

date notification shall be sent to the division of health. The new administrator may serve on a temporary basis until his qualifications have been reviewed.

(c) If the licensee is not the administrator he shall employ an administrator. The administrator shall meet qualifications established.

History: Cr. Register, November, 1968, No. 155, eff. 12-1-68.

H 30.06 Administrator. (1) **QUALIFICATIONS.** (a) The administrator shall have good mental and physical health.

(b) The administrator shall have the physical and emotional capacity to administer a residential care institution.

(c) The administrator shall have mature judgment and be emotionally adjusted to the problems encountered in the supervision of individuals needing such care or management due to physical or mental disabilities.

(d) The administrator shall have the intellectual capacity, general and professional knowledge to operate a residential care institution.

(e) The administrator shall be of good moral character.

(f) The administrator shall have demonstrated an interest in personal service and the welfare of others.

(2) **ADDITIONAL QUALIFICATIONS.** (a) Administrators employed after the effective date of these rules shall be between the ages of 21-70 years. An administrator can not continue to serve as the administrator of an institution after age 75.

(b) The administrator shall have a high school diploma or equivalent by examination and shall have 1 year's experience in a supervisory or assistant administrative capacity in a patient or residential care institution or shall have a college degree in a related field.

(3) **RESPONSIBILITY.** (a) The administrator shall be familiar with these rules and be responsible for maintaining them in the institution.

(b) The administrator shall be responsible for the total operation of the institution.

(c) The administrator shall be responsible for seeing that all employees are properly instructed in the discharge of their duties.

(d) The administrator shall be responsible for familiarizing the employees with these rules and shall have copies of the rules available for their use.

(e) The administrator is responsible for the action of any employee within the scope of their employment as well as their own actions. No one shall abuse or punish any resident. This includes but not in limitation thereof physical force, verbal abuse, confinement to a room or withholding food and water.

(f) The administrator shall not leave the premises when residents are present without delegating necessary responsibilities to a competent person over 21 years of age.

(g) The administrator shall instruct all personnel in the requirements of the law and regulations pertaining to their respective duties.

(h) The administrator shall be responsible for the completion, keeping and submission of such reports and records as required by the division of health.

(4) **GENERAL ADMINISTRATIVE POLICIES.** (a) An in-service training program shall be developed, conducted or arranged to meet the needs of the institution.

(b) Incoming and outgoing mail belonging to the resident shall not in any way be tampered with except on a written notification of the resident or guardian.

(c) Resident shall have access to a telephone at a convenient location in the building. At least one telephone, not a pay phone, shall be provided for use in case of emergency.

(d) The institution shall permit visiting any time during reasonable hours.

(5) **ADMISSION POLICIES.** (a) Persons shall not be admitted or retained in a residential care institution who are not independently mobile.

(b) Maternity patients, children under 18, and persons having or suspected of having a communicable disease endangering other residents shall not be admitted or retained in a residential care institution.

(c) Only those persons who are independently mobile shall be admitted to the institution and who by reason of physical or mental disability, including mental retardation and mental illness, are in the opinion of a licensed physician in need of residential care but not personal care as provided in a nursing home.

(d) Denial of admission shall not be based on race, color, or national origin.

(6) **PERSONNEL POLICIES.** (a) *Personnel.* 1. Staff shall be employed primarily for resident supervision and such additional personnel as needed to provide basic services such as food service, housekeeping, laundry, and plant maintenance.

(b) *Employee physical examinations.* 1. All employees shall have an annual physical examination by a physician.

2. An initial physical examination must be completed within a period of 90 days before employment and must include an x-ray of the chest.

3. An x-ray of the chest is not required annually if a negative tuberculin test can be demonstrated at the time of the annual physical examination.

4. A physician shall certify that the employees are free of communicable disease, including active tuberculosis.

5. These regulations also apply to any members of the family living or working in the institution.

(c) *Communicable disease control.* 1. No person who is affected with any disease in a communicable form or is a carrier of such disease shall work in any residential care institution and no institution shall employ any such person or any person suspected of being affected with any disease in a communicable form or has become a carrier of such disease.

2. A physician or the local health officer shall determine whether the employee has a communicable disease or is a carrier of such disease. If the local health officer is not a physician he shall make arrangements to employ a physician to aid in making the diagnosis or call upon the division of health for such service. Laboratory examinations as may be indicated may be required by the physician.

3. Persons who at any time have had typhoid or paratyphoid fever shall not be employed in the institution until it has been definitely determined by appropriate tests that such persons are not typhoid or paratyphoid carriers.