



Technical Bulletin

Division of Public and Behavioral Health

Date: May 17, 2018

Topic: Use of Emergency Medical Services

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To: Residential Facilities for Groups, Homes for Individual Residential Care, Skilled Nursing Facilities

The Bureau of Health Care Quality and Compliance (HCQC) has identified a current need to provide information regarding use of Emergency Medical Services (EMS), including the use of fire departments and paramedics. The purpose of this technical bulletin is to advise residential facilities for groups, skilled nursing facility administrators and homes for individual residential care directors to properly assess their residents upon admission and throughout each resident's stay to ensure the facility has the capacity and capability to provide routine care for residents without relying on EMS.

A facility must have adequate staffing to provide residents with the routine care and services, including, but not limited to, any routine lifting assistance. A facility should be able to provide routine lift assists for all residents (including large or heavy residents) that are done on a daily or routine basis, such as transferring a resident from a bed to a toilet and then back to bed, transferring a resident to a chair (including a wheelchair) and any other transfers that would be part of the resident's normal activities. A facility should have the necessary staff to accomplish these routine transfers without calling EMS.

There may be times when a facility does need to call EMS to assist with a lift, for example, if a resident falls (falls may include falling from a standing position, a chair, toilet or bed) and the resident has a chronic medical condition, such as severe osteoporosis, that limits mobility or causes significant pain with movement, or has pain or suffers an injury that cannot be treated with first aid measures in the facility. The key, in this case, is that it is not a routine lift that is part of the resident's regular care.

If a facility is routinely or regularly using EMS to provide services to a resident, then that resident should be assessed to ensure the facility has the capacity to retain the resident. Facilities have a responsibility to identify residents whose conditions deteriorate and need to be transferred to a higher level of care.

NEVADA ADMINISTRATIVE CODE (NAC) REFERENCES

Residential Facilities for Groups

[NAC 449.199](#) Staffing requirements; limitation on number of residents; written schedule for each shift; direct supervision of certain employees. ([NRS 449.0302](#))

1. The administrator of a residential facility shall ensure that a sufficient number of caregivers are present at the facility to conduct activities and provide care and protective supervision for the residents. There must be at least one caregiver on the premises of the facility if one or more residents are present at the facility.

[NAC 449.2706](#) Transfer of resident whose condition deteriorates. ([NRS 449.0302](#))

1. If a resident's condition deteriorates to such an extent that:

(a) The residential facility is unable to provide the services necessary to treat the resident properly; or

(b) The resident no longer complies with the requirements for admission to the facility, the facility shall plan for the transfer of the resident pursuant to [NRS 449.700](#) and [449.705](#) to another facility that is able to provide the services necessary to treat the resident properly.

2. A resident, his or her next of kin and the responsible agency, if any, must be consulted and adequate arrangements must be made to meet the resident's needs through other means before he or she permanently leaves the facility.

Homes for Individual Residential Care

[NAC 449.15521](#) Director: Qualifications. ([NRS 449.0302](#)) The director of a home must:

1. Be at least 21 years of age and have a high school diploma or its equivalent. A person who proposes to act as the director of a home must provide the Bureau with evidence that he or she satisfies the requirements of this subsection.

2. Possess the appropriate knowledge, skills and abilities to meet the needs of the residents of the home.

Skilled Nursing Facilities

[NAC 449.74469](#) Standards of care. ([NRS 449.0302](#)) A facility for skilled nursing shall provide to each patient in the facility the services and treatment that are necessary to attain and maintain the patient's highest practicable physical, mental and psychosocial well-being, in accordance with the comprehensive assessment conducted pursuant to [NAC 449.74433](#) and the plan of care developed pursuant to [NAC 449.74439](#).

(Added to NAC by Bd. of Health by R051-99, eff. 9-27-99)

[NAC 449.74517](#) Nursing staff. ([NRS 449.0302](#))

1. A facility for skilled nursing shall ensure that there is a sufficient number of members of the nursing staff on duty at all times to provide nursing care to and attain and maintain the highest practicable physical, mental and psychosocial well-being of each patient in the facility in accordance with his or her plan of care.

2. A facility for skilled nursing shall employ a full-time registered nurse to act as the chief administrative nurse. The chief administrative nurse must have:

(a) At least 3 years of experience providing nursing care in a hospital or facility for long-term care; and

(b) Experience supervising other employees.

3. A licensed practical nurse must be designated on each shift as the nurse in charge. The chief administrative nurse may be designated as the nurse in charge only if the facility has an average daily occupancy of not more than 60 patients.

4. A registered nurse must be on duty at a facility for skilled nursing for at least 8 consecutive hours per day, 7 days a week.

(Added to NAC by Bd. of Health by R051-99, eff. 9-27-99)

NAC 449.74519 Nursing assistants and nursing assistant trainees. (NRS 449.0302)

1. A facility for skilled nursing shall not employ a person as a nursing assistant trainee, full-time, temporarily or under contract:

(a) Until the facility obtains from the training program required for certification as a nursing assistant in which the person is enrolled, verification that the person has completed 16 hours of instruction in the classroom or is awaiting the results of a certification examination.

(b) For more than 4 months.

2. A facility for skilled nursing shall ensure that each nursing assistant employed by the facility is able to demonstrate competency in skills and techniques that are necessary to care for the patients in the facility in accordance with each patient's plan of care.

3. A performance review must be completed for each nursing assistant employed by a facility for skilled nursing at least annually. Based on the results of the review, a facility shall provide training to a nursing assistant to ensure his or her competency. The training must:

(a) Comply with any requirements for training adopted by the State Board of Nursing pursuant to chapter 632 of NRS;

(b) Be at least 12 hours per year;

(c) Address any areas of weakness indicated in the review and may address the special needs of the patients in the facility as determined by the personnel of the facility; and

(d) If the nursing assistant provides services to patients with cognitive impairments, address the care of such patients.

4. A facility for skilled nursing shall not employ a nursing assistant if, for a period of 24 consecutive months after his or her completion of the training program required for certification as a nursing assistant, the nursing assistant has not provided nursing services or services related to nursing for monetary compensation.

5. As used in this section:

(a) "Nursing assistant" has the meaning ascribed to it in NRS 632.0166.

(b) "Nursing assistant trainee" has the meaning ascribed to it in NRS 632.0168.

(Added to NAC by Bd. of Health by R051-99, eff. 9-27-99)

NAC 449.74521 Other health care professionals. (NRS 449.0302)

1. A facility for skilled nursing shall employ full-time, part-time or as consultants such health care professionals as are necessary to provide adequate care for each patient in the facility and to carry out the provisions of NAC 449.744 to 449.74549, inclusive.


2. A health care professional employed by a facility for skilled nursing shall comply with accepted professional standards applicable to the services provided by the health care professional.

3. If a facility for skilled nursing does not employ a person to furnish a service required by the facility, the facility shall obtain that service from a qualified outside source. An agreement for obtaining such services must specify, in writing, that the facility assumes responsibility for:


(a) Obtaining services that comply with accepted professional standards applicable to the services being obtained; and

(b) The timely delivery of such services.

(Added to NAC by Bd. of Health by R051-99, eff. 9-27-99)

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Date: 5/16/18

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Date: 5/16/18