



Ohio Administrative Code

Rule 3701-84-08 General personnel and staffing requirements.

Effective: May 15, 2023

(A) Each HCS shall, based on the services provided and the number of patients served, maintain a sufficient number of qualified staff members and other personnel and schedule staff in number and type necessary to meet the needs of its patients in a timely manner. Each HCS shall be responsible for the care provided by the staff and personnel of that HCS.

(B) Each provider of a HCS shall only utilize personnel to provide services who have appropriate training and qualifications for the services that they provide.

(1) Any staff member who functions in a professional capacity is obligated to meet the standards applicable to that profession, including but not limited to, possessing a current Ohio license, registration, or certification, if required by law, and working within their scope of practice; and

(2) Each HCS shall have an established system of records necessary for the director to ascertain that all individuals employed at the HCS who function in a professional capacity meet the standards applicable to that profession.

(C) Each HCS shall have a medical director for the HCS. In lieu of the board certification requirements specified in this chapter;

(1) A physician who is board certified by a foreign board and is eligible to take the examination of an American board of medical specialties recognized board or an American osteopathic association board may serve as medical director of an HCS; or

(2) In accordance with rule 3701-84-14 of the Administrative Code, a HCS may request a waiver or variance from the department of health for physicians who are board certified by a foreign board who are not eligible to take the examination of an American board of medical specialties recognized board or an American osteopathic association board.



(D) Each HCS shall develop and follow a tuberculosis control plan based on the provider's assessment of the HCS that is consistent with the United States centers for disease control and prevention (CDC) "Tuberculosis Screening, Testing, and Treatment of U.S. Health Care Personnel: Recommendations from the National Tuberculosis Controllers Association and CDC," MMWR 2019, Rep 2019; 68:439-443. The HCS will retain documentation evidencing compliance with this paragraph and furnish such documentation to the director upon request.

(E) Each HCS shall not knowingly permit a staff member to provide services if the staff member:

(1) Has a disease capable of being transmitted during the performance of his or her duties;

(2) Is under the influence of drugs or alcohol; or

(3) After training and orientation by the HCS, has not demonstrated sufficient knowledge or expertise for the responsibilities of the position.

(F) Each HCS shall provide:

(1) A written job description to each staff member delineating responsibilities;

(2) An ongoing training program for all staff that includes both an initial orientation and continuing training:

(a) Orientation that is appropriate to the tasks that each staff member will be expected to perform; and

(b) Continuing training designed to assure appropriate skill levels are maintained and that staff are informed of changes in techniques, philosophies, goals, and similar matters. The continuing training may include attending and participating in professional meetings and seminars and include information specific to the type of HCS;

(3) An orientation and training for the HCS's equipment, safety guidelines, practices, and policies; and



(4) Documentation of orientation and training documented in each staff member's personnel record.

(G) Each HCS shall develop and implement an ongoing process for ensuring the competence of staff members that includes:

(1) A periodic assessment and re-determination of necessary skill levels identified for the staff member's position; and

(2) At least every thirty-six months, a performance evaluation stating whether each staff member has achieved the skill levels identified for the staff member's position.

(H) Each HCS shall retain staffing schedules, time-worked schedules, on-call schedules, and payroll records for at least two years.