



## Ohio Administrative Code Rule 3701-17-08 Personnel requirements.

Effective: July 17, 2025

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(A) Each nursing home with fewer than a one hundred beds licensed capacity will arrange for the services of an administrator who will be present in the home to the extent necessary for effectively managing the home and assuring that needs of the residents are being met, but not less than sixteen hours during each calendar week. For nursing homes with a one hundred or more bed licensed capacity, the administrator will be present in the home on a full-time basis as defined in paragraph (K) of rule 3701-17-01 of the Administrative Code. The administrator will designate another staff member to be the point of contact of the nursing home when the administrator is absent from the nursing home due to illness, vacation or an emergency situation.

(B) Each nursing home will:

(1) Employ a registered nurse to serve as director of nursing:

(a) This standard may be met by two registered nurses who share the position as co-directors of nursing.

(b) The director of nursing or co-directors of nursing will be on duty five days per week, eight hours per day predominantly between the hours of six a.m. and six p.m. to direct the provision of nursing services.

(c) The nursing home will post the name of the director of nursing in a place easily accessible to residents, resident's families or sponsors, and staff.

(2) Designate another registered nurse in its employ to serve as acting director of nursing in the event the director of nursing or co-directors of nursing are absent from the nursing home due to illness, vacation or an emergency situation. The nursing home will post the name of the acting director of nursing in a place easily accessible to residents, residents' families or sponsors, and staff.



(C) Each nursing home will have sufficient direct care staff on each shift to meet the needs of the residents in an appropriate and timely manner and have the following individuals provide a minimum daily average of two and one-half hours of direct care and services per resident per day as follows:

(1) Nurse aides;

(2) Registered nurses, including registered nurses who perform administrative and supervisory duties; and

(3) Licensed practical nurses, including licensed practical nurses who perform administrative and supervisory duties.

(D) Each nursing home will have a registered nurse on call whenever one is not on duty in the home. The nursing home will post the name of the registered nurse who is on call in a place easily accessible to residents, residents' families or sponsors, and staff.

(E) Each nursing home will have the following staff who are competent to perform the duties they are assigned:

(1) Activities program staff as set forth in paragraph (A) of rule 3701-17-09 of the Administrative Code;

(2) Dietary staff as set forth in paragraph (J) of rule 3701-17-18 of the Administrative Code;

(3) Pharmacy services staff as set forth in paragraph (A)(1) of rule 3701-17-17 of the Administrative Code;

(4) Social services staff to assist the home in meeting the medically-related social service needs of the residents and the standards of rule 3701-17-09 of the Administrative Code. Each nursing home with more than one hundred twenty beds will employ, on a full-time basis, one individual licensed as a social worker under Chapter 4757. of the Revised Code; and



(5) A designated infection prevention and control coordinator in accordance with paragraph (A) of rule 3701-17-11 of the Administrative Code

(F) In addition to complying with the standards in this rule, each nursing home will conduct an assessment of the residents admitted to the facility, based on the residents' plans of care, to determine the staffing level needed to provide, in a timely manner, adequate services and care to meet the needs of the residents admitted to or retained in the nursing home and to properly operate the dietary, housekeeping, laundry, and nursing home maintenance facilities.

(1) The nursing home will determine the number and type of additional staff needed based on the services needing to be performed as identified in the plans of care set forth by rule 3701-17-14 of the Administrative Code, and authorized scopes of practice.

(2) The additional staff will meet the applicable qualifications of rules 3701-17-07 and 3701-17-07.1 of the Administrative Code and provide services in accordance with applicable scopes of practice.

(G) With input from the medical director and the director of nursing, the nursing home may adjust the staffing levels based on the needs and acuity levels of the residents, but in no event will the staffing fail to meet the standards of this rule.

(H) The nursing home will establish a protocol for staff coverage that includes coverage during vacations, emergency situations, and long-term absences due to illness and unexpected absences and a contingency plan for back-up coverage.

(I) A nursing home that is physically located in the same building or on the same lot as a licensed residential care facility, or a home certified as a intermediate care facility for individuals with intellectual disabilities that are owned and operated by the same entity, or that provides an adult day care program in the nursing home, may use staff from the nursing home to provide services in the licensed residential care facility, certified intermediate care facility for individuals with intellectual disabilities, or adult day care program or use appropriate and qualified staff from the licensed residential care facility, certified intermediate care facility for individuals with intellectual disabilities, or adult day care program to meet part or all of the staffing standards of this rule, if all of the following criteria are met:



- (1) The nursing home meets the minimal staffing levels of this rule at all times. No staff simultaneously assigned to the staffing schedules of the nursing home and the residential care facility, certified intermediate care facility for individuals with intellectual disabilities, or adult day program will be counted towards meeting the staffing standards of this rule;
  - (2) The other licensed residential care facility or certified intermediate care facility for individuals with intellectual disabilities, meet their applicable staffing levels at all times. Shared nursing home staff may not be counted towards meeting the minimum staffing levels for the other licensed residential care facility;
  - (3) Separate staffing schedules are maintained for the nursing home, residential care facility, certified intermediate care facility for individuals with intellectual disabilities, and adult day care program;
  - (4) The sharing of staff does not adversely affect the quality and timeliness of meeting the care needs of the nursing home, residential care facility, or intermediate care facility for individuals with intellectual disabilities residents and the participants of the adult day care program;
  - (5) The nursing home, residential care facility, intermediate care facility for individuals with intellectual disabilities and adult day care program are within two minutes or less response time from each other; and
  - (6) The monitoring of the call signal systems in the nursing home and residential care facility are not disrupted and the use of call signal systems is not limited to emergency use only.
- (J) Each nursing home will maintain records necessary for the director to ascertain compliance with the standards set forth in this rule.
- (K) Nothing in this rule is to be construed as authorizing an unlicensed individual to provide services that entail licensure under Title 47 of the Revised Code or a health care professional to provide services outside the professional's licensed scope of practice.