

194A.700 Definitions for KRS 194A.700 to 194A.729.

As used in KRS 194A.700 to 194A.729:

- (1) "Activities of daily living" means normal daily activities, including bathing, dressing, grooming, transferring, toileting, and eating;
- (2) "Assistance with activities of daily living and instrumental activities of daily living" means any assistance provided by the assisted-living community staff with the client having at least minimal ability to verbally direct or physically participate in the activity with which assistance is being provided;
- (3) "Assistance with self-administration of medication," unless subject to more restrictive provisions in an assisted-living community's policies that are communicated in writing to clients and prospective clients, means:
 - (a) Assistance with medication that is prepared or directed by the client, the client's designated representative, or a licensed health care professional who is not the owner, manager, or employee of the assisted-living community. The medication shall:
 1. Except for ointments, be preset in a medication organizer or be in a single dose unit;
 2. Include the client's name on the medication organizer or container in which the single dose unit is stored; and
 3. Be stored in a manner requested in writing by the client or the client's designated representative and permitted by the assisted-living community's policies;
 - (b) Assistance by an assisted-living community staff person, which includes:
 1. Reminding a client when to take medications and observing to ensure that the client takes the medication as directed;
 2. Handing the client's medication to the client, or if it is difficult for the client or the client requests assistance, opening the unit dose or medication organizer, removing the medication from a medication organizer or unit dose container, closing the medication organizer for the client, placing the dose in a container, and placing the medication or the container in the clients hand;
 3. Steadying or guiding a client's hand while the client is self-administering medications; or
 4. Applying over-the-counter topical ointments and lotions;
 - (c) Making available the means of communication by telephone, facsimile, or other electronic device with a licensed health care professional and pharmacy regarding a prescription for medication;
 - (d) At the request of the client or the client's designated representative, facilitating the filling of a preset medication container by a designated representative or licensed health care professional who is not the owner, manager, or employee of the assisted living community; and
 - (e) None of the following:

1. Instilling eye, ear, or nasal drops;
 2. Mixing compounding, converting, or calculating medication doses;
 3. Preparing syringes for injection or administering medications by any injection method;
 4. Administrating medications through intermittent positive pressure breathing machines or a nebulizer;
 5. Administrating medications by way of a tube inserted in a cavity of the body;
 6. Administrating parenteral preparations;
 7. Administrating irrigations or debriding agents used in the treatment of a skin condition; or
 8. Administrating rectal, urethral, or vaginal preparations;
- (4) "Assisted-living community" means a series of living units on the same site certified under KRS 194A.707 to provide services for five (5) or more adult persons not related within the third degree of consanguinity to the owner or manager;
- (5) "Client," "resident," or "tenant" means an adult person who has entered into a lease agreement with an assisted-living community;
- (6) "Danger" means physical harm or threat of physical harm to one's self or others;
- (7) "Department" means the Department for Aging and Independent Living;
- (8) "Health services" has the same meaning as in KRS 216B.015;
- (9) "Instrumental activities of daily living" means activities to support independent living including but not limited to housekeeping, shopping, laundry, chores, transportation, and clerical assistance;
- (10) "Living unit" means a portion of an assisted-living community occupied as the living quarters of a client under a lease agreement;
- (11) "Mobile nonambulatory" means unable to walk without assistance, but able to move from place to place with the use of a device including but not limited to a walker, crutches, or wheelchair;
- (12) "Plan of correction" means a written response from the assisted-living community addressing an instance cited in the statement of noncompliance;
- (13) "Statement of danger" means a written statement issued by the department detailing an instance where a client is a danger; and
- (14) "Statement of noncompliance" means a written statement issued by the department detailing an instance when the department considers the assisted-living community to have been in violation of a statutory or regulatory requirement.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 36, sec. 1, effective July 15, 2010. -- Amended 2007 Ky. Acts ch. 24, sec. 7, effective June 26, 2007. -- Amended 2005 Ky. Acts ch. 99, sec. 161, effective June 20, 2005. -- Created 2000 Ky. Acts ch. 141, sec. 1, effective July 14, 2000.