

Licensing Regulation Suspension: Personal Care Homes (2600) and Assisted Living Residences (2800)

Legal Citation	Regulatory Language to be Suspended	Suspension Description (Full or Limited; and any Conditions)
2600.51	<p>Criminal history checks and hiring policies shall be in accordance with the Older Adult Protective Services Act.</p> <p style="color: red;">Suspension lifted effective December 6, 2021.</p>	<p>Limited. A facility may extend a provisional hire for the sole reason that FBI clearances/checks are not available. The facility must document the reason why the FBI clearance/check was not available. Providers shall obtain the FBI clearances/checks within 60 days from the date the suspension of the regulation is lifted. This only relates to licensing requirements and does not change any other law.</p>
2600.57 (b)	<p>Direct care staff persons shall be available to provide at least 1 hour per day of personal care services to each mobile resident.</p>	<p>Limited. Providers shall notify their Bureau of Human Services Licensing (BHSL) regional office via email of any anticipated or actual staff shortages and of their plan to mitigate the staff shortage for approval by the regional director for BHSL.</p>
2600.57 (c)	<p>Direct care staff persons shall be available to provide at least 2 hours per day of personal care services to each resident who has mobility needs.</p>	<p>Limited. Providers shall notify their regional office via email of any anticipated or actual staff shortages and of their plan to mitigate the staff shortage for approval by the regional director for BHSL.</p>

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2600.64 (c)	An administrator shall have at least 24 hours of annual training relating to the job duties. The Department-approved training sources listed in subsection (a) fulfills the annual training requirement for the first year.	Full. The administrator shall complete the annual training within 90 days from the date the suspension of the regulation is lifted.
2600.65 (e)	Direct care staff persons shall have at least 12 hours of annual training related to their job duties.	Full. The direct care staff shall complete the annual training within 90 days from the date the suspension of the regulation is lifted.
2600.65 (f)	<p>Training topics for the annual training for direct care staff persons shall include the following:</p> <ul style="list-style-type: none"> (1) Medication self-administration training (2) Instruction on meeting the needs of the residents as described in the preadmission screening form, assessment tool, medical evaluation and support plan. (3) Care of residents with dementia and cognitive impairments. (4) Infection control and general principles of cleanliness and hygiene and areas associated with immobility, such as prevention of decubitus ulcers, incontinence, malnutrition and dehydration. (5) Personal care service needs of the resident. (6) Safe management techniques (7) Care for residents with mental illness or an intellectual disability, or both, if the population is served in the home. 	Full. The direct care staff shall complete the annual training within 90 days from the date the suspension of the regulation is lifted.

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2600.65 (g)	<p>Direct care staff persons, ancillary staff persons, substitute personnel and regularly scheduled volunteers shall be trained annually in the following areas:</p> <ol style="list-style-type: none"> (1) Fire safety completed by a fire safety expert or by a staff person trained by a fire safety expert. Videos prepared by a fire safety expert are acceptable for the training if accompanied by an onsite staff person trained by a fire safety expert. (2) Emergency preparedness procedures and recognition and response to crises and emergency situations. (3) Resident rights. (4) The Older Adult Protective Services Act (5) Falls and accident prevention. (6) New population groups that are being served at the residence that were not previously served, if applicable. 	<p>Full. The direct care staff shall complete the annual training within 90 days from the date the suspension of the regulation is lifted.</p>
2600.104 (b)	<p>Dishes, glassware and utensils shall be provided for eating, drinking, preparing and serving food. These utensils must be clean, and free of chips and cracks. Plastic and paper plates, utensils and cups for meals may not be used on a regular basis.</p>	<p>Limited. Facilities may use plastic and paper plates, utensils and cups for meals for infection control purposes.</p>
2600.104 (e)	<p>Breakfast, midday and evening meals shall be served to residents in a dining room except in the following situations:</p> <ol style="list-style-type: none"> (1) Service in the resident's room shall be available at no additional charge when the resident is unable to come to the dining room due to illness (2) When room service is available in a home, a resident may choose to have a meal served in the resident's room. This shall be provided at the resident's request and may not replace daily meals in a dining room. 	<p>Limited. Facilities will be expected to follow guidance provided by Department of Health (DOH). https://www.health.pa.gov/topics/Documents/Diseases%20and%20Conditions/COVID-19%20Interim%20Nursing%20Facility%20Guidance.pdf</p>

Legal Citation	Regulatory Language to be Suspended	Suspension Description (Full or Limited; and any Conditions)
2600.132 (a)	<p>An unannounced fire drill shall be held at least once a month.</p> <p><i>Suspension lifted effective December 6, 2021.</i></p>	<p>Full. The suspension of the regulation shall lift upon the date the Disaster Proclamation is lifted by the Governor.</p>
2800.132 (b)	<p>A fire safety inspection and fire drill conducted by a fire safety expert shall be completed annually. Documentation of this fire drill and fire safety inspection shall be kept.</p> <p><i>Suspension lifted effective December 6, 2021.</i></p>	<p>Full. The annual fire safety inspection and fire drill conducted by a fire safety expert must be completed within 60 of the date the Disaster Proclamation is lifted by the Governor.</p>
2600.141 (b) (1)	<p>A resident shall have a medical evaluation at least annually.</p> <p><i>Suspension lifted effective December 6, 2021.</i></p>	<p>Limited. If the resident's primary care physician determines that the medical evaluation can be conducted at a later date, then the facility can postpone the medical evaluation to the date determined by the physician; provided that, the medical evaluation must be performed no later than 90 days after the Emergency Declarations is lifted. The facility shall document the primary care physician's determination in the resident's record for subsequent review.</p>
2600.190 (a)	<p>A staff person who has successfully completed a Department-approved medications administration course that includes the passing of the Department's performance-based competency test within the past 2 years may administer oral; topical; eye, nose and ear drop prescription medications and epinephrine injections for insect bites or other allergies.</p>	<p>Limited. Staff who have been previously trained may continue to administer oral; topical; eye, nose and ear drop prescription medications; and epinephrine injections for insect bites or other allergies for up to 90 days beyond the staff's training renewal date.</p>

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2600.190 (b)	A staff person is permitted to administer insulin injections following successful completion of a Department-approved medications administration course that includes the passing of a written performance-based competency test within the past 2 years, as well as successful completion of a Department-approved diabetes patient education program within the past 12 months.	Limited. Staff who have been previously trained may continue to administer insulin injections for up to 90 days beyond the staff's training renewal date.
2600.221 (a)	The administrator shall develop a program of activities designed to promote each resident's active involvement with other residents, the resident's family and the community.	Limited. Facilities will be expected to follow guidance provided by DOH. https://www.health.pa.gov/topics/Documents/Diseases%20and%20Conditions/COVID-19%20Interim%20Nursing%20Facility%20Guidance.pdf
2600.236	Each direct care staff person working in a secured dementia care unit shall have 6 hours of annual training specified in 2600.65 (relating to direct care staff person training and orientation.)	Full. The training shall be completed within 90 days from the date the suspension of the regulation is lifted.
2600.237 (a)	The following activities shall be offered at least weekly: (1) Gross motor activities, such as dancing stretching and other exercise. (2) Self-care activities, such as personal hygiene. (3) Social activities, such as games, music and holiday and seasonal celebrations. (4) Crafts, such as sewing, decorations and pictures. (5) Sensory and memory enhancement activities, such as review of current events, movies, story-telling, picture albums, cooking, pet therapy and reminiscing (6) Outdoor activities, as weather permits, such as walking, gardening and field trips.	Limited. Facilities will be expected to follow guidance provided by DOH. https://www.health.pa.gov/topics/Documents/Diseases%20and%20Conditions/COVID-19%20Interim%20Nursing%20Facility%20Guidance.pdf

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2600.56	The administrator shall be present in the home an average of 20 hours or more per week, in each calendar month.	Limited. In the event that an administrator is required to manage multiple facilities because another administrator has been quarantined or isolated, BHSL will not cite failure to meet this requirement.
2800.51 (a)	<p>Criminal history checks and hiring policies shall be in accordance with the Older Adult Protective Services Act.</p> <p>Suspension lifted effective December 6, 2021.</p>	Limited. A facility may extend a provisional hire for the sole reason that FBI clearances/checks are not available. The facility must document the reason why the FBI clearance/check was not available. Providers shall obtain the FBI clearances/checks within 60 days from the date the suspension of the regulation is lifted. This only relates to licensing requirements and does not change any other law.
2800.57 (b)	Direct care staff persons shall be available to provide at least 1 hour per day of personal care services to each mobile resident.	Limited. Providers shall notify their BHSL regional office via email of any anticipated or actual staff shortages and of their plan to mitigate the staff shortage for approval by the regional director for BHSL.
2800.57 (c)	Direct care staff persons shall be available to provide at least 2 hours per day of personal care services to each resident who has mobility needs.	Limited. Providers shall notify their regional office via email of any anticipated or actual staff shortages and of their plan to mitigate the staff shortage for approval by the regional director for BHSL.

Legal Citation	Regulatory Language to be Suspended	Suspension Description (Full or Limited; and any Conditions)
2800.64 (c)	An administrator shall have at least 24 hours of annual training relating to the job duties. The Department-approved training sources listed in subsection (a) fulfills the annual training requirement for the first year.	Full. The administrator shall complete the training within 90 days from the date the suspension of the regulation is lifted.
2800.65 (h)	Direct care staff persons shall have at least 16 hours of annual training relating to their job duties.	Full. The direct care staff shall complete the training within 90 days from the date the suspension of the regulation is lifted.
2800.65 (i)	<ul style="list-style-type: none"> (1) Medication self-administration training (2) Instruction on meeting the needs of the residents as described in the preadmission screening form, assessment tool, medical evaluation and support plan. (3) Care of residents with dementia and cognitive impairments. (4) Infection control and general principles of cleanliness and hygiene and areas associated with immobility, such as prevention of decubitus ulcers, incontinence, malnutrition and dehydration. (5) Assisted living service needs of the resident. (6) Safe management techniques (7) Care for residents with mental illness or an intellectual disability, or both, if the population is served in the home. 	Full. The direct care staff shall complete the training within 90 days from the date the suspension of the regulation is lifted.

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2800.65 (j)	<p>Direct care staff persons, ancillary staff persons, substitute personnel and regularly scheduled volunteers shall be trained annually in the following areas:</p> <p>(1) Fire safety completed by a fire safety expert or by a staff person trained by a fire safety expert. Videos prepared by a fire safety expert are acceptable for the training if accompanied by an onsite staff person trained by a fire safety expert.</p> <p>(2) Emergency preparedness procedures and recognition and response to crises and emergency situations.</p> <p>(3) Resident rights.</p> <p>(4) The Older Adult Protective Services Act</p> <p>(5) Falls and accident prevention.</p> <p>(6) New population groups that are being served at the residence that were not previously served, if applicable.</p>	Full. The direct care staff shall complete the training within 90 days from the date the suspension of the regulation is lifted.
2800.104 (b)	Dishes, glassware and utensils shall be provided for eating, drinking, preparing and serving food. These utensils must be clean, and free of chips and cracks. Plastic and paper plates, utensils and cups for meals may not be used on a regular basis.	Limited. Facilities may use plastic and paper plates, utensils and cups for meals for infection control purposes.
2800.104 (e)	<p>Breakfast, midday and evening meals shall be served to residents in a dining room except in the following situations:</p> <p>(1) Service in the resident's room shall be available at no additional charge when the resident is unable to come to the dining room due to illness</p> <p>(2) When room service is available in a home, a resident may choose to have a meal served in the resident's room. This shall be provided at the resident's request and may not replace daily meals in a dining room.</p>	<p>Limited. Facilities will be expected to follow guidance provided by Department of Health (DOH). https://www.health.pa.gov/topics/Documents/Diseases%20and%20Conditions/COVID-19%20Interim%20Nursing%20Facility%20Guidance.pdf</p>

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2800.132 (a)	<p>An unannounced fire drill shall be held at least once a month.</p> <p><i>Suspension lifted effective December 6, 2021.</i></p>	<p>Full. The suspension of the regulation shall lift upon the date the Disaster Proclamation is lifted by the Governor.</p>
2800.132 (b)	<p>A fire safety inspection and fire drill conducted by a fire safety expert shall be completed annually. Documentation of this fire drill and fire safety inspection shall be kept.</p> <p><i>Suspension lifted effective December 6, 2021.</i></p>	<p>Full. The annual fire safety inspection and fire drill conducted by a fire safety expert must be completed within 60 of the date the Disaster Proclamation is lifted by the Governor.</p>
2800.141 (a)(11)	<p>Requires residents to have a medical evaluation, including a Tuberculin skin test.</p> <p><i>Suspension lifted effective December 6, 2021.</i></p>	<p>Following CDC guidance related to vaccination and TB testing may put providers out of compliance. The Department has temporarily issued a limited suspension of the timing of the TST regulatory requirements. Compliance with the TST requirements will be achieved if the licensee, individual, or staff person meets the following:</p> <ul style="list-style-type: none"> • Consults with their physician regarding the recent administration of the COVID-19 vaccination and upcoming TST; • Obtains documentation of the COVID-19 vaccine administration, including the date of administration or written documentation from the individual's or staff person's physician of the necessity to defer TST; and <p>Follows physician recommendations as it relates to TST as soon as possible after completing a COVID-19 vaccine schedule.</p>

<p>2800.141 (b) (1)</p>	<p>A resident shall have a medical evaluation at least annually.</p> <p>Suspension lifted effective December 6, 2021.</p>	<p>Limited. If the resident's primary care physician determines that the medical evaluation can be conducted at a later date, then the facility can postpone the medical evaluation to the date determined by the physician; provided that, the medical evaluation must be performed no later than 90 days after the Emergency Declarations is lifted. The facility shall document the primary care physician's determination in the resident's record for subsequent review.</p>
<p>2800.190 (a)</p>	<p>A staff person who has successfully completed a Department-approved medications administration course that includes the passing of the Department's performance-based competency test within the past 2 years may administer oral; topical; eye, nose and ear drop prescription medications and epinephrine injections for insect bites or other allergies.</p>	<p>Limited. Staff who have been previously trained may continue to administer oral; topical; eye, nose and ear drop prescription medications; and epinephrine injections for insect bites or other allergies for up to 90 days beyond the staff's training renewal date.</p>

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2800.221 (a)	The residence shall develop a program of daily activities designed to promote each resident's active involvement with other residents, the resident's family and the community and provide the necessary space and equipment for the activities in accordance with 2800.98 and 2800.99 (relating to indoor activity space; and recreation space). The residence shall offer the opportunity for the resident's active participation in the development of the daily calendar.	Limited. Facilities will be expected to follow guidance provided by DOH. https://www.health.pa.gov/topics/Documents/Diseases%20and%20Conditions/COVID-19%20Interim%20Nursing%20Facility%20Guidance.pdf
2800.236 (a)	Each direct care staff person working in a special care unit for residents with Alzheimer's disease or dementia shall have 8 hours of initial training within the first 30 days of the date of hire and a minimum of 8 hours of annual training related to dementia care and services, in addition to the 16 hours of annual training specified in 2800.65 (relating to staff orientation and direct care staff person training and orientation).	Full. The direct care staff shall complete the annual training within 90 days from the date the suspension of the regulation is lifted.
2800.236 (b)	Each direct care staff person working in a special care unit INRBI shall have 8 hours of initial training within the first 30 days of the date of hire and a minimum of 8 hours of annual training related to brain injury, in addition to the 16 hours of annual training specified in 2800.65 and any continuing education required for professional licensing.	Full. The direct care staff shall complete the annual training within 90 days from the date the suspension of the regulation is lifted.

Legal Citation	Regulatory Language to be Suspended	Suspension Description (Full or Limited; and any Conditions)
2800.237 (a)	<p>The following activities shall be offered at least weekly:</p> <ul style="list-style-type: none"> (1) Gross motor activities, such as dancing stretching and other exercise. (2) Self-care activities, such as personal hygiene. (3) Social activities, such as games, music and holiday and seasonal celebrations. (4) Crafts, such as sewing, decorations and pictures. (5) Sensory and memory enhancement activities, such as review of current events, movies, story telling, picture albums, cooking, pet therapy and reminiscing (6) Outdoor activities, as weather permits, such as walking, gardening and field trips. 	<p>Limited. Facilities will be expected to follow guidance provided by DOH. https://www.health.pa.gov/topics/Documents/Diseases%20and%20Conditions/COVID-19%20Interim%20Nursing%20Facility%20Guidance.pdf</p>