

## **10A NCAC 13B .1902    DEFINITIONS**

The following definitions shall apply throughout this Section, unless text otherwise indicates to the contrary:

- (1) "Accident" means something occurring by chance or without intention that has caused physical or mental harm to a patient, resident, or employee.
- (2) "Administer" means as defined in G.S. 90-87.
- (3) "Administrator" means the person who has authority for and is responsible to the governing board for the overall operation of a facility.
- (4) "Brain injury long-term care" is defined as an interdisciplinary, intensive maintenance program for patients who have incurred brain damage caused by external physical trauma and who have completed a primary course of rehabilitative treatment and have reached a point of no gain or progress for more than three consecutive months. Services are provided through a medically supervised interdisciplinary process and are directed toward maintaining the individual at the optimal level of physical, cognitive, and behavioral functioning.
- (5) "Combination Facility" means any hospital with nursing home beds that is licensed to provide more than one level of care such as a combination of intermediate care and skilled nursing care and adult care home care.
- (6) "Department" means the North Carolina Department of Health and Human Services.
- (7) "Director of Nursing" means the nurse who has authority and responsibility for all nursing services and nursing care.
- (8) "Dispense" means as defined in G.S. 90-87.
- (9) "Drug" means as defined in G.S. 90-87.
- (10) "Duly Licensed" means holding a current and valid license as required under the General Statutes of North Carolina.
- (11) "Incident" means an intentional or unintentional action, occurrence or happening that is likely to cause or lead to physical or mental harm to a patient, resident, or employee.
- (12) "Licensed Practical Nurse" means as defined in G.S. 90-171.30 or G.S. 90-171.32.
- (13) "Medication" means "drug" as defined in Item (9) of this Rule.
- (14) "Nurse Aide" means any individual providing nursing or nursing-related services to patients in a facility, and is not a licensed health professional, a qualified dietitian or someone who volunteers to provide such services without pay, and who is listed in a Nurse Aide Registry pursuant to G.S. 131E-255.
- (15) "Nurse Aide Trainee" means an individual who has not completed an approved nurse aide training course by the Department in accordance with 10A NCAC 13O .0301, herein incorporated by reference including subsequent amendments and editions, and competency evaluation and is demonstrating knowledge, while performing tasks that they have been found proficient in by an instructor. These tasks shall be performed under the supervision of a registered nurse. The term does not apply to volunteers.
- (16) "Nursing Facility" means that portion of a nursing home certified under Title XIX of the Social Security Act (Medicaid) as in compliance with federal program standards for nursing facilities. It is often used synonymous with the term "nursing home," the usual prerequisite level for state licensure for nursing facility (NF) certification and Medicare skilled nursing facility (SNF) certification.
- (17) "Nurse in Charge" means the nurse to whom duties for a specified number of patients and staff for a specified period of time have been delegated, such as for Unit A on the 7-3 or 3-11 shift.
- (18) "On Duty" means personnel who are awake, dressed, and responsive to patient needs and present in the facility performing assigned duties.
- (19) "Patient" means any person admitted for care to a skilled nursing or intermediate care facility.
- (20) "Physician" means as defined in G.S. 90-9.1 or G.S. 90-9.2.
- (21) "Qualified Dietitian" means as defined in 42 CFR 483.60(a)(1), herein incorporated by reference including subsequent amendments and editions. Electronic copies of 42 CFR 483.60 can be obtained free of charge at [https://www.ecfr.gov/cgi-bin/text-idx?SID=1260800a39929487f0ca55b0ab5e710b&mc=true&tpl=/ecfrbrowse/Title42/42cfrv5\\_02.tpl#0](https://www.ecfr.gov/cgi-bin/text-idx?SID=1260800a39929487f0ca55b0ab5e710b&mc=true&tpl=/ecfrbrowse/Title42/42cfrv5_02.tpl#0).
- (22) "Registered Nurse" means as defined in G.S. 90, Article 9A.
- (23) "Resident" means as defined in G.S.131D-2.1.
- (24) "Supervisor-in-Charge" means a duly licensed nurse to whom supervisory duties have been delegated by the Director of Nursing.

- (25) "Ventilator dependence" means physiological dependency by a patient on the use of a ventilator for more than eight hours a day.

*History Note:* Authority G.S. 131E-79;  
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