10A NCAC 13F .0407 is proposed for readoption with substantive changes as follows:

10A NCAC 13F .0407 OTHER STAFF QUALIFICATIONS

(a) Each staff person at an adult care home shall:

   (1) have a job description that reflects actual the positions, duties and responsibilities and is signed by
the administrator and the employee;

   (2) be able to apply implement all of the adult care home's accident, fire safety, and emergency
procedures for the protection of the residents;

   (3) be informed of the confidential nature of resident information and shall protect and preserve such
the information from unauthorized use and disclosure, in accordance with
Note: G.S. 131D-2(b)(4), 131D-21(6), G.S. 131D-21(6) and 131D-21.1 govern the disclosure of
such information; 131D 21.1;

   (4) not hinder or interfere with the exercise of the rights guaranteed under the Declaration of Residents'
Rights in G.S. 131D-21;

   (5) have no substantiated findings listed on the North Carolina Health Care Personnel Registry
according to G.S. 131E-256;

   (6) have documented annual immunization against influenza virus according to G.S. 131D-9, except as
documented otherwise according to exceptions in this law;

   (7) have a criminal background check in accordance with G.S. 114-19.10 and 131D-40;

   (8) have results of the examination and screening for the presence of controlled substances in
accordance with G.S. 131D-45;

   (9)(10) maintain a valid current driver's license if responsible for transportation of residents; and

   (10) be willing to work cooperate with bona fide state and local inspectors and the monitoring and
licensing agencies toward meeting and maintaining when determining and maintaining compliance
with the rules of this Subchapter.

(b) Any At all times, there shall be at least one staff member left person in the facility left in charge of the resident
 care of residents who shall be 18 years or older.

(c) If licensed practical nurses are employed by the facility and practicing in their licensed capacity as governed by
their practice act and occupational licensing laws, the North Carolina Board of Nursing, there shall be continuous
availability of a registered nurse consistent available in accordance with the rules set forth in Rules 21 NCAC 36
.0224(4), .0224 and 21 NCAC 36 .0225, .0225, which are hereby incorporated by reference including subsequent
amendments.

Note: The practice of licensed practical nurses is governed by their occupational licensing laws.

History Note: Authority G.S. 131D-2.16; 131D-4.5; 131D 4.5(4); 143B-165;
Eff. January 1, 1977;
Readopted Eff. October 31, 1977;
Amended Eff. April 1, 1984;
Amended Eff. June 1, 2004; 2004;