

TITLE 317. OKLAHOMA HEALTH CARE AUTHORITY
CHAPTER 30. MEDICAL PROVIDERS-FEE FOR SERVICE
SUBCHAPTER 5. INDIVIDUAL PROVIDERS AND SPECIALTIES
PART 9. LONG TERM CARE FACILITIES

317:30-5-133.3. Nursing home ventilator-dependent and tracheostomy care services

- (a) Admission is limited to ventilator-dependent and/or ~~qualified~~ high-acuity tracheostomy residents.
- (b) The ventilator-dependent resident and/or ~~qualified~~ high-acuity tracheostomy resident must meet the current nursing facility level of care criteria. (Refer to OAC 317:30-5-123.)
- (c) All criteria must be present in order for a resident to be considered ventilator-dependent:
- (1) The resident is not able to breathe without a volume with a backup.
 - (2) The resident must be medically dependent on a ventilator for life support 6 hours per day, seven days per week.
 - (3) The resident has a tracheostomy.
 - (4) The resident requires daily respiratory therapy intervention (i.e., oxygen therapy, tracheostomy care, physiotherapy or deep suctioning). These services must be available 24 hours a day.
 - (5) The resident must be medically stable and not require acute care services. A Registered Nurse or Licensed Practical Nurse must be readily available and have primary responsibility of the unit at all times.
- (d) The resident will also be considered ventilator-dependent if all of the above requirements were met at admission but the resident is in the process of being weaned from the ventilator. This excludes residents who are on C-PAP or Bi-PAP devices only.
- (e) All criteria must be present in order for a resident to be considered ~~asa~~ high-acuity tracheostomy ~~care-qualified~~ resident:
- (1) The resident is not able to breathe without the use of a tracheostomy.
 - (2) The resident requires daily respiratory therapy intervention (i.e., oxygen therapy, tracheostomy care, chest physiotherapy, or deep suctioning). These services must be available 24 hours a day.
 - (3) A Registered Nurse or Licensed Practical Nurse must be readily available and have primary responsibility of the unit.
- (f) In addition to the requirements in paragraph (e), high-acuity tracheostomy residents will need to meet at least one of the listed criteria below:
- (1) The resident has a Brief Interview for Mental Status (BIMS) Interview score between 00-12 (moderately to severely impaired).
 - (2) The resident sees a pulmonologist monthly and a respiratory therapist at least once every other week, with a respiratory therapist available on call 24 hours a day.
 - (3) The resident is nonverbal, comatose, or in a vegetative state.
 - (4) The resident has a contractures diagnosis that results in limited mobility.
 - (5) The resident requires total dependency from staff with all aspects of daily care.
 - (6) The resident is unable to suction themselves.

- (7) The resident requires tracheostomy deep suctioning at an increased frequency of at least 10 times daily due to thick, copious amounts of secretions.
- (8) The resident is unable to clear their own secretions and protect their airway.
- (9) The resident has been diagnosed with a progressive neurological disorder that results in muscle weakness; this includes, but is not limited to, Amyotrophic Lateral Sclerosis (ALS), Multiple Sclerosis (MS), Alzheimer's, head injuries, or Cerebrovascular Accident (CVA).
- (10) The resident requires 5 L/min of oxygen or greater than 40% Fraction of Inspired Oxygen (FIO₂).
- (11) The resident requires breathing treatments that are at an increased frequency of three or more times daily.
- (12) The resident has an artificial opening in the neck for the tracheostomy, and an artificial opening in the abdomen for a gastrostomy tube.
- (13) The resident has multiple co-morbidities, resulting in demonstrative complications.
- (fg) Notwithstanding the foregoing, a ventilator-dependent or ~~qualified~~ high-acuity tracheostomy resident who is in the process of being weaned from ventilator dependence or requiring qualified tracheostomy treatment shall continue to be considered a qualified resident until the weaning process is completed.