

**216.865 Licensing required -- Administrative regulations.**

- (1) No nursing pool shall be operated, maintained, or advertised without obtaining a license as provided in this section.
- (2) The secretary shall adopt administrative regulations relating to license fees, standards of care and service, and procedures for enforcement of penalties.
- (3) The established standards of care and services shall at a minimum include:
  - (a) Written policies and procedures which must be maintained by each nursing pool;
  - (b) Records which must be maintained to assure that the criteria promulgated by administrative regulations are being met; and
  - (c) Personnel policies which shall be developed and which shall include at a minimum: a personal interview, thorough reference check, annual evaluation of employees based on questionnaires developed and sent to hospitals, nursing homes, and other facilities to which medical personnel are sent.
- (4) Upon employment or contract with a nursing pool, all medical personnel working in health care facilities shall be required to provide the following: a current negative tuberculin skin test or chest X-ray, a current license or certificate, where applicable, and a current cardiopulmonary resuscitation certification. Further, all medical personnel shall attend an annual infection control in-service and an annual safety in-service.
- (5) Only those nursing pools meeting the standards prescribed for licensure by the secretary may be granted a license.
- (6) Each application for a license shall be made to the Division of Community Health Services and shall be accompanied by a fee prescribed by the secretary and shall be renewed annually upon expiration and reapplication when accompanied by an additional fee. Licenses and renewals thereof shall expire one (1) year from their effective date.
- (7) Any license or application affected by an adverse determination by the division or the secretary shall have the same rights of appeal as set forth in KRS 216.567.
- (8) All fees collected under the provisions of this section shall be paid into the State Treasury and credited to a fund for the purposes of funding the division.
- (9) All inspections of nursing pools by the division shall be unannounced.

**Effective:** June 21, 2001

**History:** Amended 2001 Ky. Acts ch. 81, sec. 7, effective June 21, 2001. -- Amended 1998 Ky. Acts ch. 189, sec. 7, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 318, sec. 116, effective July 15, 1996. --Created 1988 Ky. Acts ch. 342, sec. 3, effective January 1, 1989.