

TITLE 410 INDIANA STATE DEPARTMENT OF HEALTH

410 IAC 16.2-1.1-19.3 “Dining assistant” defined

Authority: IC 16-28-1-7; IC 16-28-1-12

Affected: IC 16-28

Sec. 19.3. “Dining assistant” means an individual who is paid to feed residents by a facility or who is used under an arrangement with another agency or organization. *(Indiana State Department of Health; 410 IAC 16.2-1.1-19.3; filed Aug 11, 2004, 11:00 a.m.: 28 IR 189)*

410 IAC 16.2-3.1-53 Dining assistants

Authority: IC 16-28-1-7; IC 16-28-1-12

Affected: IC 16-28-5-1; IC 16-28-13-3; IC 25-23-1-1

- Sec. 53.** (a) Each dining assistant shall successfully complete a sixteen (16) hour training program for dining assistants that has been approved by the department.
- (b) A dining assistant training program must obtain approval from the department prior to providing instruction to individuals.
- (c) The facility shall do the following:
- (1) Ensure that resident selection for dining assistance is based on the charge nurse’s assessment and the resident’s most recent assessment and plan of care.
 - (2) Not allow the dining assistant to assist more than two (2) residents at any one (1) time.
 - (3) Ensure the dining assistant is oriented to the following:
 - (A) The resident’s diet, likes, and dislikes.
 - (B) Feeding techniques appropriate to the individual resident.
 - (4) Document the use of a dining assistant on the resident’s care plan and review at each care plan conference.
 - (5) Check the nurse aide registry prior to training an individual as a dining assistant.
 - (6) Use only individuals as dining assistants who have successfully completed a department-approved training program for dining assistants.
- (d) The scope of practice for dining assistants is as follows:
- (1) A dining assistant shall work under the supervision of a licensed nurse who is on the unit or floor where the dining assistance is furnished and is immediately available to provide assistance as needed.
 - (2) In an emergency, a dining assistant shall call the supervising nurse using the resident call system or any other method available.
 - (3) A dining assistant shall assist only residents who do not have complicated eating problems, which include, but are not limited to, the following:
 - (A) Difficulty swallowing.
 - (B) Recurrent lung aspirations.
 - (C) Tube or parenteral/IV feedings.
- (e) The dining assistant training program shall consist of, but is not limited to, the following:
- (1) Eight (8) hours of classroom instruction prior to any direct contact with a resident that includes the following:
 - (A) Feeding techniques.
 - (B) Regular and special diets.

- (C) Reporting food and fluid intake.
- (D) Assistance with feeding and hydration.
- (E) Communication and interpersonal skills.
- (F) Infection control.
- (G) Safety/emergency procedures including the Heimlich maneuver.
- (H) Promoting residents' independence.
- (I) Abuse, neglect, and misappropriation of property.
- (J) Nutrition and hydration.
- (K) Recognizing changes in residents that are inconsistent with their normal behavior and the importance of reporting these changes to the supervising nurse.
- (L) Mental health and social service needs including how to respond to a resident's behavior.
- (M) Residents' rights including the following:
 - (i) Privacy.
 - (ii) Confidentiality.
 - (iii) Promoting residents' right to make personal choices to accommodate their needs.
 - (iv) Maintaining care and security of residents' personal possessions.
 - (v) Dignity.

(2) Eight (8) hours of clinical instruction that consists of, but is not limited to, the following:

- (A) Feeding techniques.
- (B) Assistance with eating and hydration.

(f) The dining assistant training program and training facility, if applicable, must ensure that clinical instruction provides for the direct supervision of the dining assistant by a licensed nurse.

(g) Each training program shall have a qualified instructor responsible for program oversight who at a minimum:

- (1) possesses a valid Indiana registered nurse license under IC 25-23-1-1;
- (2) possesses two (2) years of licensed nursing experience, of which at least one (1) year of experience is in the provision of long term care services; and
- (3) completed a department-approved training program.

(h) An approved program director of a department nurse aide training program constitutes a qualified instructor under subsection (g) and may conduct dining assistant training without additional training.

(i) Dining assistant training may only be provided by:

- (1) a registered nurse;
- (2) a licensed practical nurse;
- (3) a qualified dietician;
- (4) an occupational therapist; or
- (5) a speech-language pathologist.

Certified nurse aide and qualified medication aide personnel shall not participate in or provide any dining assistant training.

(j) In order to issue a certificate or letter of completion to the dining assistant, the dining assistant training program shall ensure that the dining assistant demonstrates competency in all areas of instruction using a checklist approved by the department.

(k) Each approved program shall maintain a student file that:

- (1) is retained for a minimum of three (3) years; and
- (2) contains:
 - (A) individualized documentation of the:
 - (i) classroom training that includes dates of attendance and areas of instruction; and
 - (ii) clinical instruction that includes dates of attendance and areas of instruction including procedures and activities completed during the clinical experience; and
 - (B) a copy of the certificate or letter confirming successful completion of the dining assistant training program, which shall be signed and dated by the instructor and bear the name and address of the training program.
- (1) The department may revoke an approved dining assistant training program if evidence exists that the program has not been administered in accordance with this section.
- (m) For purposes of IC 16-28-5-1, a breach of:
 - (1) subsection (a), (b), (c), (d), (e), (f), (g), or (j) is a deficiency;
 - (2) subsection (h) or (i) is a noncompliance; and
 - (3) subsection (k) is a nonconformance.

(Indiana State Department of Health; 410 IAC 16.2-3.1-53; filed Aug 11, 2004, 11:00 a.m.: 28 IR 192)

410 IAC 16.2-5-13 Dining assistants

Authority: IC 16-28-1-7; IC 16-28-1-12

Affected: IC 16-28-5-1; IC 16-28-13-3; IC 25-23-1-1

- Sec. 13.** (a) Each dining assistant shall successfully complete a sixteen (16) hour training program for dining assistants that has been approved by the department.
- (b) A dining assistant training program must obtain approval from the department prior to providing instruction to individuals.
- (c) The facility shall do the following:
- (1) Ensure that resident selection for dining assistance is based on the charge nurse's assessment and the resident's most recent assessment and plan of care.
 - (2) Not allow the dining assistant to assist more than two (2) residents at any one (1) time.
 - (3) Ensure the dining assistant is oriented to the following:
 - (A) The resident's diet, likes, and dislikes.
 - (B) Feeding techniques appropriate to the individual resident.
 - (4) Document the use of a dining assistant on the resident's care plan and review at each care plan conference.
 - (5) Check the nurse aide registry prior to training an individual as a dining assistant.
 - (6) Use only individuals as dining assistants who have successfully completed a department-approved training program for dining assistants.
- (d) The scope of practice for dining assistants is as follows:
- (1) A dining assistant shall work under the supervision of a licensed nurse who is on the unit or floor where the dining assistance is furnished and is immediately available to provide assistance as needed.

- (2) In an emergency, a dining assistant shall call the supervising nurse using the resident call system or any other method available.
- (3) A dining assistant shall assist only residents who do not have complicated eating problems, which include, but are not limited to, the following:
- (A) Difficulty swallowing.
 - (B) Recurrent lung aspirations.
 - (C) Tube or parenteral/IV feedings.
- (e) The dining assistant training program shall consist of, but is not limited to, the following:
- (1) Eight (8) hours of classroom instruction prior to any direct contact with a resident that includes the following:
- (A) Feeding techniques.
 - (B) Regular and special diets.
 - (C) Reporting food and fluid intake.
 - (D) Assistance with feeding and hydration.
 - (E) Communication and interpersonal skills.
 - (F) Infection control.
 - (G) Safety/emergency procedures including the Heimlich maneuver.
 - (H) Promoting residents' independence.
 - (I) Abuse, neglect, and misappropriation of property.
 - (J) Nutrition and hydration.
 - (K) Recognizing changes in residents that are inconsistent with their normal behavior and the importance of reporting these changes to the supervising nurse.
 - (L) Mental health and social service needs including how to respond to a resident's behavior.
 - (M) Residents' rights including the following:
 - (i) Privacy.
 - (ii) Confidentiality.
 - (iii) Promoting residents' right to make personal choices to accommodate their needs.
 - (iv) Maintaining care and security of residents' personal possessions.
 - (v) Dignity.
- (2) Eight (8) hours of clinical instruction that consists of, but is not limited to, the following:
- (A) Feeding techniques.
 - (B) Assistance with eating and hydration.
- (f) The dining assistant training program and training facility, if applicable, must ensure that clinical instruction provides for the direct supervision of the dining assistant by a licensed nurse.
- (g) Each training program shall have a qualified instructor responsible for program oversight who at a minimum:
- (1) possesses a valid Indiana registered nurse license under IC 25-23-1-1;
 - (2) possesses two (2) years of licensed nursing experience, of which at least one (1) year of experience is in the provision of long term care services; and
 - (3) completed a department-approved training program.
- (h) An approved program director of a department nurse aide training program constitutes a qualified instructor under subsection (g) and may conduct dining assistant training without additional training.

- (i) Dining assistant training may only be provided by:
 - (1) a registered nurse;
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- (A) individualized documentation of the:

- (i) classroom training that includes dates of attendance and areas of instruction; and
- (ii) clinical instruction that includes dates of attendance and areas of instruction including procedures and activities completed during the clinical experience; and

- (B) a copy of the certificate or letter confirming successful completion of the dining assistant training program, which shall be signed and dated by the instructor and bear the name and address of the training program.

- (l) The department may revoke an approved dining assistant training program if evidence exists that the program has not been administered in accordance with this section.

- (m) For purposes of IC 16-28-5-1, a breach of:

- (1) subsection (a), (b), (c), (d), (e), (f), (g), or (j) is a deficiency;
- (2) subsection (h) or (i) is a noncompliance; and
- (3) subsection (k) is a nonconformance.

(Indiana State Department of Health; 410 IAC 16.2-5-13; filed Aug 11, 2004, 11:00 a.m.: 28 IR 194)