

10A NCAC 28D .0207 PROTECTIVE DEVICES

(a) Whenever protective devices that cannot be removed at will by the client are utilized, the state facility shall:

- (1) assure that the protective device shall be used only to promote the client's physical safety;
- (2) assure that the factors putting the client's physical safety at risk are fully explored and addressed in treatment planning with the participation of the client and legally responsible person if applicable;
- (3) document the utilization of protective device in the client's nursing care plan, when applicable, and treatment/habilitation plan;
- (4) document what positive alternatives and less restrictive alternatives were considered, whether those alternatives were tried, and why those alternatives were unsuccessful;
- (5) assure that the protective device is used only upon the written order of a qualified professional that specifies the type of protective device and the duration and circumstances under which the protective device is used;
- (6) assure and document that the staff applying the protective device is trained and has demonstrated competence to do so;
- (7) inspect to ensure that the devices are in good repair and free of tears and protrusions;
- (8) determine, at the time of application of the protective device, the degree of observation needed to assure the safety of those placed in restraints. The type of protective device used, the individual patient situation, and the existence of any specific manufacturer's warning concerning the safe use of a particular product shall all be considered in determining the degree of observation needed. Observation shall include direct line of sight or the use of video surveillance. In no instance shall observation be less frequent than at 30-minute intervals.
- (9) assure that whenever the client is restrained and subject to injury by another client, a state facility employee shall remain present with the client continuously.
- (10) assure that the person is released as needed, but at least every two hours;
- (11) re-evaluate need for and impact on client of protective device at least every 30 days; and
- (12) assure that observations and interventions shall be documented in the client record.

(b) In addition to the requirements specified in Paragraph (a) of this Rule, protective devices used for behavioral control shall comply with the requirements specified in Rule .0203 of this Section.

*History Note: Authority G.S. 122C-51; 122C-57; 143B-147;
Eff. October 1, 1984;
Amended Eff. November 1, 1993; July 1, 1989;
Temporary Amendment Eff. January 1, 2001;
Amended Eff. August 1, 2002;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.*