living] ADL and medical~~
28 ~~monitoring and other health care related tasks. monitoring.~~
- 29 (31) (27) "Physical therapist" means ~~a person licensed as such, pursuant to as defined in G.S. 90-270.29. G.S.~~
30 ~~90-270-24(2), G.S. 90-270-30, or G.S. 90-270-31(b).~~
- 31 (32) (28) "Physical therapist assistant" means ~~a person licensed as such pursuant to as defined in G.S. 90-~~
32 ~~270.29. G.S. [90-270.24(2)] 90-270.24(3) or G.S. 90-270-31(b).~~
- 33 (33) (29) "Physical ~~therapy services" therapy~~" means ~~professional services provided by a licensed physical~~
34 ~~therapist or a licensed physical therapist assistant under the supervision of a licensed physical~~
35 ~~therapist. as defined in G.S. 90-270.24(4).~~
- 36 (34) (30) "Physician" means ~~a person licensed as such, pursuant to as defined in G.S. 90-15. G.S.90-9.1 or~~
37 ~~G.S. 90-9.2.~~

1 ~~(35)~~ (31) "Plan of care" means the written description of the authorized home care services and tasks to be
2 provided to a client.

3 (32) "Practice of respiratory care" means as defined in G.S.90-648(10).

4 ~~(36)~~ (33) "Premises" means the location or licensed site ~~from which~~ that the agency provides home care
5 services or maintains client service records or advertises itself as a home care agency.

6 ~~(37)~~ (34) "Qualified" means suitable for employment as a consequence of having met the standards of
7 education, experience, ~~licensure~~ licensure, or certification established in the applicable job
8 description created and adopted by the agency.

9 ~~(38)~~ (35) "Registered nurse" means ~~a person licensed as such, pursuant to~~ as defined in G.S. 90-171.30.
10 G.S.90-171.30 or G.S. 90.171.32.

11 ~~(39)~~ "Respiratory therapist" means ~~a person who is credentialed by the National Board for Respiratory~~
12 ~~Care.~~

13 ~~(40)~~ (36) "Respiratory care practitioner" means ~~those persons licensed in the state of North Carolina who~~
14 ~~provide clinical respiratory services in a client's home.~~ as defined in G.S. 90-648 (12).

15 ~~(41)~~ (37) "Scope of services" means those specific services provided by a licensed agency as listed on their
16 home care license.

17 ~~(42)~~ (38) "Survey" means an inspection by the Division of Health Service Regulation in order to assess the
18 compliance of agencies with the home care licensure rules.

19 ~~(43)~~ (39) "Social worker" means ~~a person who meets the qualifications of the North Carolina Office of State~~
20 ~~Personnel for social workers.~~ as defined in G.S 90B-3(8).

21 ~~(44)~~ (40) "Speech and language pathologist" means ~~a person licensed as such, pursuant to G.S. 90-294.~~ as
22 defined in G.S. 90-293(5).

23 ~~(45)~~ ~~Speech therapy means professional services provided by a licensed speech and language pathologist.~~

24 ~~(46)~~ (41) "Skilled Services" means all home care services enumerated in G.S. 131E-136(3) with the exception
25 of in-home aide services.

26 (42) "The practice of speech and language pathology" means as defined in G.S. 90-293(7).

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28 *History Note: Authority G.S. 131E-136; 131E-140;*
29 *Eff. July 1, 1992;*
30 *RRC Objection due to lack of statutory authority Eff. November 16, 1995;*
31 *Amended Eff. January 1, 2010; February 1, ~~1996-1996;~~*
32 *Readopted Eff. January 1, 2018.*