

LongTermHealth *Care*

South Carolina Board Of Long Term Health Care Administrators

January 2003

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South Carolina Department of
Labor, Licensing Regulation

OSHA Compliance In Nursing Homes and Community Residential Care Facilities

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Nursing and personal care facilities have one of the highest rates of injury and illness among industries for which nationwide lost workday injury and illness (LWDII) rates were calculated for calendar year 2000 (CY 2000). According to data from the Bureau of Labor Statistics (BLS), the national average LWDII rate for private industry for CY 2000 was 3.0 per 100 fulltime workers. Nursing and personal care facilities (employers within SIC codes 8051, 8052, and 8059) experienced an average LWDII rate of 7.9 per 100 fulltime workers, despite the availability of feasible controls which have been identified to address hazards within this industry.

A National Emphasis Program (NEP) for programmed inspections of nursing and personal care facilities (SIC Codes 8051 – Skilled Nursing Care Facilities; 8052 – Intermediate Care Facilities; and 8059 – Nursing and Personal Care Facilities, Not Elsewhere Classified) is being implemented by federal OSHA.

This NEP will focus primarily on the hazards which are prevalent in nursing and personal care facilities, specifically, ergonomics, stressors relating to resident handling; exposure to blood and other potentially infectious materials; exposure to tuberculosis; and slips, trips and falls. When additional hazards come to the attention of the compliance officer, the scope of the inspection may be expanded to include those hazards. This NEP addresses only enforcement-related procedures. Voluntary

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From the Board Administrator

Happy New Year! The Board is starting off 2003 with a new format for its newsletter. Thanks to Melissa Hopkins in LLR's Office of Public Information for designing the new layout and assisting me in learning another software application!

Another change to the newsletter is the number of yearly publications. Since the newsletter publication began in 1996, there have been four issues per year. Beginning in 2003, the number of issues is being reduced to two times a year. The issues will come out in January and July. Staff will continue its efforts to provide you with Board updates and industry specific information as it relates to the operation of the facilities under your administration.

Best wishes for a great 2003. We look forward to working with you throughout the year on your administrator licensing questions, concerns and license renewal.

OSHA Compliance *continued from page 1*

guidelines published by OSHA will not be used as a basis for citations issued under this NEP.

CY 2000 data from BLS indicates that overexertion and injuries from slips, trips and falls account for a high percentage of total nonfatal occupational injury and illness cases with days away from work in nursing and personal care facilities. Taken together, these account for 72% of all cases involving days away from work (53.4% from overexertion and 18.6% from slips, trips and falls).

OSHA enforcement data (from the Integrated Management System or IMIS) indicates that the most frequently cited standard in nursing and personal care facilities is 1910.1030, the Bloodborne Pathogens Standard.

Employees working in nursing and personal care facilities have been identified by the Centers for Disease Control and Prevention (CDC) as having a high incidence of exposure to tuberculosis (TB). In CY 2000, the CDC reported a total of 16,377 cases of TB in the United States. Persons over the age of 65 have the highest TB case rates and constitute a large proportion of the TB cases in the United States. In addition, the age-specific case rate for persons older than 65 years living in nursing homes has been estimated to be 1.8 times that of older persons not in nursing homes.

Workplace violence is a recognized hazard in nursing and personal care facilities. This NEP will address outreach, training and information for the purpose of advancing awareness of this hazard. In the year 2000, BLS data recorded 3,702 occupational injuries and illnesses involving days away from work in Nursing and Personal Care Facilities (SIC 805) that were attributable to violence inflicted on staff. During the period from 1992-2000, there were 29 homicides in this industry from violence toward staff.

This NEP will initially select for inspections all worksites within SIC codes 8051, 8052 and 8059 with an LWDI rate at or above 14.0. A secondary inspection list will likewise be developed to identify those in SIC's 8051, 8052 and 8059 with an LWDI rate of 8.0 or greater but less than 14.0. In addition, establishments in 8051, 8052 and 8059 that have fewer than 40 workers at the time the compliance officer arrives on site to begin the inspection, this inspection will be conducted provided that the establishment has more than 10 workers and either its recalculated LWDI rate is at or above 8.0.

Please remember this is a federal OSHA National Emphasis Program. South Carolina operates its own state program. South Carolina is in the process of determining how this NEP will affect its current scheduling process.

If your facility is interested in improving its safety and health process, the Office of OSHA Voluntary Programs is available to provide consultation and training free of charge to assist in reducing injury and illnesses. Please contact OVP at (803) 734-9599 or send your request by fax to (803) 734-9741.

Disciplinary Update

The following Orders were approved by the Board at the December 4, 2002 meeting:

- A Community Residential Care Facility Administrator signed a Consent Order that includes a 2-year probation and a \$2,000 fine. The CRCFA was charged with failing to work at the facility fulltime, as required, and failure to ensure that the CRCF was in compliance with state regulations for the facility.
- A Community Residential Care Facility Administrator signed a Consent Order that includes a one-year probation and a \$1,000 fine. The CRCFA was charged with failing to work on site at the CRCF a minimum of 20 hours a week during normal business hours, as required.
- A Community Residential Care Facility Administrator signed a Consent Order that includes a \$2,000 fine. The CRCFA was charged with failing to work fulltime, as required, at the CRCF during normal business hours.
- A Community Residential Care Facility Administrator signed a

Consent Order that includes an 18-month probation and a \$750 fine. The CRCFA was charged with failing to operate the CRCF in a manner consistent with the health or safety of her residents by discharging residents who required CRCF services to an unlicensed location, leaving residents unsupervised and failing to administer medication as ordered by a physician.

- A Community Residential Care Facility Administrator signed a Consent Order that includes a \$500 fine. The CRCFA was charged with practicing during a period in which her license was inactive.
- A Community Residential Care Facility Administrator signed a Consent Order that includes a \$1,000 fine and six hours of Board approved continuing education relating to legal aspects of documentation within 12 months of the effective date of the Order.

Popular OSHA Training Offered to LTHCA Licensees

Teresa Higgins

Public Information Coordinator

S.C. Department of Labor, Licensing and Regulation

LLR's Board of Long Term Health Care has frequently taken advantage of the free training services offered by the agency's Office of OSHA Voluntary Programs.

The board coordinated another training program in October on OSHA requirements for its licensees due to the overwhelming response to training held previously.

OVP's services, which are available to the public free of charge, are designed to help employers provide a safe and healthy work environment for their employees.

Services include on-site consultations and training on S. C. OSHA's regulations. If a business requests a consultation, OVP staff will go on-site and identify OSHA violations and help the employer understand how to correct them. The business will not receive citations or penalties as long as the employer corrects the violations because the consultation is independent of the OSHA's enforcement arm.

The LTHC Board recognizes the significant impact this training can have in preventing injuries and illnesses, and offers OVP training to licensees for continuing education requirements.

"The OVP training program gave participants the tools they need to create and maintain a safe work environment for employees and patients in long term care facilities and other health care facilities," said Board Administrator Dana Welborn. "Topics the training focused on included protection from hazards, fire safety, workplace violence prevention, bloodborne pathogens, tuberculosis and electrical safety.



Janet Nixon, OVP, Dana Welborn, Board Administrator and Daisy Bradley, CRCFA.

"The participants were fortunate to receive first hand information from the experts, and I was pleased to have another opportunity to partner with OVP in an effort to better equip health care industry managers with ways to prevent accidents and injuries in the workplace."

For more information on OVP's services, call (803) 734-9599 or send e-mail to scovp@mail.llr.state.sc.us.

Employers Beware!

State-required posters that involve workplace laws are available free of charge. You do not have to pay for them. The posters - now available in an all-in-one poster format - can be obtained from the S.C. Department of Labor Licensing and Regulation, S.C. Employment Security Commission, S.C. Human Affairs Commission or S.C. Workers' Compensation Commission.

The all-in-one-poster includes:

- Safety and Health Protection on the Job (the OSHA poster)
- Employment Discrimination
- Workers Compensation
- Unemployment Insurance
- Payment of Wages, Child Labor and Right-to-Work Laws

If you want to place an order or have questions, contact one of the following:

- LLR, (803) 896-4380, or by email at fosterb@mail.llr.state.sc.us.
- Employment Security, (803) 737-2474
- Human Affairs, (803) 737-7800 or 1-800-521-0725
- Workers Compensation, (803) 737-5700

Administrator In-service: 2003-2004 License Renewal

While Administrator licenses do not expire until June 30, 2003, it is time to plan for the next license renewal. With a little less than six months left, a continuing education status check is in order. Questions to ask yourself are:

- ➔ How many Board-approved CE hours do you have now?
- ➔ How many do you still need before your license expires?
- ➔ Do you have any hours to carry over from the previous license period?
- ➔ Are the CE hours Board-approved?
- ➔ Does the Board have your current mailing address?

To help you answer the questions here are a few guidelines:

For the 2003-2004 license renewal, all of the CE hours must be from the current license period (July 1, 2002 – June 30, 2003) or unused programs from the previous license period (July 1, 2001-June 30, 2002).

Number of Board-approved CE hours required annually:

NHA	20
CRCFA	18
DUAL	29

An Administrator can carry over unused CE hours from the previous license period. Only the entire hours from a Board-approved program can be carried over, not a fraction of the program's hours.

Example: NHA earned 25 CE hours between July 1, 2001 and June 30, 2002. He attended three six-hour programs, a four-hour program and a three-hour program to equal a total of 25 hours (all Board-approved). When he renewed his license for the 2002-2003 license period (July 1, 2002-June 30, 2003), he listed the three 6-hour programs and the 3-hour program to equal 21 hours (one hour over the minimum). In addition to what he earns in the 02-03 license period, he can carry over the unused 4-hour program for license renewal. He cannot carry over the extra one-hour from the programs he used to renew his license in 2002.

So remember when you are calculating your hours for the next license renewal, you can carry over unused programs in their entirety from the previous license period.

When you are reviewing your CE records, check to see whether the programs were approved by the Board of Long Term Health Care Administrators (LTHCA). All Board-approved programs have an approval code assigned by the Board. The code should be on your certificate. If there is none, call the CE provider or the Board office to inquire about approval.

Any CE program approved by the National Association of Boards of Examiners for Long Term Care Administrators (NAB) National Continuing Education Review Service (NCERS) is accepted by the South Carolina Board of LTHCA for license renewal. Again, there will be an approval code for any NAB-approved program.

Administrators can apply individually to the Board of LTHCA for CE hours for a program he or she attended that was not pre-approved by the Board through the provider and was within the last 30 days. Any program date that is more than 30 days old is past the deadline for application for approval. The Administrator CE application packet is available on the Web at www.llr.state.sc.us/POL/LongTermHealthCare/. Select "Forms/Pubs" from the menu to download the CE form. Contact the Board office at (803) 896-4544 if you prefer to have the packet mailed to you.

Be sure to always update your record with the Board anytime there is a change in address and/or employment (written notification is due within 15 days of the change). When the license renewal applications are mailed, staff will use the most recent address on file for each Administrator. License renewal applications are mailed in April, and a second mailing is done the first week of June. If you do not receive the form, call the Board office.

Hopefully, this information will help you have a smooth license renewal this year and the years to come. However, if you have any questions, contact the Board office for more information.

Recent Nursing Home AIT Preceptor Training

The Board gave a Nursing Home Administrator-in-Training (AIT) Preceptor training October 22, 2002, at the Department of Labor, Licensing and Regulation in Columbia. There were 17 participants in attendance. Four Nursing Home Administrators received their initial Preceptor certification that day, and the remaining 13 attended to receive updates and a review of the Board's guidelines for the AIT program.

Board member and Nursing Home Administrator Sonny Kinney opened the training with remarks about the Board, the profession of nursing home administration and the AIT preceptor training. Brad Moorhouse, NHA at NHC Anderson and AIT Preceptor in the state program, spoke to the participants about the role of the preceptor and LTHCA Board Administrator Dana Welborn presented the remainder of the training.

The newly certified Preceptors are:

David Harper	Oakmont East Nursing Center	Greenville
Stephen Lewis	White Oak Manor	North Charleston
Robert Kneeland	Magnolia Manor	Rock Hill
Matthew Stanley	Springdale Health Care Center	Camden

Other Preceptors at the October training were:

Robert Bowles, Jr.	Carriage Hills Plantation	Aiken
Amy Cajkan	Summit Place, Inc.	Simpsonville
Doug Helman	Oakmont West Nursing Center	Greenville
Carla Heritage	Riverside Nursing Center	Piedmont
Joyce Miller	Sunny Acres, Inc	Fork
Brad Moorhouse	NHC Anderson	Anderson
Mary Reid	Laurel Hill, Inc.	Pickens
Elisabeth Robertson	Mariner Health Care of Sumter East	Sumter
Kathryn Ruiz		
Rickie Shearer	NHC Laurens	Laurens
Mel Stepp	Central Carolina Health & Rehab	Columbia
Ginger Stewart	Easley Nursing Center	Easley
Wayne Stowe	Lexington Medical Center Extended Care	Lexington

In addition to those listed above, there are 12 other Board-certified Preceptors in South Carolina. Those Administrators are:

Tim Barresi	Anderson Place	Anderson
Kim Chappell	Chester County Nursing Center	Chester
Beth Cliett	Life Care Center	Charleston
Tony Cooke	McCoy Memorial Nursing Center	Bishopville
Carol Cordan	Life Care Center	Columbia
Heyward Hilliard	Richard M. Campbell Veterans Nursing Home	Anderson
Shannon Morrison	Blue Ridge Nursing Center	Easley
Phyllis Morris	Morrell Nursing Center	Hartsville
Rick Sellars	NHC Greenwood	Greenwood
Jeff Skinner	Heritage Home of Florence	Florence
Martha Sommars	Westside Nursing Center	Greenville
Michael Williams	Myrtle Beach Manor	Myrtle Beach

Thank you to all those who participate in the Board's nursing home AIT program!

If there are any questions about the AIT program and how to become a Preceptor, call the Board office at (803) 896-4544 or go to the Board's Web site at www.llr.state.sc.us/POL/LongTermHealthCare. The program guidelines, the Preceptor application, the AIT candidate application and all of the program forms are on the Web at that address.

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2003 Board Meeting Calendar

March 5-6, 2003

June 4-5, 2003

September 3-4, 2003

December 3-4, 2003

All scheduled meetings will be held at the Department of Labor,
Licensing and Regulation, 110 Centerview Drive, Columbia, SC 29210.

LongTermHealthCare

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