

# **Greene Arc, Inc.**

## **Policy and Procedure Manual**

### **313 Benefits Continuation (COBRA)**

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) helps employees and their dependents to continue their health insurance under the employer's plan when a qualifying event would result in normal loss of eligibility. . Qualifying events include the employee's resignation, termination, leave of absence, shorter work hours, divorce, legal separation, or death. Another qualifying event is when a dependent child stops being eligible for coverage under your health insurance.

If you continue your insurance under COBRA, you will pay the full cost of the insurance at the Company's group rates plus an administration fee. When you become eligible for our health insurance plan, we will give you a written notice describing your COBRA rights. Because the notice contains important information about your rights and what to do if you need COBRA, be sure to read it carefully.

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### **379 Workers' Compensation Insurance**

The Company provides a comprehensive workers' compensation insurance program to our employees. This program does not cost you anything.

The workers' compensation program covers injuries or illnesses that might happen during the course of your employment that require medical, surgical, or hospital treatment.

It is very important that you tell your supervisor immediately about any work-related injury or illness, regardless of how minor it might seem at the time. Prompt reporting helps to make sure that you qualify for coverage as quickly as possible and let us investigate the matter promptly.

Workers' compensation covers only work-related injuries and illnesses. Neither the Company nor its insurance carrier will pay workers' compensation benefits for injuries that might happen if you voluntarily participate in an off-duty recreational, social, or athletic activity that we might sponsor.

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As a participant of the Company's plan, you are entitled to certain rights and protections under the Employee Retirement Income Security Act of 1974 (ERISA). ERISA provides that all plan members shall be entitled to: Examine all plan documents, at the plan administrator's office, without charge. This includes insurance contracts and copies of all documents filed by the plan with the U.S. Department of Labor. Examples of this include detailed annual reports and plan descriptions. - Obtain copies of all plan documents and other plan information upon written request to the plan administrator. The administrator may make a reasonable charge for the copies. - Receive a summary of the plan's financial report. The plan administrator is required by law to furnish each member with a copy of this summary annual report. In addition to creating rights for plan members, ERISA imposes duties upon the people who are responsible for the operation of the employee benefit plan. The people who operate your plan, called "fiduciaries" of the plan, have a duty to do so prudently and in the interest of you and other plan members and beneficiaries. No one, including your employer, may terminate you or otherwise discriminate against you in any way to prevent you from obtaining a welfare benefit or exercising your rights under ERISA. If your claim for a welfare benefit is denied in whole or in part, you must receive a written explanation of the reason for denial. You have a right to have the plan reviewed and your claim reconsidered.

If you have any questions about your Plan, you should contact Human Resources.

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### 381 HIPAA

Numerous federal and state laws, including the Health Insurance Portability and Accountability Act (HIPAA), require Greene Arc to protect highly confidential information that the Company creates or collects related to individuals who receive our services. Greene Arc has a separate Security and Privacy Policy that ensures compliance with all applicable privacy laws and is designed to protect the security of all protected health information. For more information regarding this policy, contact the HIPAA Officer.

**Privacy and Security Background:** Complying with the Health Insurance Portability and Accountability Act (HIPAA) and protecting the privacy of the individuals-served is not intended to interfere with your ability to do your job. If you find that compliance with Privacy and Security guidelines has changed the way you deliver care/provide support, please contact the HIPAA Officer.

- In April 2003, the Privacy piece of HIPAA went into effect. This component of HIPAA dealt with the obligation to maintain the confidentiality of patient records.
- In April 2005, the HIPAA Security Rule went into effect. This rule addressed the requirements surrounding how data and information can be stored and accessed.
- In February 2009, the American Recovery and Reinvestment act of 2009 (ARRA) was signed into law. The ARRA, commonly referred to as the "federal stimulus package," included several provisions that amended certain pieces of HIPAA.

**Confidential Information:** Confidential information can include, but is not limited to:

- Activities or operations of Greene Arc including group homes, programs, clinicians, or others;
- Historical, actual, and projected financial information; operating data and organizational and cost structures;
- Protected health information (PHI), patient lists, patient identity, patient, personal and medical history, patient treatment, all billing and reimbursable information and;
- All employment, medical, or sensitive personal information of fellow staff members, received or obtained by a staff member at any time of employment.

**Handling Confidential Information:** Staff members shall refrain from disclosing or revealing confidential information to any person, except as specifically necessary for the staff member to perform his/her job. Staff must be aware of his/her surroundings when discussing confidential information and consider who may overhear their conversation.

- Employees are prohibited from accessing medical records of their spouses, children, relatives, friends and others.
- Employees are permitted only to access information needed to perform their job.
- Employees will be subject to disciplinary action if PHI has been accessed inappropriately and may be subject to fine, imprisonment and termination.

**Effective 05/01/2014** This document is for informational purposes only and is not to be construed as an employment agreement or contract. Greene Arc, Inc. retains the right to amend or change policies contained here-within at any time without prior notice. The provisions of this Policy and Procedure Manual will apply except where the policy conflicts with state law or Collective Bargaining Agreement provisions.

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- Employees must dispose of confidential information by shredding or putting the documents in designated containers.
- Employees may not share their computer or network password with anyone. Employees must also take steps to restrict views of confidential information on computers, smartphones or other electronic devices and may not leave them unattended.

For more information, questions or to report a violation of this policy, employees may contact their supervisor or Greene Arc's HIPAA Office.

**HIPAA Special Enrollment:** The Health Insurance Portability and Accountability Act of 1996 HIPAA limits exclusions for preexisting conditions; prohibits discrimination against employees and their dependents based on their health status; guarantees renew-ability and availability of health coverage to certain employees and individuals; and protects many workers who lose health coverage by providing better access to individual health insurance.

The special enrollment rights apply without regard to the dates on which an individual would otherwise be able to enroll under the plan. Special Enrollment periods apply to you and/or your dependent(s), if you have a new dependent as a result of marriage, birth, adoption or the placement for adoption (qualifying event). Under these rules, a group health plan is required to provide the opportunity for special enrollment for these individuals should they make the request within 30 days of the date the qualifying event occurred.

If you decline enrollment under the Company's plan for yourself or your dependents (including your spouse) and state in writing that you and/or your dependents have coverage under another group health plan or health insurance coverage as the reason for declining to enroll you may also have special enrollment rights. Special enrollment rights may apply to you and/or your dependents in the event that you and/or your dependents are no longer eligible for this other coverage.

Your plan may offer an Annual Open Enrollment giving you the opportunity to enroll yourself and/or your dependents if you have previously declined/waived coverage for you and/or dependents.

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### 383 Benefits

**Medical Insurance:** The Company offers medical coverage to all eligible full time employees and their dependents. The Company will pay the entire premium for eligible full-time employees, and the employee may choose to add coverage for their dependents at their own expense.

**Life Insurance:** Greene Arc offers life insurance in the amount of *twenty thousand (\$20,000)* to eligible full-time and part-time employees.

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### **391 Sleep Time for Non-Exempt Employees**

In compliance with the Pennsylvania Department of Labor, sleep time during a required 24 hour shift will be unpaid. However, Greene Arc will:

- Provide adequate sleeping facilities with private quarters;
- Compensate the employee for interruptions in sleep time;
- Compensate the employee, at the applicable minimum wage rate as set by the Commonwealth of Pennsylvania, for the entire sleep time if the employee receives less than five (5) hours of sleep time; and
- Deduct no more than eight (8) hours for sleep time in a twenty-four (24) hour shift.

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### **392 Salary Basis Policy**

The Fair Labor Standards Act (FLSA) is a federal law which requires that most employees in the United States be paid at least the federal minimum wage for all hours worked and overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek.

However, the FLSA provides an exemption from both minimum wage and overtime pay for certain employees in particular job functions which meet certain criteria regarding job duties and salary.

**Salary Basis Requirement:** Being paid on a “salary basis” means an employee regularly receives a predetermined amount of compensation each pay period. The predetermined amount cannot be reduced due to quality or quantity of the employee’s work. Subject to certain exceptions, an exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any workweek in which they perform no work. If the employer makes deductions from an employee’s predetermined salary, i.e., because of the operating requirements of the business, that employee is not paid on a “salary basis.” If the employee is ready, willing and able to work, deductions may not be made for time when work is not available.

Employers may make full or partial day deductions from an exempt employee’s pay in the following circumstances:

- Absence from work for one or more full days for personal reasons (not sickness/disability);
- Absence from work of one or more full days due to sickness/disability if the deduction is made in accordance with plan, policy or practice of providing compensation for salary lost;
- To offset amounts employees receive as jury or witness fees, or for military pay;
- Unpaid disciplinary suspensions of one or more full days due to workplace conduct rule violations;
- During initial or last week of employment;
- For penalties imposed for infractions of safety rules of major significance;
- When employees takes unpaid leave under the Family and Medical Leave Act.

It is Greene Arc’s policy to comply with the salary basis requirements of the FLSA. Therefore, we prohibit all company managers from making any improper deductions from the salaries of exempt employees. We want employees to be aware of this policy and that the company does not allow deductions that violate the FLSA.

If you believe that an improper deduction has been made to your salary, you should immediately report this to your direct supervisor, or to Human Resources. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.



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### **401 Limited English Proficiency Policy**

Greene Arc, Inc. is committed to: Providing equal opportunity in all programs and services to ensure full compliance with all civil rights laws, including Title VI of the 1964 Civil Rights Act, which requires non-discrimination on the basis of national origin. Equal opportunity includes physical and program access for persons with disabilities and program access for persons with Limited English Proficiency (LEP).

Program and physical access for persons with disabilities is covered in the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973 as amended, Section 504.

It is the policy of this agency to provide language access services to populations of persons with Limited English Proficiency (LEP) who are eligible to be served by our programs. Such services will be focused on providing meaningful access to our programs and services.

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### 402 Financial Accountability Procedures

The following procedures are to be followed regarding the security and accountability for handling of the individual's finances:

Each staff will count and document the balance of the individual's spending money using the new Personal Account Ledger with the balance check off log listed on the back. This is to be completed each and every time a staff member starts and ends his/her shift. If the amount counted does not balance the staff member must note this and then notify his/her supervisor or the on-call supervisor, whichever is applicable.

Also the file cabinets which contain the individual's finances and records must be kept locked at all times. The staff will be responsible to ensure that there is never a time when those cabinets are kept unlocked. The key(s) must be kept secure by staff as well. This means they must be kept in an area that is only accessible to other staff members. The residential supervisor of each site will inform the staff, in writing and through a staff meeting, the procedure that will be used for each respective site.

**Checkbook Documentation:** Each staff is to initial by each entry he/she makes in the individual's checkbook ledger. This will help eliminate confusion regarding questions pertaining to an entry of purchase, withdrawal or deposit.

Please note that if the above listed procedures are not followed, it will lead to disciplinary action.

If you have any questions please do not hesitate to ask your direct supervisor or Mary Keim, Director of Residential Services.

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### **403 Beneficiary of a Life Insurance Policy**

Greene Arc, Inc. prohibits any employee to be listed as beneficiary on an individuals' life insurance policy that is receiving services from Greene Arc, Inc, unless the individual receiving services is a family member of the employee or that such arrangements were already in existence prior to the individual receiving services from Greene Arc or the employee's employment with Greene Arc. Greene Arc, Inc. does not permit any employee to obtain personal financial gain from their employment serving individuals with disabilities at Greene Arc, Inc.

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### **404 Fiduciary Relationships - Representative Payee Policy**

It is the policy of Greene Arc, Inc. to serve as the representative payee for individuals receiving services in our residential programs. At no time is it permissible for any Greene Arc, Inc. employee to act as the representative payee for any individual receiving services from Greene Arc, Inc. unless the individual is a family member of the employee or the arrangement was created before the individual received services from Greene Arc or the employee became employed by Greene Arc.

Persons with intellectual and development disabilities should have the opportunity to manage personal funds, receive training in the management of personal funds and be guaranteed protection of those funds.

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### **405 Legal Guardian Policy**

Greene Arc, Inc. does not permit any employee to seek or maintain legal guardianship of an individual, receiving our services, while they are currently employed at Greene Arc, Inc. unless the individual is a family member of the employee or the arrangement was created before the individual received services from Greene Arc or the employee became employed by Greene Arc. The following guardianships apply to this policy:

- Guardianship of the person or property
- Full guardianship
- Limited Guardianship
- Temporary Guardianship

Guardianship is the legal power to care for another person and manage his or her affairs. When people become adults – including people with intellectual and development disabilities – they get all the legal rights and responsibilities of any adult. Only the courts have the authority to remove these rights. A court makes this decision based on the person's abilities to handle personal decisions, money, property and similar matters. The incapacity (or legal inability) to handle these matters is grounds for guardianship, not intellectual and developmental disabilities.

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### 406 Behavioral Emergency/Crisis Policy

**Introduction:** Unforeseen incidents may occur at short notice that must be dealt with urgently outside the standard policy framework. While precise procedures cannot be laid down, there is a need for general policy to guide the organizational response to crisis.

**Purpose:** The Behavioral Emergency/Crisis Response Policy is intended to facilitate the management of a crisis within Greene Arc, Inc. Drop In Center to minimize risks to individuals who receive our services (“consumer”) and personnel, to protect Greene Arc and to implement urgent recovery procedures.

#### **Policy:**

1. Management and staff have been made aware of all consumers’ disabilities and mental health recovery diagnosis. Monitoring of all consumers occurs while at the Drop In Center.
2. Should behaviors become increasing and causing detriment to the consumer and others, staff will document time and frequency, providing evidence that additional support is required.
3. Technical Assistance is requested to provide support and specific directions to staff to aide in the reduction of the behavior.
4. Outside resources are utilized to assist with behavior concerns; (counselors, psychologist, psychiatrist etc.).
5. County Human Services are contacted for assistance.
6. Call SPHS Crisis Hot Line (1) 800-417-9460.
7. For emergencies, Greene Arc would utilize Southwest Regional Behavioral Health Unit.
8. In the event of a crisis, CALL 911.

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### **407 DPW/ODP Rules and Regulation Dissemination**

Effective: January 2008

Greene Arc, Inc. developed a procedure to ensure all rules, regulations, policies & procedures, and philosophy of and from the Office of Developmental Programs (ODP) are disseminated to parties.

The procedure is as follows:

- Correspondence from ODP is submitted to the Executive Director
- Ex. Dir. forwards information to Data Analyst II
- Data Analyst forwards information to program department directors
- Directors forwards information and/or trains staff
- Information from ODP is implemented

All correspondence is kept in Data Analyst's office. A library of all correspondence (ODP's philosophy) is printed, categorized and available for Greene Arc's employees.

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### **408 Vacancy Management**

Greene Arc, Inc. vacancy management procedure is as follows:

- Should a vacancy be available Greene Arc posts the vacancy on ODP's statewide web-site. A home profile is included.
- Greene Arc notifies the Regional ODP office.
- Greene Arc notifies County Administrative entities.
- Greene Arc notifies the Provider Alliance that serves the western region of PA.

Should any further requirements be needed to resolve the vacancy, Greene Arc Executive Director will be informed and will provide additional directives.



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### **409 PROMISe Billing Policy**

Greene Arc, Inc. has established the following procedures, regarding PROMISe billing, to ensure all efforts to resolve any difficulties have been exhausted. All procedures are tried prior to contacting any County Administrative Entities.

The procedures are as follows:

1. Contact the PROMISe help desk.
2. Re-examine internal documents to ensure units were recorded correctly.
3. Utilize HCSIS for confirmation of authorized units.
4. Review current ISP.
5. Contact County Administrative Entity.

In the event, resolution has not occurred, please contact Greene Arc, Inc.'s Executive Director for further directives.

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### **410 Client Cosmetic Care Policy**

Greene Arc has developed this policy to establish the parameters that staff will follow in aiding and performing cosmetic care to individuals.

Cosmetic care does not include personal hygiene items such as brushing teeth, bathing, washing/drying/combing/curling hair, face/leg shaving, trimming of finger/toe nails, and the application of deodorants/cologne/perfume. The aforementioned items serve as examples and should be used to clarify items that may be confused with cosmetic care.

Cosmetic care, for the purpose of this policy, applies to items such as application of make-up, hair coloring/cutting/removal (other than face or shaving), body piercing, tattooing, fingernail painting, and cuticle trimming.

Staff will perform no cosmetic care other than the assisting with or the application of make-up and fingernail painting. This must be done in a manner that ensures the appearance of the individual is dignified. All other types of cosmetic care are to be done at licensed facilities.

As with any type of care that a staff member provides, the staff member is responsible for ensuring that the provision of care is not limited or prohibited by a medical condition.

Violations of this policy will be dealt with according to the disciplinary policy will result in discipline up to and including termination.

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### **415 Exploitation/Abuse and Neglect**

The following policy statement is to comply and support the policy of the Community Services Program for Persons with Disabilities in the OBRA, Independence, and COMMCARE Waiver Programs.

Greene Arc employees shall treat each individual receiving services ("consumer") with dignity and respect. Employees shall not physically, verbally, sexually, or psychologically abuse an individual receiving services. Employees, per Incident Policy and Manual, shall report all suspected incidents of abuse, neglect, or exploitation. Failure to report will lead to disciplinary action.

1. Abuse is the intentional and unnecessary infliction of pain, injury, or mental anguish upon an individual receiving services.
2. Neglect is the failure by intentional or careless omission to carry out prescribed medical treatment or personal care tasks for an individual receiving services. Neglect is also the failure by intentional or careless omission to report the consumer's physical and emotional problems to an immediate supervisor.
3. Exploitation/Mistreatment is defined as the intentional use of inappropriate medications, isolation, or physical or chemical restraints on an individual receiving services. This also includes taking advantage of the personal, financial, physical and/or emotional disabilities of a consumer for the personal gain of the employee.
4. Sexual abuse or assault is defined as any sexual contact to which one party does not consent. Sexual contact between the individual receiving services and any employee is strictly prohibited.
5. Psychological abuse is any intentional act that causes psychological pain to individuals receiving services.

**All of the above are to be reported to your immediate supervisor or point person within 24 hours.**

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### 420 Residential Awake Overnight Policy

It is very important that all staff working an overnight shift provide safe care to the individuals served by Greene Arc. The following guidelines should be adhered to without deviation:

- Absolutely NO sleeping during your shift.
- If there is a signaling device used by one of the residents, each employee will ensure that they can hear the signal throughout the home. If you cannot hear the signal, notify your supervisor or the on-call supervisor.
- Going outdoors should be limited to only when necessary. Only under **emergency** conditions should anyone go outside through the basement. If a situation arises that compels you to go outdoors via the basement, upon returning, the residents must be immediately checked on.
- If you must smoke, which of course is to be done outdoors and during a break, it will be done on the porch with the interior door ajar.
- If you are at a home and there is a question as to where staff on duty are, make a check of the home including bathrooms, porches, and sleeping quarters. If the staff cannot be located, notify the on-call supervisor immediately.

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### **421 Visitors**

In order for Greene Arc to properly protect its individuals receiving services and employees, all visitors to any of the staff at Agency group homes will be required to sign a disclaimer form. This form is located in the helpful forms section of this manual.

All visitors to individual residents at Agency group homes must be required to sign the visitor's log.

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### 425 Medication Administration Policy

All Program staff must successfully complete the ODP required medication administration training program. After each staff person passes the written test and completes the practicum with at least 90% accuracy (ODP Standard), they will be allowed to dispense medications accordingly.

The following shall stand as the policy and procedures regarding medication administration errors (**throughout any consecutive 6-month period**):

- **First Error**: the staff person will need to retake the medication practicum before being permitted to dispense medications again.
- **Second Error**: the staff person will need to retake the medication practicum before being permitted to dispense medications again.
- **Third Error**: the staff person will receive a **written counseling** form detailing the importance of using correct procedures during medication administration and will need to retake the medication practicum before being permitted to dispense medications again
- **Fourth Error**: the staff person will need to retake the medication administration training/test and a medication practicum before being permitted to administer medications again.
- **Fifth Error**: the staff person will receive a **written warning** form detailing the importance of using correct procedures during medication administration and will need to retake the medication administration training/test and a medication practicum before being permitted to administer medications again.
- **Sixth Error**: the staff person will be **suspended** for five (5) days without pay. At the end of those five (5) days Greene Arc will notify the employee in writing regarding a decision to continue employment or to discharge.

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### 426 Medication Disposal

If a medication is discontinued the following procedure(s) should be followed within a 24 hour time frame:

- Medication must be taken to the Pharmacy for disposal and documentation required or medication may be disposed of with two (2) staff persons present and documented.
- Disposal must be documented on a medication disposal form. In addition, if the medication being disposed of has been discontinued then D/C is indicated on the individual's medication log.
- Blister Pack Meds: Pharmacy and staff dispose of the medication. Both pharmacy and staff must sign and date the medication disposal form which must include the Rx# and amount of medication disposed.
- If a disposal needs done on a Sunday: Hold until Monday and make sure it is locked up in a separate area from the other medication.
- Aerosol sprays: Return to pharmacy; pharmacy and staff must sign and date the medication disposal form.
- All ointments: Need to be squeezed or sprayed out of the container and into wet coffee grounds or kitty litter then thrown away by two (2) staff who will sign and date the medication disposal form.
- Eye drops, ear drops and all other liquid medication: Pour or squeeze out of container into wet coffee grounds or kitty litter, then thrown away by two (2) staff who will sign and date the medication disposal form.
- Suppositories: Placed into wet coffee grounds or kitty litter and thrown away by two (2) staff who will sign and date the medication disposal form.
- All medication disposal forms must include: Name of medication, dosage, Rx# and Doctor's name that discontinued the medication. In addition, contaminated medications must state reason for disposal.

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### 430 Medication Logging Procedures

#### Med Counts

1. All meds are to be counted and logged when they come into the home.
2. All meds are to be counted before being given and after being given to individuals.
3. All meds are to be counted at the end of shift and recorded on the report.
4. Original med count should not be written under column Day 1. Write it to the left of that column.
5. If a new med comes into the house before dosage is due, a green line should be marked above the count. If the med comes in after the dosage is given, the line should be marked below the staff's initials.
6. Home visits - HV - should be recorded in the initial section filling in both the initial and count squares. No count should be recorded.

ADT - should be recorded in the initial section filling in both the initial and the count squares. No count should be recorded.

The next count recorded (after the home visit or being in ADT) should be when the first dosage of the medication is given once the individual has returned to the Residential site.

During hospital stays the "H" should be noted in the initial section of the log. A count should be recorded in the count square even though the count should remain the same until the individual returns to the site.

7. Staff needs to take medication counting and recording seriously.

**Disciplinary action will be taken if habitual counting errors occur.**

#### Color of Ink to be Used

1. Blue ink should be used to record all markings and initials on the med logs.
2. Red ink should be used to record any errors on the med logs.
3. Green ink should be used to record all new scripts and refills.
4. The color coding should be carried over to the back of the med log as it appears on the front.
5. These pens will be provided at each house - **pens are to be left at the house**

#### PRN and OTC Meds

1. A separate log will be used to record all meds that cannot be counted - creams, drops, cough

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syrup, etc.

2. These logs will be kept with the regular med log and handed in with it at the end of the month.
3. PRN medications must clearly state on the label what the medication is for (i.e., rash, congestion, fever, pain, etc.) and the dosage frequently in which it can be given (i.e., every 4 hours, twice a day, at bedtime, etc.).