**Section 146.235 Staffing**

a) The SLP setting shall have a manager or a qualified designee present at the SLP during normal business hours plus whenever necessary to ensure attention to the management and administration of the resident contracts. Staff shall have access to the manager or the manager's designee at all times. The manager shall designate a qualified individual capable of acting in an emergency during his or her absence from the SLP setting.

b) The manager shall have at least five years' experience in providing health care services to adults with physical disabilities or the elderly population either in an assisted living program, inpatient hospital, long term care setting, adult day care or in a Department approved health related field. The manager shall also have at least two years of management experience.

c) The SLP setting shall have licensed and certified staff sufficient in number to meet the needs of the population being served.

d) Licensed nurses or certified nursing assistants on duty in the SLP setting shall not be utilized in an adjoining or other part of the building not certified in the SLP setting. This includes, but is not limited to, a nursing facility, assisted living facility, and independent living facility.

e) Staff Training. All staff training materials shall be available for review by the Department. If required by the Department, the SLP setting shall make changes in the training materials.

1) The SLP setting shall provide staff and subcontractors who provide direct care with:

A) training that takes place no later than 30 days after beginning employment and semi-annual training in areas related to their employment;

B) training that covers resident rights; infection control; crisis intervention; prevention and notification of abuse, neglect and financial exploitation; behavioral intervention; tuberculosis identification, prevention, control and reporting; encouraging independence; potential resident inquiry and admission application policy; and non-discrimination policy (these subjects shall be trained as part of staff orientation and at least annually thereafter);

C) documented training performed by qualified individuals in their area or areas of responsibility;

D) training geared toward the manner in which services are to be performed;

E) training that includes techniques for working with persons with physical disabilities and the elderly populations; and

F) in the case of an SLP setting serving persons with physical disabilities, disability specific sensitivity training conducted by an outside entity familiar with working with persons with disabilities. The training shall occur for all staff initially prior to certification, at staff orientation for new staff, and at least annually thereafter.

2) In the case of subcontractors, training by the SLP provider is not required if the SLP provider can document that similar training is being provided through the subcontractor's employer.

f) The SLP provider shall employ certified nursing assistants (CNAs) as follows:

1) Qualifications

Must be 18 years of age or older and have successfully completed no later than 120 days after employment a nursing assistant training course or a Department of Public Health approved equivalent training and competency evaluation.

2) Names of CNAs shall be checked against the Illinois Department of Public Health's Health Care Worker Registry prior to employment.

3) Job responsibilities shall include, but not be limited to:

A) Follow and help carry out a resident's written service plan;

B) Provide personal care services for residents, including but not limited to bathing, eating, dressing, personal hygiene, grooming, toileting, ambulation and assistance with transfer;

C) Observe the resident's functioning, maintain written records of the observations and report any changes to the licensed nurse; and

D) Attend initial training, in-service training sessions and staff conferences.

g) The SLP provider shall employ or contract with a dietitian. The dietitian shall comply with the following:

1) The dietitian shall be licensed under the Dietician Nutritionist Practice Act [225 ILCS 30].

2) Job responsibilities shall include, but not be limited to, consultation and training in all food service procedures such as menu planning and review, food preparation, food storage, food service, safety, sanitation and management of therapeutic diets.

3) The dietician shall come on-site at least twice per quarter for a period of not less than a cumulative total of eight hours.

h) The SLP provider shall employ a minimum of one cook who shall have at least one year of experience in commercial food preparation.

i) Twenty-four hour response staff shall be at least 18 years of age and possess at least a high school diploma or a GED. Response staff shall be certified in emergency resuscitation. The staff shall respond to scheduled or unpredictable needs and emergency calls from residents.

j) Nurses on staff, or subcontracted, shall be licensed by the State of Illinois and shall be responsible for nursing services set forth in Section 146.230.

k) The SLP provider shall designate a trained staff person to be responsible for planning and directing social and recreational activities. This person shall be at least 18 years of age and possess at least a high school diploma or a GED.

l) The SLP provider shall ensure that all employees who have or may have contact with residents or have access to the living quarters or the financial, medical or personal records of residents undergo a criminal history background check that conforms to the Health Care Worker Background Check Act [225 ILCS 46]. No SLP provider shall knowingly hire, employ or retain any individual in a position, with duties involving contact with residents, access to resident living quarters or access to the financial, medical or personal records of residents, who has been convicted of committing or attempting to commit one or more of the offenses defined under the Health Care Worker Background Check Act unless that individual has obtained a waiver issued by the Department of Public Health. An SLP provider may conditionally employ an applicant for up to three months pending the results of the criminal history record check.

m) Each employee and volunteer shall have a tuberculin skin test in accordance with the Control of Tuberculosis Code (77 Ill. Adm. Code 696).

(Source: Amended at 44 Ill. Reg. 2331, effective January 15, 2020)