10A NCAC 13G .0504 is proposed for readoption with substantive changes as follows:

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

(a) A family care home The facility shall assure that non-licensed personnel and licensed personnel non-licensed staff and licensed staff not practicing in their licensed capacity as governed by their practice act and in accordance with occupational licensing laws are competency validated by return demonstration for any personal care task specified in Subparagraph (a)(1) through (28) of Rule .0903 of this Subchapter. The facility shall assure the competency validation occurs prior to staff performing the task and that their ongoing competency is assured through facility staff oversight and supervision.

(b) Competency validation shall be performed by the following licensed health professionals:

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

2. In lieu of a registered nurse, a licensed respiratory care practitioner licensed under G.S. 90, Article 38, may validate the competency of staff who perform personal care tasks specified in Subparagraphs (a)(6), (11), (16), (18), (19)(19), and (21) of Rule .0903 of this Subchapter.

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

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

(c) Competency validation of staff, according to Paragraph (a) of this Rule, for the licensed health professional support tasks specified in Paragraph (a) of Rule .0903 of this Subchapter and the performance of these tasks is limited exclusively to these tasks except in those cases in which a physician acting under the authority of G.S. 131D-2(a1) 131D-2.2(a) certifies that non-licensed personnel can be competency validated to perform other tasks on a temporary basis to meet the resident's needs and prevent unnecessary relocation of the resident.

**History Note:** Authority G.S. 131D-2.16; 131D-4.5; 143B-165;
Temporary Adoption Eff. September 1, 2003;