10A NCAC 13B .5408 is readopted with changes as published in 36:12 NCR 1029-1032 as follows:

**10A NCAC 13B .5408 COMPREHENSIVE INPATIENT REHABILITATION PROGRAM STAFFING REQUIREMENTS**

(a) The staff of the inpatient rehabilitation facility or unit shall ~~include at a minimum:~~ include:

(1) the inpatient rehabilitation facility or unit shall be supervised by a rehabilitation ~~nurse.~~ nurse as defined in Rule .5401 of this Section. The facility shall ~~identify the nursing skills necessary to meet the needs of the rehabilitation patients in the unit and~~ assign staff qualified to meet ~~those needs;~~ the needs of the patient;

(2) the minimum nursing hours per patient in the rehabilitation unit shall be 5.5 nursing hours per patient day. At no time shall direct care nursing staff be less than two full-time equivalents, one of which must be a registered nurse;

(3) the inpatient rehabilitation unit shall employ or provide by contractual agreements ~~sufficient~~ therapist to provide ~~a minimum of~~ three hours of specific (physical, occupational or speech) or combined rehabilitation therapy services per patient day;

~~(4) physical therapy assistants and occupational therapy assistants shall be supervised on site by physical therapists or occupational therapists;~~

~~(5)~~(4) rehabilitation aides shall have documented training appropriate to the activities to be performed and the occupational licensure laws of his or her supervisor. ~~The overall responsibility for the on-going supervision and evaluation of the rehabilitation aide remains with the registered nurse as identified in Subparagraph (a)(1) of this Rule.~~ Supervision by the physical therapist or by the occupational therapist is limited to that time when the therapist is on-site and directing the rehabilitation activities of the aide; and

~~(6)~~(5) hours of service by the rehabilitation aide are counted toward the required nursing hours when the aide is working under the supervision of the nurse. Hours of service by the rehabilitation aide are counted toward therapy hours during that time the aide works under the immediate, on-site supervision of the physical therapist or occupational therapist. Hours of service shall not be dually counted for both services. Hours of service by rehabilitation aides in performing nurse-aide duties in areas of the facility other than the rehabilitation unit shall not be counted toward the 5.5 hour minimum nursing requirement described for the rehabilitation unit.

(b) Additional personnel shall be provided as required to meet the needs of the patient, as defined in the comprehensive inpatient rehabilitation evaluation.

*History Note:* *Authority G.S. 131E-75(b);131E-79;*
*RRC Objection due to lack of statutory authority Eff. January 18, 1996;*
*Eff. May 1, ~~1996.~~ 1996;*
*Readopted Eff. July 1, 2022.*