

NURSING HOMES OPERATED BY A HOSPITAL

Nursing homes operated by a hospital in North Carolina are not licensed as nursing homes per se, but are licensed as a part of a hospital; pursuant to G.S. 131E-75 and follow the North Carolina General Statutes. Thus, they are not subject to the rules and regulations which apply to licensed nursing homes. They are subject, however, to the rules and regulations which apply to licensed hospitals, which stipulates to a large extent many of the same requirements required of independent nursing homes, particularly regarding the physical plant.

Nevertheless, most hospital-based nursing homes participate in the Medicare and Medicaid programs and are thus responsible for meeting the Conditions of Participation for those programs. The Conditions of Participation apply equally to hospital-based and independent nursing homes, and they are enforced by the Division of Facility Services. Hospital-based nursing homes are also subject to the Nursing Home Patients' Bill of Rights, Nursing Home Community Advisory Committees, and complaint investigations by the Division of Facility Services. In addition, most hospitals are accredited by the Joint Commission on the Accreditation of Healthcare Organizations (J.C.A.H.O.) and are thus subject to the specific J.C.A.H.O. standards for long-term care when operating nursing homes.

One of the main differences for hospital-based nursing homes is that they are not required to be operated by a licensed nursing home administrator. This is because North Carolina law, as in most states, does not require that hospital administrators be licensed. Since hospital-based nursing homes are operated under the hospital's license and under the auspices of the hospital administrator, there is no provision for requiring a licensed nursing home administrator.

When resolving resident complaints or performing other resident advocating functions, the advisory committee member should find out who is in charge of the nursing home section of the hospital. Although the hospital administrator is ultimately responsible, some hospital administrators may delegate supervisory functions for the nursing home to an assistant administrator, the nursing director, or some other person, depending on the size of the institution and whether the nursing home is in the same building or on the same campus. If in doubt as to whom you should deal with on a routine basis, check with the hospital administrator.