

ADULT DAY SERVICES SUMMARY OF RULE AMENDMENTS

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1240-07-10-.03 Definitions	1240-07-10-.03 Definitions	1240-07-10-.03 Definitions
(7) Annual License. An annual permit issued by the Department to an adult day services center, authorizing the licensee to provide adult day services in accordance with provisions of the license, the law, and the rules of the Department.	N/A	Deleted definition of Annual License
(27) Law. Statutory or regulatory provisions affecting the operation of an adult day services center including, but not limited to, the licensing law as contained in Title 71, Chapter 2, Part 4 of the Tennessee Code Annotated and these rules.	N/A	Deleted definition of Law
(28) License. A permit issued by the Department to an adult day services center authorizing the center to provide adult day services for a specified period of time in accordance with the provisions of the license, the law, and the regulations of the Department of Human Services. The term “new license” shall include any renewal of a license.	(26) License. A permit issued by the Department to an adult day services center authorizing the center to provide adult day services for a specified period of time in accordance with the provisions of the license, the law, and the regulations of the Department of Human Services.	Deleted the sentence: 'The term “new license” shall include any renewal of a license.'
(40) Significant Contact. Means, in the context of these rules, that owners or operators are likely to have access to participants without other staff present.	(38) Significant Contact. Means, in the context of these rules, that owners or operators are likely to have unsupervised access to participants.	Changed the wording of the definition so that it reads better; same meaning.
Staff. Full and part-time caregivers, employees, or unpaid volunteers of the center.	(39) Staff. Full and part-time caregivers or employees of the center.	Deleted 'unpaid volunteer' from the definition of Staff.
N/A	(43) Volunteer. A person who provides services for an adult day services agency without payment and who is used to supplement the regular staff.	Added volunteer to Definitions.
1240-07-10-.04 Requirements For Licensure	1240-07-10-.04 Requirements For Licensure	1240-07-10-.04 Requirements For Licensure
(7) Multiple Adult Day Services Centers Operated by a Licensee at the Same Location (a)4. The director of an adult day services center must be present at least one half (½) of the time that the center is open for operation. If the director serves multiple sites, he/she must be present at each adult day services center at least (½) of the time each center is open for operation.	(7)(a)4. The director of an adult day services center serving multiple sites may serve no more than two (2) sites and must be present fifty percent (50%) of their working hours at each site.	Simplified the rule to state a director serving multiple sites may only serve 2 sites and must be present 50% of their working hours at each site.
(7)(c) An adult day services center shall not operate, at the same or contiguous physical location, as an unlicensed/exempt adult day services center unless approved by the Department. (7)(e) The provision of unlicensed/exempt adult day services at the center or on a contiguous or non-contiguous physical location by the center or the center’s employees or agents, shall be deemed to be the provision of adult day services under the center’s control.	(7)(c) An adult day services center shall not operate, at the same or contiguous physical location, as an unlicensed/exempt adult day services center unless approved by the Department. If an exempt or unlicensed adult day services center operates at the same location as a licensed adult day services center, the Department shall consider the exempt or unlicensed group a part of the licensed group unless otherwise approved by the Department.	Combined 7(c) and (7)(e)
(9) Denials, Revocations, and Suspensions of Licenses. (a) All or any part of the license may be revoked at any time upon sixty (60) days’ notice to the licensee; or if the health, safety, or welfare of the participant in care	(9)(a) All or any part of the license may be revoked at any time upon sixty (60) days’ notice to the licensee; or if the health, safety, or welfare of the participants in care imperatively requires, the license, and any operating authority granted by the license, may be suspended immediately. The process for	Added a sentence to inform the reader where to find information related to summary suspension.

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imperatively requires, the license, and any operating authority granted by the license, may be suspended immediately.	summary suspension and the order and contesting a summary suspension is addressed in 1240-07-10-.16(5).	
(c) The Department shall consider whether to take action to revoke, restrict, or deny the center’s license within (30) days of the date of the voluntary suspension or surrender.	N/A	Deleted from the rules. If an agency voluntarily suspends or surrenders its license there is no need to revoke, restrict or deny a license.
1240-07-10-.05 Procedures For Obtaining A License	1240-07-10-.05 Procedures For Obtaining A License	1240-07-10-.05 Procedures For Obtaining A License
(2) Pre-Application Training. (a) Prospective applicants for a new license shall attend at least one informational intake meeting provided by the Department that covers an overview of adult day services operation issues for consideration in determining whether to apply for a license.	(2) Pre-Application Training. (a) Prospective applicants for a new license shall attend a pre-application meeting provided by the Department that covers an overview of adult day services operation issues for consideration in determining whether to apply for a license.	Deleted ‘at least one informational intake meeting’ and replaced with ‘a pre-application.’
(3) In addition to the meeting required in subparagraph (2)(a) above, all new directors shall attend, within six (6) months prior to issuance of the license, an orientation session provided by the Department which is at least four (4) hours in length , and which covers, at a minimum, the laws and rules governing adult day services.	(3) In addition to the meeting required in subparagraph (2)(a) above, all new directors shall attend, within six (6) months prior to issuance of the license, an orientation session provided by the Department which covers, at a minimum, the laws and rules governing adult day services.	Deleted the specific timeframe (at least 4 hours) for new directors’ orientation.
(4) Issuance of a temporary license to new adult day services centers shall require: (b) Payment of Applicable Licensing Fees. 1. Licensing fees must be submitted by certified check, business check, government agency check, or money order;	(4) Issuance of a temporary license to new adult day services centers shall require: (b) Payment of Applicable Licensing Fees. 1. Licensing fees must be submitted by certified check, business check, government agency check, money order, or electronic payment method if available through the Department.	Added 'or electronic payment method if available through the Department'
1240-07-10-.06 Ownership, Organization and Administration	1240-07-10-.06 Ownership, Organization and Administration	1240-07-10-.06 Ownership, Organization and Administration
(3) Philosophy and Goals. (a) A center shall develop, in writing, a philosophy and set of goals.	(3) Philosophy and Goals. (a) A center shall develop, in writing, a philosophy and set of goals to provide for the health, safety, and supervision of adults.	Added 'to provide for the health, safety, and supervision of adults,' which relates back to the primary purpose of licensure.
1240-07-10-.07 Program	1240-07-10-.07 Program	1240-07-10-.07 Program
(9) Restraints. (b) Physical restraints shall be checked every thirty (30) minutes and released every two (2) hours so the participant may be exercised and offered toilet access.	(9)(b) This section regarding restraints excludes passive restraints which are ancillary to a participant’s equipment such as geri chair trays, lap belts, wheelchairs, leg braces, slings, and the like.	Added a new rule to denote those passive restraints are acceptable when used to provide support or as a supplement.
1240-07-10-.08 Participants’ Records	1240-07-10-.08 Participants’ Records	1240-07-10-.08 Participants’ Records
(1) A record of each participant shall be maintained by the center for at least three (3) years.	(1) A record of each participant shall be maintained by the center for at least one (1) year after disenrollment.	Participant records shall be maintained for one (1) year after disenrollment rather than 3 years.
(2) Each record shall contain, at a minimum, the following information regarding the participant:	(2) Each record shall contain, at a minimum, the following information regarding the participant or their primary caregiver in the event the participant is unable to make their own decisions:	This was added to the wrong section and should have been added here:(a) Acknowledgment of receipt of participant bill of rights; (2)(a)1. The following list of rights shall be given to any prospective participant in the adult day service or their primary caregiver in

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		the event the participant is unable to make their own decisions:
(2)(e) A copy of any power of attorney, any health care proxy, any advanced care directive, and any physician’s orders for scope of treatment (POST) involving the participant;	(2)(e) A copy of any known existing and currently effective power of attorney, any health care proxy, any advanced care directive, and any physician’s orders for scope of treatment (POST) involving the participant;	Added 'known existing and currently effective'
(2)(g) A pre-enrollment assessment, which shall include: 2. Basic health history to include: current medical diagnosis, current prescription and non-prescription medications (see 1240-07-10-.13), standing orders, physical disabilities or medical conditions requiring specific modes of care and/or adaptive devices (including allergies and special dietary requirements), and evidence of a TB screening if required based on current Department of Health guidelines;	(2)(g) A pre-enrollment assessment, which shall include: 2. Basic health history to include: current medical diagnosis, current prescription and non-prescription medications (see 1240-07-10-.13), standing orders, physical disabilities or medical conditions requiring specific modes of care and/or adaptive devices (including allergies and special dietary requirements), any existing mental health or psychiatric diagnosis, if relevant or present;	Deleted the requirement for TB screening. Added a requirement to include any existing mental health / psychiatric diagnosis to the basic health history.
	3. Documentation, if available, showing the last date that the participant was seen by a physician;	Added requirement to the rules.
(3) (d) All plans, including all revisions, updates, changes, etc. shall be signed and dated by all involved parties . If any party refuses to participate in the planning process and/or sign the plan, the plan must include a statement of this along with a brief explanation of the reason for refusal.	(3) (d) All plans, including all revisions, updates, changes, etc. shall be signed and dated by the adult day services director or designee; participant or responsible party as defined in these rules, and any third-party service providers, if applicable . If any party refuses to participate in the planning process and/or sign the plan, the plan must include a statement of this along with a brief explanation of the reason for refusal.	The rule now indicates specifically who is inclusive of 'all involved parties'
(3)(e)2. Alzheimer’s Specific Programs. [(i) Participants with Alzheimer’s disease or other dementia shall be provided therapy/intervention or special service specific to treatment or assistance with these diseases .	(3)(e)2. Alzheimer’s Specific Programs. [(i) Participants with Alzheimer’s disease or other dementia shall be provided activities designed to stimulate memory that are based on best practices or special service specific to assistance with these diseases.	Added a provision requiring activities geared toward mental stimulation be offered to participants who have Alzheimer's /dementia.
(6) An adult day services center located on the premises of, and operated by, a licensed nursing home, a licensed hospital, a licensed assisted-care living facility, a licensed home for the aged, or a licensed residential hospice may satisfy the requirements for recordkeeping in these rules by use of existing recordkeeping processes which capture the same information and which maintain the records of the participants in the adult day services center as separate, identifiable records related to the adult day services participant’s activities in the adult day services center as previously described in this section.	(6) An adult day services center located on the premises of, and operated by, a licensed nursing home, a licensed hospital, a licensed assisted-care living facility, a licensed home for the aged, or a licensed residential hospice shall clearly separate and identify participant records and activities related to the adult day services center.	If an ADS center is located on the same premises of a nursing home or other facility, participant records and activities shall be clearly separated.
(7) An adult day services center using the full-time equivalency (FTE) methodology for meeting the staff: participant ratios shall maintain adequate records to document the time provided by staff used to fulfill the FTE requirement	N/A	Deleted

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1240-07-10-.09 Criminal Background and State Registry Review	1240-07-10-.09 Criminal Background and State Registry Review	1240-07-10-.09 Criminal Background and State Registry Review
(1) Criminal Background and Abuse Registry Disclosures and Reviews; Fingerprinting Requirements. (a) The following persons are required to undergo a criminal background check and registry reviews before having access to any adult day services center:	(1) Criminal Background and Abuse Registry Disclosures and Reviews; Fingerprinting Requirements. (a) The following persons are required to undergo a criminal background check and registry reviews before having unsupervised access to any vulnerable adult in an adult day services center:	A criminal background check is required before having unsupervised access to any vulnerable adult in an adult day services center.
1)(a)3. Any person who will volunteer in an adult day services center for more than thirty-six (36) hours in a calendar year and who is counted in the staff: participant ratio;	(1)(a)3. Any person who will volunteer in an adult day services center for more than thirty-six (36) hours in a calendar year and who is counted in the staff: participant ratio; and those volunteers who have unsupervised access to the adult participants in adult day services centers and who will volunteer in the center for more than thirty-six (36) hours.	Added volunteer requirement from TCA 71-2-403.
(2) Responsibility for Providing Fingerprint Sample; Prohibition of Contact with Participants Prior to Completion of Criminal History Review. [(a) An adult day services center shall be responsible for obtaining and submitting the fingerprint sample of any person required by this rule in the form and manner directed by the Department. The person subject to the requirements of subparagraph (1)(b), and the entities with whom they will be, or are, associated, shall be required to provide any information necessary to process the criminal history review required by this paragraph prior to such person’s assumption of any role described in subparagraph (1)(a).	(2) Responsibility for Providing Fingerprint Sample; Prohibition of Contact with Participants Prior to Completion of Criminal History Review. (a) An adult day services center shall be responsible for obtaining and submitting the fingerprint sample of any person required by this rule in the form and manner directed by the Department. The person subject to the requirements of subparagraph (1)(b), and the entities with whom they will be, or are, associated, shall be required to provide any information necessary to process the criminal history review required by this paragraph prior to such person’s assumption of any role described in subparagraph (1)(a). New background checks for existing employees who transfer to another adult day services center are only required for employees when the employee has been separated from employment from an adult day services center within the State for a period of more than 180 consecutive days.	Added language to allow background check transfers if the individual has been separated from employment at an ADS facility less than 6 months (180 days).
(7) Appeal of exclusion from access to an adult day services center. (a) A person that has been excluded from access to an adult day services center due to a criminal offense or state registry listing or in the equivalent administrative registries or court records in any jurisdiction in which the person has resided in the past five (5) years has the right to appeal the exclusion.	(7) Appeal of exclusion from access to an adult day services center. (a) A person that has been excluded from access to an adult day services center due to a criminal offense or state registry listing or in equivalent administrative registries or court records has the right to appeal the exclusion.	Deleted reference related to persons residing in a jurisdiction for five (5) years.
(8) Requests for a waivers from exclusion from access to an adult day services center.	(8) Requests for a waiver from exclusion from access to an adult day services center.	Deleted 's' from 'waiver.'
1240-07-10-.10 Physical Facility	1240-07-10-.10 Physical Facility	1240-07-10-.10 Physical Facility
(13) Safety Equipment. The following safety equipment shall be kept on site: (a) A first aid kit that contains at least the following: sterile and adhesive bandages, antiseptics, sterile compresses, scissors, an oral or topical thermometer and adhesive tape; (b) Blankets; (c) Wheelchair; (d) Blood pressure cuff or scale; and (e) Locked storage space for drugs. 1. If medicine requiring refrigeration is kept in a refrigerator used for food storage, the medicine shall be put in a leak proof locked container and be properly labeled. 2. Keys for these storage containers shall be inaccessible to participants.	(13) Safety Equipment. The following safety equipment shall be kept on site: (a) A first aid kit that contains at least the following: sterile and adhesive bandages, antiseptics, sterile compresses, scissors, an oral or topical thermometer and adhesive tape; (b) Blankets; (c) Wheelchair; (d) Blood pressure cuff (e) Scale; (f) Walkers; and (g) Locked storage space for drugs. 1. If medicine requiring refrigeration is kept in a refrigerator used for food storage, the medicine shall be put in a leak proof locked container and be properly labeled. 2. Keys for these storage containers shall be inaccessible to participants.	Blood pressure cuff and scale are separate; added walker.

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1240-07-10-.11 Food Service - No Changes	1240-07-10-.11 Food Service - No Changes	1240-07-10-.11 Food Service No Changes
1240-07-10-.12 Staffing and Supervision	1240-07-10-.12 Staffing and Supervision	1240-07-10-.12 Staffing and Supervision
<p>(3) Training. (a) Staff shall complete orientation and eight (8) hours of annual training relevant to the performance of their duties recognized by the Department. 1. At least 50% of all training hours completed must be a “live” presentation in a classroom, one-on-one or group Technical Assistance (TA) session, or similar “in person” setting. 2. The additional 50% of total training hours to meet licensing rules can come from online, CD-ROM, video, self-study, including correspondence, in-house or director/staff led training (maximum of 4 hours annually), or any combination thereof. (b) Within thirty (30) days of beginning his/her duties, each paid or unpaid staff person shall complete department-recognized training on universal precautions, fire safety and emergency plans. (c) Within thirty (30) days of beginning his/her duties, each staff person shall complete department-recognized training on the signs and symptoms of abuse, neglect or exploitation of an adult as specified by T.C.A. §§ 71-6-102 et seq., as well as the duty to report to the Department any abuse, neglect or exploitation of an adult as required by T.C.A. § 71-6-103.</p>	<p>(3)(a) Prior to assuming duties and responsibilities all staff, whether paid or unpaid, shall complete department-recognized training on universal precautions, fire safety, emergency plans, infection control and infectious diseases; and department-recognized training on the signs and symptoms of abuse, neglect or exploitation of an adult as specified by T.C.A. §§ 71-6-102 et seq., as well as the duty to report to the Department any abuse, neglect or exploitation of an adult as required by T.C.A. § 71-6-103. (3)(b) All staff shall complete eight (8) hours of Department recognized annual training relevant to the performance of their duties and related to the population served, the behaviors of the population served, infection control and infectious diseases and other such relevant training.</p>	<p>Deleted (3) (a)(b) and replaced with new language. Removed the requirement that a certain percentage of training be in person and virtual. Added a provision to require specific training ‘prior to assuming duties’ instead of ‘within 30 days of beginning duties.’ Added the requirement that annual training is related to the population served; behaviors of the population served; infection control and infectious diseases; etc.</p>
<p>(3) Training. (c) Within thirty (30) days of beginning his/her duties, each staff person shall complete department-recognized training on the signs and symptoms of abuse, neglect or exploitation of an adult as specified by T.C.A. §§ 71-6-102 et seq., as well as the duty to report to the Department any abuse, neglect or exploitation of an adult as required by T.C.A. § 71-6-103.</p>	<p>(3) Training. (c) Within thirty (30) days of beginning his/her duties, each staff person shall complete department-recognized training on the signs and symptoms of abuse, neglect or exploitation of an adult as specified by T.C.A. §§ 71-6-102 et seq., as well as the duty to report to the Department any abuse, neglect or exploitation of an adult as required by T.C.A. § 71-6-103.</p>	<p>This paragraph (3)(c) which refers to training within 30 days of beginning duties was inadvertently left in the rules; however, taking the training prior to assuming duties as outlined in Paragraph (3)(a) will satisfy this requirement.</p>
<p>(4) Staff Records (c) An employment record shall be maintained by the center for at least three years after cessation of employment or volunteer service</p>	<p>(4)(c) An employment record shall be maintained by the center for at least one (1) year after cessation of employment or volunteer service</p>	<p>Employment records shall be maintained for one year after employment rather than 3 years.</p>
<p>(4)(d) An employment record for each employee and volunteer used to meet ratios shall include the following: 1. Name, telephone number, and all addresses associated with the individual, both residential and employment-related, within the twelve (12) month period prior to the hiring as an employee or acceptance as a volunteer; 2. Signed and completed criminal history disclosure form; 3. Verification of criminal and juvenile background</p>	<p>(4)(d) An employment record for each employee and volunteer used to meet ratios shall include the following: 1. Name, telephone number, and all addresses associated with the individual, both residential and employment-related, within the twelve (12) month period prior to the hiring as an employee or acceptance as a volunteer; 2. Signed and completed criminal history disclosure form; 3. Background check clearance letter; 4. Evidence of educational background; 5. Employment history; 6. Documented verification of three (3) non-relative references; 7. Job description; 8. Annual performance evaluation; 9. Verification of required training hours; and 10. A person to be notified in case of an emergency involving the employee or volunteer.</p>	<p>Replaced 3 and 4 with 'background check clearance letter.' Separated 6 to make employment history and verification of references individual requirements. References are non-relative references. The requirement for a TB screening was deleted.</p>

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<p>check; 4. Verification of the vulnerable persons and sex offender registries results and review of the protective service records of the Departments of Children’s and Human Services;5. Evidence of educational background; 6. Employment history and documented verification of three (3) references;7. Job description;8. Annual performance evaluation;9. Verification of required training hours;10. Evidence of the absence of tuberculosis if a staff person or volunteer was required to be screened for tuberculosis based on the current Department of Health Guidelines; and 11. A person to be notified in case of an emergency involving the employee or volunteer.</p>		
<p>(5)(d) Use of Full-Time Equivalency Positions. 1. An adult day services center located on the premises of, and operated by, a licensed nursing home, a licensed hospital, a licensed assisted-care living facility, a licensed home for the aged, or a licensed residential hospice may use full-time equivalency (FTE) ratios; provided, the total time of all staff used in the FTE methodology meets the staff: participant ratio required in subparagraph (b). Further, any adult day services center affiliated with a licensed nursing home, a licensed hospital, a licensed assisted-care living facility, a licensed home for the aged, or a licensed residential hospice using full-time equivalency ratios shall provide a written plan which is available to the Department demonstrating that the safety and emergency needs of the participants will be assured at all times if the FTE method is used.</p>	N/A	Deleted from the rules
<p>(5)(d)2. A “full-time equivalency (“FTE”) methodology” involves the use of one or more available staff on a part-time basis to meet required staff: participant ratios at the adult day services center so that the total number of hours devoted to providing care and supervision of the participants by the various staff equals the staff time necessary to meet the staff: participant ratios which would be provided if one, or more, staff were utilized on a full-time basis to provide appropriate care and supervision to the participants.</p>	N/A	Deleted from the rules
<p>(6) Responsibility of Center for Supervision of Participants.(c) Devices such as mirrors, video equipment used for live stream viewing, electronic sound monitors, etc. may be used as appropriate to meet the supervision requirements.</p>	<p>(6) Responsibility of Center for Supervision of Participants.(c) Devices such as mirrors, video equipment used for live stream viewing, electronic sound monitors, etc. may be used as appropriate to assist the supervision requirements.</p>	The listed devices may be used to 'assist' rather than 'meet' the supervision requirements.
<p>(6) Responsibility of Center for Supervision of Participants.(e) Required Staff: Participant Ratios. 2. The minimum required staff: participant ratio must be met during special activities such as outings in order to provide adequate supervision for the participants during these activities.</p>	<p>(6) Responsibility of Center for Supervision of Participants.(e) Required Staff:Participant Ratios. 2. The minimum required staff: participant ratio must be increased by at least one (1) staff member during off-site activities, and then increased, as necessary, to meet any special needs of each participant and to provide adequate supervision.</p>	The staff to participant ratio must be increased by 1 during outings and then increased as necessary to meet any special needs of participants.

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<p align="center">1240-07-10-.13 Medication</p>	<p align="center">1240-07-10-.13 Medication</p>	<p align="center">1240-07-10-.13 Medication</p>
<p>(1) The center shall have a written policy which allows a participant to self-medicate or which allows staff to supervise or provide assistance to the participant for this purpose in accordance with any requirements set by the participant’s health care practitioner</p>	<p>(1) The center shall have a written policy which allows a participant to self-medicate or which allows staff who have received medication training to supervise or provide assistance to the participant for this purpose in accordance with any requirements set by the participant’s health care practitioner</p>	<p>Staff who provide supervision or assistance to participants taking medications must have medication training prior to doing so.</p>
<p>(7) The center shall document and report immediately to appropriate parties all medication errors.</p>	<p>(7) The center shall document all medication errors, in writing, in the participant's file; and the center shall report the incident to the director of the adult day services center, the participant's family and/or responsible party, and the Department on the same day of the incident.</p>	<p>Requires medication errors to be documented in writing in the participant’s file. Appropriate parties are identified, and a timeframe is given for reporting (same day of incident).</p>
<p align="center">1240-07-10-.14 Transportation</p>	<p align="center">1240-07-10-.14 Transportation</p>	<p align="center">1240-07-10-.14 Transportation</p>
<p>(7) All vehicles used to transport participants shall have an operational fire extinguisher and first aid kit and a bloodborne pathogens kit on the vehicle.</p>	<p>(7) All vehicles used to transport participants shall have an operational fire extinguisher, emergency triangles, a seat belt cutter, a working flashlight, a first aid kit, and a bloodborne pathogens kit on the vehicle.</p>	<p>Emergency triangles, a seatbelt cutter and a working flashlight were added to the list of equipment required on vehicles used to transport participants.</p>
<p>(8) Transportation Staff Qualifications. (b) All staff responsible for transportation shall receive such training no less than every six (6) months thereafter.</p>	<p>(8) Transportation Staff Qualifications. (b) All staff responsible for transportation shall receive annual training provided by the Department and shall be required to retake the initial training if the agency has a transportation violation.</p>	<p>Staff responsible for transportation will receive training on an annual basis rather than every 6 months. Transportation violations require a re-take of the initial transportation training.</p>
<p align="center">1240-07-10-.15 Health and Safety</p>	<p align="center">1240-07-10-.15 Health and Safety</p>	<p align="center">1240-07-10-.15 Health and Safety</p>
<p>(2) (a) The center shall practice these emergency procedures as required by law and shall maintain documentation of these drills for three (3) years.</p>	<p>(2) (a) The center shall practice these emergency procedures as required by law and shall maintain documentation of these drills for one (1) year.</p>	<p>Documentation of emergency drills maintained for 1 year rather than 3 years.</p>
<p>(3) Telephone numbers for the following shall be posted: (a) Ambulance service; (b) Police department; (c) Fire department; (d) Poison control center; and (e) The Department of Human Services, Adult Protective Services Central Intake Hotline.</p>	<p>(3) Telephone numbers for the following shall be posted:(a) Ambulance service; (b) Police department; (c) Fire department; (d) Poison control center; (e) Local emergency management agency;(f) The Department of Human Services, Adult Protective Services Central Intake Hotline; and (g) The Department of Human Services, Child and Adult Care Complaint Hotline.</p>	<p>The local emergency management and complaint hotline numbers were added to the list of telephone numbers to be posted.</p>
<p>(4) Smoking. (a) Pursuant to state law, smoking shall not be permitted anywhere inside the center. (b) As required by state law, No-Smoking signs shall be posted conspicuously within the facility and at each entrance to the facility. (c) A designated outside smoking area may be provided for participants or employees who smoke provided smoke does not infiltrate protected areas.</p>	<p>(4) Smoking and Vaping. (a) Pursuant to state law, smoking or vaping shall not be permitted anywhere inside the center.(b) As required by state law, No-Smoking signs shall be posted conspicuously within the facility and at each entrance to the facility.(c) A designated outside smoking area may be provided for participants or employees who smoke or vape provided smoke or vape fumes do not infiltrate protected areas and the designated smoking areas should not be located close to the main entrance and exit to the center.</p>	<p>Added vaping, vape and vape fumes to the rule.</p> <p>Added a statement that designated smoking areas should not be located near the main entrance and exit to the center.</p>
<p>(6) The center shall notify the Department of all serious incidents the same day of the incident by contacting the Child and Adult Care Complaint Hotline at 1-800-462-8261. The failure to report may be a basis for the summary suspension, revocation or denial of the center’s license to operate. (a) Serious incidents, include, but are not limited, to the following: 1. Any injury</p>	<p>(6) The center shall notify the Department of all serious incidents the same day of the incident by contacting the Child and Adult Care Complaint Hotline. The failure to report may be a basis for the summary suspension, revocation, or denial of the center’s license to operate. (a) Serious incidents include, but are not limited, to the following: 1. Any injury that requires medical treatment beyond on-site first aid; 2. Reports made to Adult Protective Services that are related to an occurrence at the adult</p>	<p>The Child and Adult Care Complaint hotline number was deleted.</p> <p>Excludes reporting of calls to APS that are related to incidents occurring in the participants home or</p>

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2023 ADULT DAY SERVICES STANDARDS

AMENDMENTS

<p>that requires medical treatment beyond on-site first aid; 2. Reports made to Adult Protective Services or law enforcement or anytime it is necessary to call 911; 3. Any incident that may result in staff exclusion from adult care per 1240-07-10-.09; 4. Transportation accidents and traffic citations (such as a driver cited for speeding) that occur when a participant is on the vehicle; and 5. Any participant fatality at the center.</p>	<p>day services facility; 3. Any call to law enforcement or 911 related to incidents that are of a serious or life-threatening nature and not related to routine medical calls; 4. Any incident that may result in staff exclusion from adult care per 1240-07-10-.09; 5. Transportation accidents and traffic citations (such as a driver cited for speeding) that occur when a participant is on the vehicle; 6. Any participant fatality at the center; and 7. Major incidents regarding medications, including but not limited to the following circumstances: underdosing or overdosing of medications, administering the wrong medications, or any medication incidents that place participants at risk of harm or cause actual harm.</p>	<p>when the participant was not in the care of the ADS service center.</p> <p>Excludes reporting of calls made to 911 or law enforcement for routine medical calls.</p> <p>Added requirement to report major incidents regarding medications.</p>
<p align="center">1240-07-10-.16 LICENSING VIOLATIONS/DUE PROCESS No Changes</p>	<p align="center">1240-07-10-.16 LICENSING VIOLATIONS/DUE PROCESS No Changes</p>	<p align="center">1240-07-10-.16 LICENSING VIOLATIONS/DUE PROCESS - No Changes</p>