



## Ohio Administrative Code Rule 3701-19-01 Definitions.

Effective: January 23, 2020

---

As used in this chapter:

- (A) "Advanced Practice Nurse" means a registered nurse authorized to practice as a certified nurse specialist, certified registered nurse anesthetist, certified nurse midwife or certified nurse practitioner in accordance with section 4723.41 of the Revised Code;
- (B) "Applicant" means a person or public agency that submits an application for a license to provide a hospice care program under rule 3701-19-03 of the Administrative Code.
- (C) "Attending physician" means the physician identified by the hospice patient or the hospice patient's family as having primary responsibility for the hospice patient's medical care.
- (D) "Dietitian" means an individual licensed under Chapter 4759. of the Revised Code to practice dietetics.
- (E) "Director" means the director of health or any official or employee of the department of health designated by the director of health.
- (F) For purposes of this chapter, "follow-up inspection" means an inspection, which may include on-site and off-site activities, conducted by the department to determine whether the hospice care program has corrected a violation or violations cited on a previous inspection.
- (G) "Governing body" means the entity that has ultimate responsibility and authority for the overall operation of a hospice care program, as specified in rule 3701-19-06 of the Administrative Code.
- (H) "Home health aide" means an individual who, in accordance with rule 3701-19-16 of the Administrative Code, provides home care services for hospice patients and their families.



(I) "Hospice aide," for the purpose of this chapter, means a home health aide who has successfully completed a training and competency evaluation program approved by the director under division (A) of section 3721.31 of the Revised Code and Chapter 3701-18 of the Administrative Code, is currently listed in good standing on the state nurse aide registry, and is employed by a hospice care program.

(J) "Hospice care program" or "program" means a coordinated program of home, outpatient, and inpatient care and services that is operated by a person or public agency and that provides the following care and services to hospice patients, including services as indicated below to hospice patients' families, through a medically directed interdisciplinary team, under interdisciplinary plans of care established pursuant to section 3712.06 of the Revised Code and rule 3701-19-11 of the Administrative Code, in order to meet the physical, psychological, social, spiritual, and other special needs that are experienced during the final stages of illness, dying, and bereavement:

- (1) Nursing care by or under the supervision of a registered nurse;
- (2) Physical, occupational, or speech or language therapy, unless waived by the department of health pursuant to paragraph (B) of rule 3701-19-19 of the Administrative Code;
- (3) Medical social services by a social worker under the direction of a physician;
- (4) Services of a home health aide;
- (5) Medical supplies, including drugs and biologicals, and the use of medical appliances;
- (6) Physician's services which include medical services provided by a physician or an advanced practice nurse acting within his or her scope of practice, as defined in section 4723.01 of the Revised Code, or a physician assistant acting within his or her scope of practice under the supervision, control, and direction of one or more physicians as defined in section 4730.01 of the Revised Code.
- (7) Short-term inpatient care, including both palliative and respite care and procedures;
- (8) Counseling for hospice patients and hospice patients' families;



(9) Services of volunteers under the direction of the provider of the hospice care program;

(10) Bereavement services for hospice patients' families.

(K) "Hospice patient" or "patient" means a patient who has been diagnosed as terminally ill, has an anticipated life expectancy of six months or less, and has voluntarily requested and is receiving care from a person or public agency licensed under Chapter 3712. of the Revised Code and this chapter to provide a hospice care program.

(L) "Hospice patient's family" or "family" means a hospice patient's immediate family members, including a spouse, brother, sister, child, or parent, and any other relative or individual who has significant personal ties to the patient and who is designated as a member of the patient's family by mutual agreement of the patient, the relative or individual, and the patient's interdisciplinary team.

(M) "Inpatient facility" means a facility that either is operated by or under contract with a hospice care program for the purpose of providing inpatient care to the hospice care program's patients.

(N) "Inpatient hospice facility" means a building or leased unit operated by a hospice care program that is separate and distinct from another licensed or certified facility where the hospice program directly provides accommodations and hospice services for its hospice patients.

(O) "Interdisciplinary plan of care" or "plan of care" means the interdisciplinary plan for care of a hospice patient and his or her family prepared under rule 3701-19-11 of the Administrative Code.

(P) "Interdisciplinary team" means a working unit composed of professional and lay persons that includes at least a physician, a registered nurse, a social worker, a member of the clergy or a counselor, and a volunteer.

(Q) "Licensed practical nurse" means a person licensed under Chapter 4723. of the Revised Code to practice nursing as a licensed practical nurse.

(R) "Nurse" means a registered nurse or licensed practical nurse.



(S) "Palliative care" means specialized care for a patient of any age who has been diagnosed with a serious or life-threatening illness that is provided at any stage of the illness by an interdisciplinary team working in consultation with other health care professionals, including those who may be seeking to cure the illness and that aims to do all of the following:

- (1) Relieve the symptoms, stress, and suffering resulting from the illness;
- (2) Improve the quality of life of the patient and the patient's family;
- (3) Address the patient's physical, emotional, social, and spiritual needs; and
- (4) Facilitate patient autonomy, access to information, and medical decision making.

Nothing in this chapter shall be interpreted to mean that palliative care can be provided only as a component of a hospice care program or pediatric respite care program.

(T) "Person" means an individual, corporation, business trust, estate, trust, partnership, and association.

(U) "Physician" means a person authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery.

(V) "Physician assistant" means a person who holds a certificate of authority to practice as a physician assistant issued under Chapter 4730. of the Revised Code.

(W) "Respite care" means hospice care program services provided by the program in a patient's home or in an inpatient facility to give temporary relief to a hospice patient's family or other caregivers when the patient's family or other caregiver needs relief from the daily demands of caring for the patient.

(X) "Registered nurse" means a person registered under Chapter 4723. of the Revised Code to practice professional nursing.



(Y) "Social worker" means a person licensed under Chapter 4757. of the Revised Code to practice as a social worker or independent social worker.

(Z) "Staff member" or "staff" means an individual working for a hospice care program including the owner; the administrator; a full-time, part-time or temporary paid employee; or an individual working on contract.

(AA) "Volunteer" means a lay or professional person who offers and provides his or her services to a hospice care program without compensation.