

1 10A NCAC 13G .0504 is proposed for amendment as follows:

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3 **10A NCAC 13G .0504 COMPETENCY EVALUATION AND VALIDATION FOR LICENSED HEALTH**  
 4 **PROFESSIONAL SUPPORT TASKS**

5 (a) When a resident requires one or more of the personal care tasks listed in Subparagraphs (a)(1) through (a)(28) of  
 6 Rule .0903 of this Subchapter, the task may be delegated to non-licensed staff or licensed staff not practicing in their  
 7 licensed capacity after a licensed health professional has validated the staff person is competent to perform the task.

8 (b) The licensed health professional shall evaluate the staff person's knowledge, skills, and abilities that relate to the  
 9 performance of each personal care task. The licensed health professional shall validate that the staff person has the  
 10 knowledge, skills, and abilities and can demonstrate the performance of the task(s) prior to the task(s) being performed  
 11 on a resident.

12 ~~(b)~~ (c) Evaluation and validation of competency shall be performed by the following licensed health professionals in  
 13 accordance with his or her North Carolina occupational licensing laws:

14 (1) A registered nurse shall validate the competency of staff who perform any of the personal care tasks  
 15 specified in Subparagraphs (a)(1) through (a)(28) of Rule .0903 of this Subchapter;

16 (2) In lieu of a registered nurse, a licensed respiratory care practitioner may validate the competency of  
 17 staff who perform personal care tasks specified in Subparagraphs (a)(6), (11), (16), (18), (19), and  
 18 (21) of Rule .0903 of this Subchapter;

19 (3) In lieu of a registered nurse, a licensed pharmacist may validate the competency of staff who perform  
 20 the personal care tasks specified in Subparagraph (a)(8) and (11) of Rule .0903 of this Subchapter.  
 21 An immunizing pharmacist may validate the competency of staff who perform the personal care  
 22 task specified in Subparagraph (a)(15) of Rule .0903 of this Subchapter; and

23 (4) In lieu of a registered nurse, an occupational therapist or physical therapist may validate the  
 24 competency of staff who perform personal care tasks specified in Subparagraphs (a)(17) and (a)(22)  
 25 through (a)(27) of Rule .0903 of this Subchapter.

26 ~~(c)~~ (d) If a physician certifies that care can be provided to a resident in a family care home on a temporary basis in  
 27 accordance with G.S. 131D-2.2(a), the facility shall ensure that the staff performing the care task(s) authorized by the  
 28 physician are competent to perform the task(s) in accordance with Paragraphs ~~(a)~~ (b) and ~~(b)~~ (c) of this Rule. For the  
 29 purpose of this Rule, "temporary basis" means a length of time as determined by the resident's physician to meet the  
 30 care needs of the resident and prevent the resident's relocation from the family care home.

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

33 *Temporary Adoption Eff. September 1, 2003;*

34 *Eff. July 1, 2004;*

35 *Readopted Eff. October 1, 2022- 2022;*

36 *Amended Eff. October 1, 2023.*