

4658.0010 DEFINITIONS.

Subpart 1. **Scope.** The terms used in parts 4658.0010 to 4658.5590 have the meanings given them in this part.

Subp. 1a. **Addition of new resident services.** "Addition of new resident services" means the commencement of a resident service, such as physical or occupational therapy, that is not being provided for the residents as of November 12, 1996.

Subp. 1b. **Changes in existing resident services.** "Changes in existing resident services" means the conversion of existing facility space used for resident services from one function to another function.

Subp. 2. **Convalescent and nursing care (C&NC) unit.** "Convalescent and nursing care (C&NC) unit" means a nursing home unit operated in conjunction with a hospital where there is a direct physical connection between the unit and the hospital which permits the movement of the residents and the provision of services without going outside the building or buildings involved. The units are subject to this chapter.

Subp. 3. **Department.** "Department" means the Minnesota Department of Health.

Subp. 4. **Existing facility.** "Existing facility" means a licensed nursing home or nursing home space that was in place before November 13, 1995. All existing facilities will be deemed to be in substantial compliance with the physical plant requirements for new construction, except as noted in this chapter. Existing facilities must, at a minimum, maintain compliance with the rules applicable at the time of their construction.

Subp. 4a. **Food service equipment.** "Food service equipment" means all machinery, appliances, equipment, or supplies which are used in the storage, preparation, or serving of food as part of the nursing home's food service program.

Subp. 4b. **Food storage equipment.** "Food storage equipment" means food service equipment that is used in the cold and dry storage of food and supplies as part of the nursing home's food service program.

Subp. 5. **Licensee.** "Licensee" means the person or governing body to whom the license is issued. The licensee is responsible for compliance with this chapter.

Subp. 5a. **New construction.** "New construction" means any addition to, or replacement of, a nursing home after November 12, 1996, that results in new facility space for the operation of the nursing home. The term new construction as used in this chapter includes the erection of new facility space, addition to existing facility space, and any existing facility space converted in order to be licensed under this chapter.

Subp. 6. **Nurse.** "Nurse" means a registered nurse or a licensed practical nurse licensed by the Minnesota Board of Nursing, or exempt from licensure and practicing in accordance with Minnesota Statutes, sections 148.171 to 148.285.

Subp. 7. **Nurse practitioner.** "Nurse practitioner" means a registered nurse who has graduated from a program of study designed to prepare a registered nurse for advanced practice as a nurse practitioner and who is certified through a national professional nursing organization listed in part 6330.0350.

Subp. 7a. **Nursing area.** "Nursing area" means an area within the nursing home that is served by a single nurses' station.

Subp. 8. **Nursing assistant.** "Nursing assistant" means a nursing home employee who is assigned by the director of nursing services to provide or assist in the provision of nursing or nursing-related services under the supervision of a registered nurse. Nursing assistant includes nursing assistants employed by nursing pool companies but does not include a licensed health professional.

Subp. 9. **Nursing care.** "Nursing care" has the meaning given it in Minnesota Statutes, section 144A.01, subdivision 6.

Subp. 10. **Nursing home.** "Nursing home" has the meaning given it in Minnesota Statutes, section 144A.01, subdivision 5.

Subp. 11. **Nursing personnel.** "Nursing personnel" means registered nurses, licensed practical nurses, and nursing assistants.

Subp. 12. **Physician.** "Physician" means a person licensed by the Minnesota Board of Medical Practice, or exempt from licensure, and practicing in accordance with Minnesota Statutes, chapter 147.

Subp. 13. **Physician designee.** "Physician designee" means a nurse practitioner or physician assistant who has been authorized in writing by the physician to perform medical functions.

Subp. 13a. **Redecoration.** "Redecoration" means the repainting of walls or ceilings, or the covering or recovering of walls, ceilings, or floors with suitable interior finishing materials.

Subp. 13b. **Remodel.** "Remodel" means reconstruction of existing facility space, including floors, walls, and ceilings. Remodel includes reconstruction work necessary to change the function of the facility space or to facilitate a change in operating capability or physical composition of existing equipment, fixtures, or appurtenances.

Subp. 13c. **Replace-in-kind.** "Replace-in-kind" means the removal of mechanical or electrical equipment or construction materials from facility space and subsequent installation of new or used equipment or construction materials with similar operating capability, function, and physical composition.

Subp. 14. **Resident.** "Resident" means an individual cared for in a nursing home.

Subp. 14a. **Room.** "Room" means a space within the facility that has access to the corridor and is totally enclosed with permanently constructed full height walls.

Subp. 14b. **Shelf.** "Shelf" means a horizontal surface manufactured of noncorrosive, cleanable materials.

Subp. 15. **Time periods.** "Time periods" means the minimum and maximum time allowed to complete an activity. For purposes of this chapter, time periods means:

A. "Weekly" means a time period which requires an activity to be completed at least 52 times a year within intervals ranging from six to eight days.

B. "Monthly" means a time period which requires an activity to be completed at least 12 times a year within intervals ranging from 27 to 33 days.

C. "Quarterly" means a time period which requires an activity to be performed at least four times a year within intervals ranging from 81 to 99 days.

Subp. 16. **Volunteer.** "Volunteer" means a person who, without monetary or other compensation, provides services to residents or to the nursing home.

Statutory Authority: *MS s 144A.04; 144A.08; 256B.431*

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