

Resident Rights in Long-term Care Facilities

A Guide to Assist Facilities with Compliance

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Provider Resources & Education Program (PREP)

Bureau of Survey and Certification



Learning Objectives

After the training presentation, learners will:

- Define the many facets of resident rights.
- Improve patient care by protecting resident rights.
- Use citation findings and solution examples to identify gaps and determine opportunities for their long-term care facility to improve regarding resident rights. 

Continuing Education Requirements/Learner Outcome

To earn continuing education, the learner must:

- Register to attend.
- Attend 100% of the presentation.
- Receive an 80% pass rate on the knowledge check.
- Complete an evaluation.

Other participants will receive a certificate of completion.

Desired learner outcome: 100% of the learners will self-report increased knowledge regarding resident rights in long term care facilities.



Disclosure Statement

No one with the ability to control the content of this activity has a relevant financial relationship with an ineligible company.



Continuing Education

- Ohio Department of Health is approved as a provider of nursing continuing professional development by Pennsylvania State Nurses Association, an accredited approver by the American Nurses Credentialing Center's Commission on Accreditation.

The Ohio Department of Health is approved as a provider of continuing education for:

- Licensed Nursing Home Administrators by the Ohio Board of Executives of Long-Term Services and Supports.
- Social Workers by the Ohio Counselor, Social Worker, and Marriage and Family Therapist Board.



Agenda

We will discuss:

- Federal regulations and State of Ohio laws and rules for resident rights.
- Examples of resident rights citations.
- Bureau of Survey and Certification statistics.



Acronyms

- BOSC – Bureau of Survey and Certification.
- SNF- Skilled Nursing Facility.
- NF- Nursing Facility.
- SSI – Supplemental Security Income.



Resident Rights Regulations and Examples of Citations (483.10)



Resident Rights /Exercise of Rights

F 550



- Right to equal access to quality care regardless of:
 - Diagnosis.
 - Severity of condition.
 - Payment source.
- Right to exercise rights with no:
 - Interference.
 - Coercion.
 - Discrimination.
 - Reprisal from the facility.



Resident Rights/Exercise of Rights

F 550



- Right to a dignified existence, self determination, and communication with access to persons and services.
- Right to be treated with respect, dignity and care that promotes quality of life.



Examples of Citations for F 550

Dignity and respect citations:



- Resident not being covered during care.
- Resident's door being open when exposed.
- Catheter bags were not covered.
- Mimicking, swearing in resident's rooms.
- Disrespect towards residents who are cognitively impaired.
- Daily use of disposable cutlery and dishware.
- Standing over residents while assisting them with eating.

Rights Exercised by a Representative

F 551

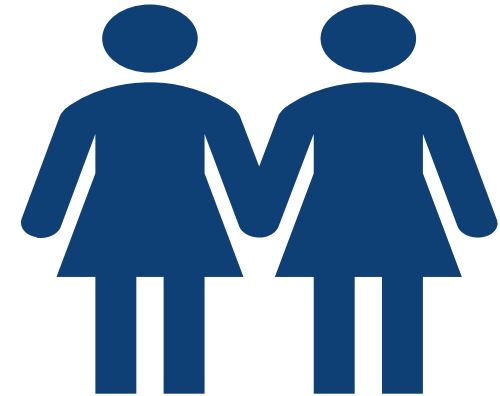


- Resident has the right to designate a representative.
- Facility must treat decisions of the representative as the decision of the resident.
- If the facility has reason to believe the representative is making decisions or taking actions that are not in the best interests of the resident, then the facility shall report those concerns.
- Resident's wishes must be considered by the representative.



Examples of Citations for F 551

- Assistance was not provided to a resident to obtain a representative or a legal guardian.
- A representative was not assisted with setting up a resident funds account.



Right to be Informed / Make Treatment Decisions

F 552



- Right to be informed of and participate in treatment including: health status, medical condition, and the type of care as well as the caregiver who will provide the care.
- Right to be informed of the risks and benefits of care, of treatment options, and to make a choice.



Examples of Citations for F 552

- A resident was not informed of their treatment plan in a timely manner.
- A resident was not permitted to choose their plan of treatment.



Right to Participate in Planning Care

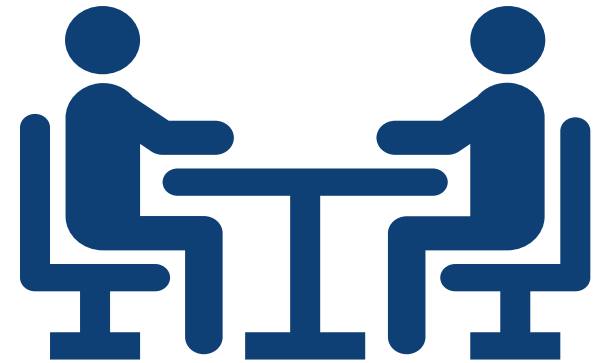
F 553

- Right to participate in the development and implementation of their person-centered plan of care, including:
 - Identify roles in the planning process.
 - Make requests for meetings.
 - Request revisions.
 - Establish goals, and outcomes.
- Right to be informed of changes and to see the care plan.
- Right to receive service or items on the care plan.
- Right to participate in treatment. Planning process must include the resident and/or representative and include an assessment of strengths, needs, personal and cultural preferences.




Examples of Citations for F 553

- Residents and representatives were not invited to care planning meetings.
- Facility did not allow the resident to see the care plan.



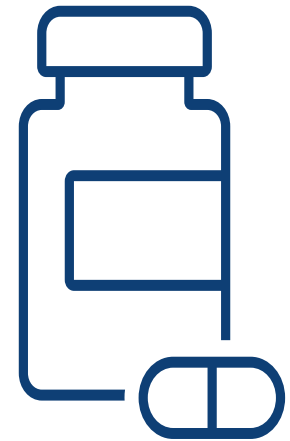
Right to Self Administration of Medications

F 554 	Right to self-administer medications if the interdisciplinary team determines it is clinically appropriate.
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Examples of Citations for F 554

- Residents were not assessed for self administration of medications prior to medications being left at the bedside.
- A physician order was not obtained for the resident to self administer medications prior to the resident self-administering medications.



Right to Choose/Be Informed of Attending Physician

F 555



- Right to choose attending physician.
 - Should be informed of physician name, specialty, and contact information.
 - The facility must inform and discuss with the resident if the physician chosen by the resident is unable or unwilling to meet the requirements and the facility seeks alternate physician participation.
 - Resident has the choice of an alternative physician. The facility must honor that choice.



Examples of Citations for F 555

- Residents and their guardians were not provided with an opportunity to choose a physician prior to their attending physician leaving.
- A resident's choice of physician was not honored.
- The facility did not discuss with the resident the need for an alternative physician.



Respect, Dignity/ Right to Have Personal Property

F 557



- Right to be treated with respect, and dignity including:
 - Right to retain and use personal property including furnishings, and clothing, as space permits, unless to do so would infringe upon the rights or health and safety of other residents.



Examples of Citations for F 557

Respect and dignity:

- Refusing to allow residents to bring in personal items.
- Resident and/or the resident's possessions being searched without proper consent.
- Not allowing a resident to use their power wheelchair.



Reasonable Accommodation of Needs/Preferences

F 558



Right to reside and receive services in the facility with reasonable accommodation of needs and preferences except when to do so would endanger the health and safety of the resident or other residents.



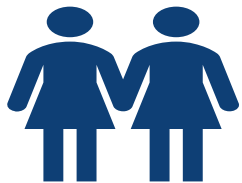
Examples of Citations for F 558

- Call lights were not within reach.
- Resident was not provided a bed that was long enough to accommodate their height.



Choose / Be Notified of Room/Roommate Change

F 559



- Right to share a room with spouse when married and both spouse's consent.
- Right to choice of roommate when practical and both roommate's consent.
- Right to receive written notice of a room or roommate change including the reason for the change before the resident's room or roommate is changed.



Examples of Citations for F 559

- A resident and/or the resident's representative was not notified before a transfer to another room.
- A resident and/or resident's representatives was not provided with written notification of a change in roommate.



Right to Refuse Transfers

F 560



- Right to refuse transfer if the purpose is:
 - Solely for the convenience of staff.
 - To relocate from the SNF to a part of the facility that is not a SNF.
 - To relocate from the NF to a part of the facility that is a SNF.



Examples of Citations for F 560

- Resident was relocated for the sole purpose of convenience for the staff.
- A resident was not given the opportunity to decline from being relocated from a room in one institution's distinct part SNF or NF to a room in another institution's distinct part SNF or NF for purposes of obtaining Medicare or Medicaid eligibility.



Self Determination

F 561

- Right to self determination through support of resident choice.
- Right to interact with community and engage in community activities.
- Right to choose activities, schedules, health care, and health care providers.
- Right to make choices about aspects of their life that are important.



Examples of Citations for F 561

- Self determination citations involving:
 - Not honoring resident preferences of room temperatures.
 - Not initiating a requested room change for a resident.
 - Not accommodating a resident's preferences for showers and grooming.
 - Not providing the right to chose their eating utensils to promote a homelike dining experience.



Immediate Access to a Resident

F 562



The facility must provide immediate access to any resident by:

- Any representative of the Secretary.
- Any representative of the State.
- Any representative of the Office of the State long term care ombudsman.
- The resident's individual physician.
- Any representative of the protection and advocacy systems.
- Any representative of the agency responsible for the protection and advocacy for individuals with a mental disorder.
- The resident representative.



Example of Citation for F 562

- State surveyors were not provided immediate access to residents.



Right to Receive / Deny Visitors

F 563

- Right to receive visitors of his or her choosing at the time of his or her choosing, and the right to deny visitation. The facility must:
 - Provide immediate access to a resident from immediate family, other relatives of the resident, and visitors who are visiting with the consent of the resident.
 - Facility must provide reasonable access to a resident by any entity or individual that provides health, social, legal or other services to the resident.
 - Have written policies and procedures regarding visitation including limitations, or restrictions.
 - The resident may deny or withdraw consent for visitation.

Examples of Citations for F 563

- Facility did not promote and facilitate a place where visitors could meet with residents.
- Residents were not allowed to have visitors of their choice.



Inform of Visitation Rights / Equal Visitation Privileges

F 564



- Right to be informed of visitation rights and related policy and procedures.
- Facility must inform residents of their right to receive visitors.
- Right to not restrict, limit, or otherwise deny visitation privileges on the basis of race, color, national origin, religion, sex, gender identity, sexual orientation, or disability.
- Right for all visitors to enjoy full and equal privileges consistent with resident preferences.



Examples of Citations for F 564

- Not accurately and appropriately informing resident representatives of visitation guidelines.
- Restricting a resident's visitation when there is no clinical or safety reasons.



Resident / Family Group and Response

F565



- Right to organize and participate in resident or family groups and have a space to meet.
- Facility must assist with making other residents and families aware of the groups.
- Staff and visitors may attend only with the group's invitation.
- Facility must provide a designated staff member to assist the group.
- Facility must consider grievances of the group and act promptly.



Example of Citation for F 565


- Facility was not addressing concerns brought forth by resident council in a timely manner.



Right to Perform Facility Services or Refuse

F 566



- Right to choose or refuse to perform services for the facility. 
 - Facility documents the resident's need or desire for work in the plan of care.
 - Plan specifies the nature of the services performed and whether the services are voluntary or paid.
 - Compensation is paid at or above prevailing rates.
 - Resident agrees to the work arrangement.

Examples of Citations for F 566

- Resident and/or representative did not agree to work arrangements.
- Care plan did not reflect the services the resident was providing and if it was paid or voluntary.
- Compensation was not paid at prevailing rate.



Protection / Management of Personal Funds

F 567



- Right to manage their own financial affairs.
- Right to know in advance of charges that may be imposed on a resident's funds.
 - The resident cannot be forced to deposit personal funds in the facility.
 - If resident deposits money with facility, they must safeguard, manage and account for the funds.
 - Facility must deposit resident funds if over \$100 in an interest-bearing account.
 - Facility must deposit resident's funds in interest bearing account if more than \$50 for residents under Medicaid.



Examples of Citations for F 567

- Resident was not able to access funds seven days a week.
- Resident did not have a signed authorization for the facility to manage personal funds.
- Residents were required to deposit their funds with the facility.



Accounting and Records of Personal Funds

F 568



- Right to a system that assures a complete and separate accounting of each resident's personal funds.
 - The system can not commingle resident funds with facility funds or with the funds of any person other than another resident.
 - The individual financial record must be available to the resident through quarterly statements and upon request.



Examples of Citations for F 568

- Facility did not give quarterly statements to the resident and/or representative as required.
- Facility was not maintaining a system that was complete and had a separate accounting of each resident's funds.
- Facility was commingling resident funds with facility funds.



Notice and Conveyance of Personal Funds


F 569



- Right to be notified if receiving Medicaid benefits of:
 - When the balance reaches \$200 less than the SSI resource limit for one person.
 - If the amount in the account, in addition to the value of the resident's other nonexempt resources, reaches the SSI resource limit for one person, the resident may lose eligibility for Medicaid or SSI.
- Right upon discharge, eviction or death of a resident to convey and have a final accounting within 30 days to the resident, individual or probate administering the resident's estate.



Examples of Citations for F 569

- Refunded monies were not issued in a timely manner to discharged residents.
- Final dispersal of resident funds was not completed within 30 days of a resident's death. 
- Residents were not assisted with spending down their resident trust accounts once the balance reached \$200 less than the Medicaid allowable limit.

Surety-Bond Security of Personal Funds

F 570



- Right to assurance of financial security.
 - The facility must purchase a surety bond, to assure the security of all personal funds.



Examples of Citations for F 570

- The surety bond was not sufficient to cover the balance of resident accounts.



Limitations on Charges to Personal Funds

- Right to not have charges for any item or service for which payment is made under Medicaid or Medicare.
- Facility may charge the resident for requested services that are more expensive than the covered services. During the course of a covered Medicare or Medicaid stay, facilities must not charge a resident for the following:
 - Nursing services.
 - Food and nutrition services.
 - Activities program.
 - Room/bed maintenance services.
 - Routine personal hygiene items and services.
 - Medically-related social services.
 - Hospice services.



Limitations on Charges to Personal Funds

The facility may charge to a residents' funds if a resident requests an item and it is not required for their goals, however the facility must inform the resident of the charge, and if payment is not made by Medicare or Medicaid. Items may include:

- Telephone, televisions/radio, personal computer or other electronic devices.
- Personal comfort items such as smoking materials, reading materials.
- Clothing, cosmetic and grooming services.
- Cost to participate in events outside the scope of the activities program.
- Gifts on behalf of the resident, flowers and plants.
- Non-covered special care services such as privately hired nurses or aides.
- Private room, except when therapeutically required.



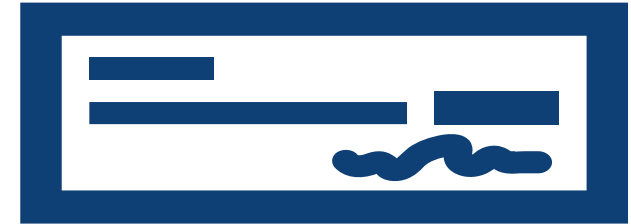
Limitations on Charges to Personal Funds

- The facility may not charge for special foods and meals, including medically prescribed dietary supplements.
- The facility must inform, orally and in writing, when the resident requests an item which there will be a charge and what the charge will be.



Examples of Citations for F 571

- Residents were charged for services they did not receive.
- Resident's family was reimbursed for items that did not pertain to the resident without the resident's consent.



Notice of Rights and Rules

F 572

Right to be informed of rights and regulations.

- Rights must be provided prior to stay or upon admission.
- Right to be informed both orally and in writing in a language that the resident understands.
- Right to a copy of state-developed notice of Medicaid rights and obligations.
- Receipt of rights must be in writing.



Examples of citations for F 572

- Facility did not provide the resident and/or resident representative with the rules and regulations governing resident conduct and responsibilities upon the resident's admission into the facility.
- Resident's rights were not posted in the facility nor was there evidence resident rights are reviewed with the residents.



Right to Access/ Purchase Copies of Records

F 573

- Right to access personal and medical records.
 - Within 24 hours excluding holidays and weekends.
 - Right to copy within two working days.
 - Right to have records in a manner the resident can access and understand.



Examples of Citations for F 573

- Medical record requests were not completed timely.
- Resident representatives were not provided with the proper procedure and documents necessary to access the resident's medical records from the facility.



Required Notices and Contact Information

Right to receive notices orally or in writing in a language the resident understands. The facility must give a resident a written description of legal rights including:

- A statement that they can file a complaint with the state survey agency.
- Description of how personal funds are protected.
- Eligibility requirements for Medicaid.
- Names, addresses, and telephone numbers of regulatory agencies including:
 - State Survey Agency.
 - State Licensure Office.
 - Ombudsman Program.
 - Protection and Advocacy agency.
 - Aging and Disability resource center.
 - Medicaid Fraud Control Unit.
- Information on filing grievances or complaints.



Examples of Citations for F 574

- Residents were not provided with a description of the requirements and procedures for establishing eligibility for Medicaid, including the right to request an assessment of resources as well as information concerning Medicare and Medicaid eligibility and coverage.
- Residents were not provided with contact information for state and local advocacy organizations.



Required Postings

Right to have posted, in a form and manner accessible and understandable to residents:

- Statement that the resident can file a complaint concerning any suspected regulation violations.
- List of names, addresses, and telephone numbers of all pertinent state agencies and advocacy groups.
 - State Survey Agency.
 - State licensure office.
 - Adult Protective Service.
 - Office of the State Long-term Care Ombudsman program.
 - Home and Community Based Service Programs.
 - Medicaid Fraud Control Unit.
 - Protection and advocacy network.



Examples of Citations for F 575

- Facility did not post contact information for the State Survey Agency and other pertinent agencies and advocacy groups, including the State licensure office, adult protective services, the Office of the State Long-Term Care Ombudsman program, the protection and advocacy network, home and community-based service programs, and the Medicaid Fraud Control Unit.



Right to Forms of Communication and Privacy

F 576

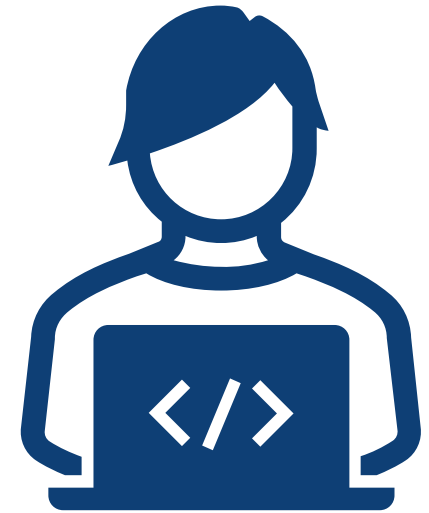


- Right to communicate with individuals and entities including reasonable access to:
 - Telephone, TTY, TDD and internet.
 - Stationary, postage, writing instruments and the ability to send mail.
- Right to send and receive letters, packages and other materials.
- Right to:
 - Privacy of communications.
 - Access to stationery, postage and writing instruments.
- Right to have reasonable access to and privacy in their use of electronic communications such as email, video communications and for internet research.




Examples of Citations for F 576

- Residents did not have a private area to access the phone and not be overheard when speaking with someone.
- Residents did not have a private area to access their email and have video communications.



Right to Survey Results /Advocate Agency Info

<p>F 577</p> 	<ul style="list-style-type: none">• Right to examine the results of the most recent survey and plan of correction. Right to receive information and contact agencies acting as a client advocate.• Facility must post most recent survey results in a readily accessible place for residents and representatives and have the survey reports and plan of correction from the preceding three years available for review upon request.• Facility must post notice of the availability of such reports in areas that are prominent and accessible to the public.
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Examples of Citations for F 577

Not displaying the state agency survey results where residents and visitors could access them.



Request / Refuse / Discontinue Treatment; Formulate Advanced Directives

<div data-bbox="157 361 303 415">F 578</div> <div data-bbox="157 803 285 963"></div>	<ul style="list-style-type: none">• Right to be informed of ability to accept or refuse medical or surgical treatments and formulate advance directives.• Right to receive a written description of the facilities policies to implement advance directives and state law.• Advance Directive information may be given to the representative if the resident is unable to receive and articulate whether they have an advance directive. If resident is later able to receive advance directive information the facility must have procedures in place to give information at that time.• Right to request, refuse or discontinue treatment or participate in or refuse experimental research, and to formulate an advance directive. <div data-bbox="2249 1139 2372 1253"></div>
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Examples of Citations for F 578

- Resident advanced directives were not clearly indicated in the medical record.
- The advance directive did not match what the order was in the medical record.



Posting / Notice of Medicare and Medicaid on Admission

F 579	The facility must display in the facility written information and provide to residents for admission oral and written information about how to apply for and use Medicare and Medicaid benefits and how to receive refunds for previous payments covered by such benefits.
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Examples of Citations for F 579

- Facility did not provide written information to residents and/or representatives on how to apply for Medicaid and Medicare funds.



Notify of Changes (Injury, Decline, Room)

F 580

- Resident and resident representative, as appropriate, has the right to be notified when there is an:
 - Accident resulting in injury.
 - Significant change in physical, mental or psychosocial status.
 - A need to alter treatment significantly.
 - Decision to transfer or discharge the resident.
 - A change in room or roommate.
 - A change in resident rights under Federal or State law.
- Facility must update the contact information for the resident representative periodically.



Example of Citations for F 580

- The facility did not notify the physician of a significant change in condition for one resident. The lack of physician notification resulted in a resident not receiving treatment and the resident expired in the facility.
- The physician and resident representatives were not notified of changes in condition such as pain, transfers, vital signs, medication changes and wound updates.



Medicaid / Medicare Coverage/Liability Notice

F 582	<p>Right to be informed about Medicaid at the time of admission and when the resident becomes eligible for Medicaid including:</p> <ul style="list-style-type: none">• Items and services included under the State plan and for which the resident may not be charged.• Items and services the facility offers and for which the resident may be charged, and the cost of those services.• Information when changes are made to the items and services.
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Medicaid / Medicare Coverage Liability Notice

F 582

- Right to be informed of services available in the facility and of charges for those services before or at the time of admission including charges not covered under Medicare, Medicaid or by the facility.
- Right to notice of changes to covered services under Medicare and Medicaid as soon as reasonable possibly.
- Right to be informed of changes to services offered by the facility.
 - Must be in writing at least 60 days prior to the implementation of the changes.
- Right to receive refunds within 30 days of discharge.



Examples of Citations for F 582

- Facility did not provide advanced beneficiary notices at the end of Medicare services timely.
- Facility did not complete skilled nursing facility advanced beneficiary notices.



F583 - Personal Privacy / Confidentiality of Records

- Right to privacy and confidentiality of personal and medical records.
 - Personal privacy includes accommodations, medical treatment, written and telephone communications, personal care, visits, and meetings of groups.
- Right to privacy of oral, written, and electronic communications.
- Right to send and promptly receive unopened mail, packages and other materials delivered to the facility.
- Right to secure and confidential personal and medical records including the right to refuse release of records except as provided by applicable state and federal law. Must allow the Office of the State Long-term Care Ombudsman to examine a resident's record.



Examples of Citations for F 583

Privacy concern citations:

- Resident exposed when the shower door was left open.
- Resident exposed when being wheeled in hallway with gown open.
- Resident care was being discussed in common areas.
- Resident conversations were recorded.
- Resident's mail was opened by staff.
- Resident records being left in a folder in the hallway.



Safe/Clean/Comfortable/Home-like Environment

F 584

Right to a safe, clean and homelike environment including:

- Housekeeping and maintenance services.
- Clean linens.
- Private closet space.
- Adequate and comfortable lighting.
- Comfortable and safe temperature levels.
- Comfortable sound levels.



Examples of Citations for F 584

Safe, clean and homelike environment citations:

- Equipment not working.
- Dining room not clean.
- Paint chipping in rooms.
- Window frame has chipped wood.
- Missing slats in blinds.
- Stained privacy curtains.
- Missing drawers in dressers.
- No toilet paper or paper towels.



Grievances

F 585

- Right to voice grievances to the facility or other agency or entity that hears grievances without discrimination or reprisal and without fear of discrimination or reprisal. This includes:
 - Behavior of staff and of other residents.
 - Care and treatment.
 - Other concerns regarding their long-term care facility stay.
- Right to have grievances resolved.



Grievances (cont.)

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| F 585 | <p>The facility must establish a grievance policy to ensure prompt resolution. The policy must include:</p> <ul style="list-style-type: none">• Notifying residents through postings of the right to file grievances orally or in writing as well as anonymously.• The identification and contact information of the grievance official.• A time frame for completing the review of the grievance.• Right to obtain a written decision. |
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Grievances (cont.)

F 585

- Contact information of independent entities with whom grievances can be filed.
- As necessary, taking immediate action to prevent further violations while the grievance is investigated.
- Immediate reporting of alleged violations.
- Ensuring all grievances include required information.
- Taking appropriate actions if there is a violation of resident rights.
- Keep evidence of grievance results for three years.



Grievances (cont.)

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| F 585 | <p>The facility grievance policy must identify a grievance official who is responsible for:</p> <ul style="list-style-type: none">• Overseeing the grievance process.• Receiving and tracking grievances through their conclusion.• Leading any necessary investigations by the facility.• Maintaining the confidentiality of all information associated with grievances.• Issuing written grievance decisions to the resident.• Coordinating with state and federal agencies, as necessary. |
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Examples of Citations for F 585

- The residents were told the incorrect person as the grievance official, which resulted in grievances not being followed up on timely.
- The facility did not complete the follow-up action on the grievance they agreed to.



Resident Contact with External Entities

F 586

Right to communication with federal, state, or local officials regarding any matter. This includes, but is not limited to:

- Federal and state surveyors.
- Other federal or state health department employees.
- Representatives of the Office of the State Long-Term Care Ombudsman.
- Any representative of the agency responsible for the protection and advocacy system for individuals with a mental disorder.



Examples of F 586 citations

- The facility discouraged residents from communicating with state surveyors.



Free from Abuse and Neglect

F 600

- Right to be free from abuse and neglect.
- Facility must not use:
 - Verbal abuse.
 - Mental abuse.
 - Sexual abuse.
 - Physical abuse.
 - Corporal punishment.



Examples of F 600 Citations

- The facility neglected a resident and did not follow up when the resident's hand was discolored and painful. The resident did not receive an x-ray as ordered, was not medicated for pain, and was not assessed by a physician or a nurse. This resulted in immediate jeopardy.
- A resident was struck by another resident, the facility did not follow up and the two residents continued to reside on the unit together.
- Residents were called names and sworn at by staff.
- A resident was slapped by staff.



Free from Misappropriation and Exploitation

F 602



Right to be free from deliberate misplacement, exploitation or wrongful temporary or permanent use of a resident's belongings personal information without the resident's consent. This may include:

- Money.
- Clothing.
- Jewelry.
- Electronics.
- Credit card information.
- Bank account information.
- Social Security cards.



Examples of Citations for F 602

- Resident's medications were misappropriated by a staff member.
- Resident's debit card was taken and used by a staff member.
- Resident had cash taken by staff members.



Free from Involuntary Seclusion

F 603



- Right to be free from involuntary seclusion.



Examples of Citations for F 603

- Residents did not have a consent form for placement in a secured unit.
- Facility did not ensure residents were free from involuntary seclusion when cognitively intact residents were not afforded the opportunity to go outside.



Free from Physical Restraints

F 604



- Right to be free from any physical restraints imposed for purposes of discipline or convenience and not required to treat the resident's medical symptoms.
- When the use of physical restraints is indicated, the facility must use the least restrictive alternative for the least amount of time and document ongoing re-evaluation of the need for restraints.



Examples of Citations for F 604

- Resident was seated in a wheelchair with the foot pedals in place prohibiting resident from standing up from the wheelchair or self-propelling the wheelchair around the common area and hallways.
- Resident was in a specialty chair which prohibited resident from moving out of the chair. The resident was not identified as having a restraint and did not have an assessment or orders.



Free from Chemical Restraints

F 605



- Right to be free from chemical restraints imposed for purposes of discipline or convenience and not required to treat the resident's medical symptoms.
- The facility must use the least restrictive alternative for the least amount of time and document on-going re-evaluation for the need for restraints.



Example of Citation for F 605

- A resident was being treated with Haldol as needed for restlessness. Resident routinely received the medication without any symptoms of restlessness or non-pharmacological interventions being used.



2023 BOSC Statistics

Most common resident-rights citations in 2023:

- F 584 Safe/ clean home like environment.
- F 600 Free from abuse and neglect.
- F 580 Notify of changes (injury/decline/room etc.).
- F 550 Resident rights / exercise of rights.
- F 558 Reasonable accommodation of needs / preferences.
- F 578 Request / refuse /discontinue treatment; formulate advance directives.
- F 561 Self determination.



2024 Statistics (January – October 2024)

Most Common Resident Right Citations:

- F 584 Safe/ clean home like environment.
- F 550 Resident rights / Exercise of Rights .
- F 580 Notify of changes (injury/decline/room etc.).
- F 600 Free from abuse and neglect.
- F 558 Reasonable accommodation of needs / preferences.
- F 602 Free from Misappropriation/Exploitation.
- F 578 Request/Refuse/Discontinue Treatment; Formulate Advance Directives.





“To deny people their human rights is to challenge their very humanity.”

-- Nelson Mandela, former South African president and anti-apartheid activist.



QUESTIONS?



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**Department of
Health**