

4664.0390 RESIDENTIAL HOSPICE FACILITY STAFFING.

Subpart 1. **Requirements.** A hospice provider that operates a residential hospice facility must ensure that:

A. the residential hospice facility provides 24-hour, seven-day-a-week nursing services that are sufficient to meet total nursing needs according to each hospice patient's needs;

B. by March 26, 2005, each shift at the residential hospice facility includes a licensed nurse who provides, supervises, or monitors direct care, if the facility is licensed for five or more beds;

C. if the facility is licensed for four or fewer beds, at all times the residential hospice facility either:

(1) has on the premises a licensed nurse who provides, supervises, or monitors direct care; or

(2) has on call a licensed nurse who is able to be on the premises within 20 minutes of a request and has on the premises a home health aide who has completed a standardized medication administration training program for unlicensed personnel that is offered through a Minnesota postsecondary educational institution and that includes instruction on all of the tasks specified in part 4664.0265, subpart 1, items B and C;

D. the residential hospice facility has the number and type of personnel sufficient to meet the total needs of the hospice patients. At all times when the residential hospice facility has five or more residential hospice patients, the residential hospice facility must have on the premises two staff persons, or one staff person and one volunteer. At all times when the residential hospice facility has four or fewer residential hospice patients, the residential hospice facility must either:

(1) have on the premises two staff persons or one staff person and one volunteer; or

(2) have on the premises one staff person and have one staff person or one volunteer on call and able to be on the premises within 20 minutes of a request;

E. a registered nurse is on call whenever a registered nurse is not on duty; and

F. the residential hospice facility maintains for at least three years documentation to demonstrate that the residential hospice facility is in compliance with the requirements of this part.

Subp. 2. **Fines.** For each violation of the following items in subpart 1, the stated fine shall be assessed:

A. item A, \$500;

- B. item B, \$500;
- C. item C, \$500;
- D. item D, \$500;
- E. item E, \$500; and
- F. item F, \$50.

Statutory Authority: *MS s 144A.752*

History: *28 SR 1639*

Published Electronically: *October 11, 2007*