



## Ohio Administrative Code

### Rule 3701-18-09 Personnel requirements for training and competency evaluation programs.

Effective: November 24, 2022

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(A) Each approved TCEP shall be administered by a program coordinator who is responsible for the overall administration and accountability of the program, which includes assuring the program's compliance with the applicable provisions of this chapter. The program shall enter into a written agreement with the program coordinator providing for his or her service in that capacity, unless the program coordinator is the individual who submitted the program application, or it is a facility-based TCEP and the program coordinator is an employee of the facility operating the program. If a program coordinator leaves the program, the program:

- (1) Shall notify the director immediately;
- (2) May complete the program currently in progress; and
- (3) Shall not begin a new program until the program contracts with a replacement or substitute and that individual begins functioning as the program coordinator.

(B) An approved TCEP shall arrange for individuals to serve as primary instructors in accordance with the applicable provisions of this rule.

- (1) The primary instructors of a TCEP collectively shall be responsible for providing the instruction required by rule 3701-18-12 of the Administrative Code and for supervising instruction by supplemental instructors.
- (2) Programs may use individuals who possess the qualifications of a primary instructor as substitutes in cases of absences, vacations, and emergencies.
- (3) In the case of a facility-based TCEP for which the facility's director of nursing serves as the program coordinator, they may not serve as a primary instructor or perform skills testing.



(C) Each TCEP shall arrange for the services of a sufficient number of primary instructors to provide for the training of nurse aides. Each primary instructor shall:

(1) Possess a current, valid license issued under Chapter 4723. of the Revised Code to practice nursing as a registered nurse;

(2) Have a minimum of two years of nursing, at least one of which must be in the provision of long term care facility services. Experience in evaluating, in a long-term care setting, the clinical skills of individuals providing care is considered experience in caring for the elderly or chronically ill; and

(3) Provide documentation that they have, at minimum:

(a) Successfully completed a TTT program approved by the director or the director's designee pursuant to division (D) of section 3721.31 of the Revised Code and paragraph (A) of rule 3701-18-16 of the Administrative Code; or

(b) One year experience in teaching adults and possesses the training manual required by paragraph (D) of rule 3701-18-21 of the Administrative Code from an approved TTT program; or

(c) Within the previous three years, provided at least one year of direct supervision of nurse aides in a long-term care facility as a registered nurse.

(4) If qualified, a program coordinator may serve as a primary instructor except in a facility-based TCEP in which the facility's director of nursing is the program coordinator. Individuals who served as program coordinators and primary instructors under the version of this rule as it appeared prior to the effective date of this rule may continue to serve as a primary instructor until there is a twenty-four consecutive month lapse in the individual's service as a primary instructor.

(D) No approved TCEP shall permit an individual to serve as a primary instructor if he or she has not served as a primary instructor of at least one TCEP or faculty member of at least one TTT program within the previous twenty-four consecutive months, unless the individual possesses the qualifications prescribed by paragraph (C) of this rule.



(E) All clinical experience shall be under the direct supervision of the primary instructor, a registered nurse, or a licensed practical nurse. As used in this paragraph, "direct supervision" means to be present physically on the floor where the trainee is providing services, to be available at all times to respond to requests for assistance from the trainee, and to be within a distance which allows the supervisor to periodically observe the trainee providing services. Registered nurses, other than the primary instructor, and licensed practical nurses who directly supervise clinical experiences shall have at least one year experience in the provision of long term care services. The TCEP shall maintain, at minimum, a ratio of one nurse for every ten trainees during the clinical experience.

(F) The program coordinator of a TCEP may arrange for an individual or individuals to serve as supplemental instructors to provide training in their areas of expertise and within their scopes of practice, if needed to meet planned program objectives for a particular portion of the program. A supplemental instructor shall not conduct any skills testing or other form of evaluation. No more than thirty hours of the total classroom instruction may be taught by supplemental instructors. Each supplemental instructor shall be registered, certified, or licensed to practice in his or her area of expertise in Ohio, if required by law, or shall be otherwise appropriately qualified. Each supplemental instructor also shall have knowledge of current developments relevant to the instruction he or she will provide.

(G) An approved TCEP's supplemental instructors may include but are not limited to licensed health professionals, dietitians, sanitarians, ombudsmen, counselors, activities specialists, gerontologists, fire safety experts, residents, or nurse aides. Nurse aides who serve as supplemental instructors shall possess the qualifications prescribed by division (B) or (C) of section 3721.28 of the Revised Code and paragraph (B) or (C) of rule 3701-17-07.1 of the Administrative Code, as applicable.

Supplemental instructors providing instruction concerning direct care of long-term care facility residents shall have had at least one year of experience caring for the elderly or chronically ill of any age. Supplemental instructors, other than registered nurses or licensed practical nurses with one year experience in the provision of care to residents of a long term care facility, shall not supervise any clinical experience.

(H) Approved programs may provide classroom instruction either online or in-person.

(I) When a program provides for online classroom instruction, a primary instructor or supplemental



instructor shall be available at the conclusion of the lesson to respond to questions and generate discussion about the topics covered.

(2) The provision of online classroom instruction does not relieve a program of its responsibility to conduct the evaluation of the trainee required by rule 3701-18-13 of the Administrative Code.