

F801

(Rev. 207; Issued: 09-30-22; Effective: 09-30-22; Implementation: 10-01-22)

§483.60(a) Staffing

The facility must employ sufficient staff with the appropriate competencies and skills sets to carry out the functions of the food and nutrition service, taking into consideration resident assessments, individual plans of care and the number, acuity and diagnoses of the facility's resident population in accordance with the facility assessment required at §483.70(e)

This includes:

§483.60(a)(1) A qualified dietitian or other clinically qualified nutrition professional either full-time, part-time, or on a consultant basis. A qualified dietitian or other clinically qualified nutrition professional is one who—

- (i)** Holds a bachelor's or higher degree granted by a regionally accredited college or university in the United States (or an equivalent foreign degree) with completion of the academic requirements of a program in nutrition or dietetics accredited by an appropriate national accreditation organization recognized for this purpose.
- (ii)** Has completed at least 900 hours of supervised dietetics practice under the supervision of a registered dietitian or nutrition professional.
- (iii)** Is licensed or certified as a dietitian or nutrition professional by the State in which the services are performed. In a State that does not provide for licensure or certification, the individual will be deemed to have met this requirement if he or she is recognized as a "registered dietitian" by the Commission on Dietetic Registration or its successor organization, or meets the requirements of paragraphs (a)(1)(i) and (ii) of this section.
- (iv)** For dietitians hired or contracted with prior to November 28, 2016, meets these requirements no later than 5 years after November 28, 2016 or as required by state law.

§483.60(a)(2) If a qualified dietitian or other clinically qualified nutrition professional is not employed full-time, the facility must designate a person to serve as the director of food and nutrition services.

- (i)** The director of food and nutrition services must at a minimum meet one of the following qualifications—
 - (A)** A certified dietary manager; or
 - (B)** A certified food service manager; or
 - (C)** Has similar national certification for food service management and safety from a national certifying body; or
 - (D)** Has an associate's or higher degree in food service management or in hospitality, if the course study includes food service or restaurant management, from an accredited institution of higher learning; or
 - (E)** Has 2 or more years of experience in the position of director of food

and nutrition services in a nursing facility setting and has completed a course of study in food safety and management, by no later than October 1, 2023, that includes topics integral to managing dietary operations including, but not limited to, foodborne illness, sanitation procedures, and food purchasing/receiving; and

- (ii) In States that have established standards for food service managers or dietary managers, meets State requirements for food service managers or dietary managers, and
- (iii) Receives frequently scheduled consultations from a qualified dietitian or other clinically qualified nutrition professional.

INTENT §483.60 (a)(1)-(2) - To ensure there is sufficient and qualified staff with the appropriate competencies and skill sets to carry out food and nutrition services.

DEFINITIONS §483.60(a)(1)-(2)

“Full-time” means working 35 or more hours a week.

“Part-time” employees typically work fewer hours in a day or during a work week than full-time employees. The U.S. Department of Labor, Bureau of Statistics uses a definition of 34 or fewer hours a week as part-time work. Part-time workers may also be those who only work during certain parts of the year.

“Consultants” means an individual who gives professional advice or services. They are generally not direct employees of the facility and may work either full or part-time.

GUIDANCE §483.60(a)(1)-(2)

Cite F801 for concerns regarding the qualifications of the dietitian, other clinical nutrition professionals, or the food services director. For concerns regarding support personnel refer to F802, Sufficient Dietary Support Personnel.

In addition, cite F801 if staff, specifically the qualified dietitian or other clinically qualified nutrition professional did not carry out the functions of the food and nutrition services. While these functions may be defined by facility management, at a minimum they should include, but are not limited to:

- Assessing the nutritional needs of residents;
- Developing and evaluating regular and therapeutic diets, including texture of foods and liquids, to meet the specialized needs of residents;
- Developing and implementing person centered education programs involving food and nutrition services for all facility staff;
- Overseeing the budget and purchasing of food and supplies, and food preparation, service and storage; and,
- Participating in the quality assurance and performance improvement (QAPI), as described in §483.75, when food and nutrition services are involved.

The qualified dietitian or other clinically qualified nutrition professional can decide to oversee and delegate some of the activities listed above to the director of food and nutrition services.

PROBES §483.60(a)(1)-(2)

If the survey team finds concerns regarding a resident's food and/or nutritional status determine:

- If the practices of the dietitian, nutrition professional, and/or food services director contributed to the identified concerns. If so how?
- How facility management ensures that staff have the appropriate competencies and skills sets to carry out the functions of the food and nutrition service?
- If a food services director is employed by the facility, do they have frequent consultations with the dietitian or other nutrition professionals or consultants employed by the facility?

POTENTIAL TAGS FOR ADDITIONAL INVESTIGATION §483.60(a)(1)-(2)

During the investigation of F801, the surveyor may have identified concerns with additional requirements related to outcome, process, and/or structure requirements. The surveyor is advised to investigate these related requirements before determining whether non-compliance may be present at these other tags. Examples of some of the related requirements that may be considered when non-compliance has been identified include, but are not limited to, the following but are not limited to:

- §483.25(b)(1), F686, Pressure Injury
 - Determine if the facility identified, evaluated, and responded to a change in a resident's skin integrity.
- §483.25(g)(1)-(3), F692, Nutrition/Hydration Status
 - Determine if the facility identified, evaluated, and responded to a change in nutritional parameters, anorexia, or unplanned weight loss, dysphagia, and/or swallowing disorders in relation to the resident's ability to eat.
- §483.25(g)(4)-(5), F693, Tube Feeding Management
 - Determine if the facility identified, evaluated, and responded to the use of a naso-gastric and gastrostomy tubes.