

RESIDENTS' RIGHTS

A. Abuse, Gross Neglect, Exploitation

1. Abuse: physical (including corporal punishment)
2. Abuse: sexual
3. Abuse: verbal / psychological (including punishment, seclusion)
4. Financial exploitation (severe complaints)
5. Gross neglect (use categories F & G for non-willful forms of neglect)
6. Resident-to-resident physical or sexual abuse
7. Not used

B. Access to Information by Resident or Resident's Representative

8. Access: own records
9. Access by or to ombudsman / visitors
10. Access to facility survey, staffing reports, license
11. Information: advance directive
12. Information: medical condition, treatment and any changes
13. Information: rights, benefits, services, the resident's right to complain
14. Information communicated in understandable language
15. Not used

C. Admission, Transfer, Discharge, Eviction

16. Admission contract and/or procedure
17. Appeal process: absent, not followed
18. Bed hold: written notice, refusal to readmit
19. Discharge / eviction (including abandonment)
20. Admission discrimination: condition, disability
21. Admission discrimination: Medicaid status
22. Room assignment / change, intra-facility transfer
23. Not used

D. Autonomy, Choice, Preference, Exercise of Rights, Privacy

24. Choose personal physician, pharmacy, hospice, other health care provider
25. Confinement of facility against will (illegally)
26. Dignity, respect, staff attitudes
27. Exercise preference and choice and/or civil and religious rights, individual's right to smoke
28. Exercise right to refuse care / treatment
29. Language barrier in daily routine
30. Participate in care planning by resident and/or designated surrogate
31. Privacy: telephone, visitors, couples, mail
32. Privacy: treatment, confidentiality
33. Response to complaints
34. Reprisal, retaliation
35. Not used

E. Financial, Property (except for exploitation)

36. Billing and charges: notice, approval, questionable, accounting wrong or denied (includes overcharge of private pay residents)
37. Personal funds: mismanaged, access and information denied, deposits and other money not returned (report criminal-level misuse of personal funds under A.4)
38. Personal property lost, stolen, used by others, destroyed, withheld from resident
39. Not used

RESIDENT CARE

F. Care

40. Accidental or injury of unknown origin, falls, improper handling
41. Failure to respond to requests for assistance, call lights
42. Care plan / resident assessment: inadequate, failure to follow plan or physician orders
43. Contracture
44. Medications: administration, organization
45. Personal hygiene (includes nail care & oral hygiene) and adequacy of dressing & grooming
46. Physician services (including podiatrist)
47. Pressure sores, not turned
48. Symptoms unattended (including pain, pain not managed), no notice to others of changes in condition
49. Toileting, incontinent care
50. Tubes: neglect of catheter, gastric, NG tube
51. Wandering, failure to accommodate / monitor exit seeking behavior
52. Not used

G. Rehabilitation or Maintenance of Function

53. Assistive devices or equipment
54. Bowel and bladder training
55. Dental services
56. Mental health, psychosocial services
57. Range of motion, ambulation
58. Therapies: physical, occupational, speech
59. Vision and hearing
60. Not used

H. Restraints: Chemical and Physical

61. Physical restraint: assessment, use, monitoring
62. Psychoactive drugs: assessment, use, evaluation
63. Not used

QUALITY OF LIFE

I. Activities and Social Services

64. Activities: choice and appropriateness
65. Community interaction, transportation
66. Resident conflict (including roommates)
67. Social services: availability / appropriateness (use G.56 for mental health, psychosocial counseling / service)
68. Not used

J. Dietary

69. Assistance in eating or assistive devices
70. Fluid availability / hydration
71. Food service: quantity, quality, variation, choice, condiments, utensils, menu
72. Snacks, time between meals, late / missed meals
73. Temperature of food
74. Therapeutic diet
75. Weight loss due to inadequate nutrition
76. Not used

K. Environment / Safety

77. Air / environment: temperature and quality (heating, cooling, ventilation, water), noise
78. Cleanliness, pests, general housekeeping
79. Equipment / buildings: disrepair, hazard, poor lighting, fire safety, not secure
80. Furnishings, storage for residents
81. Infection control
82. Laundry: lost, condition
83. Odors
84. Space for activities, dining
85. Supplies and linens
86. Americans with Disabilities Act (ADA) accessibility

ADMINISTRATION

L. Policies, Procedures, Attitudes, Resources

87. Abuse investigation / reporting (including failure to report)
88. Administrator(s) unresponsive, unavailable
89. Grievance procedure (use C for transfer, discharge appeals)
90. Inappropriate or illegal policies, practices, record-keeping
91. Insufficient funds to operate
92. Operator inadequately trained
93. Offering inappropriate level of care (for ALFs)
94. Resident or family council interfered with, not supported
95. Not used

M. Staffing

96. Communication, language barrier
97. Shortage of staff
98. Staff training
99. Staff turn-over, over-use of nursing pools
100. Staff: unresponsive, unavailable
101. Supervision
102. Eating assistants

PROBLEMS WITH OUTSIDE AGENCY, SYSTEM, OR PEOPLE (not against the facility)

N. Certification / Licensing Agency

103. Access to information (including survey)
104. Complaint, response to
105. Decertification / closure
106. Sanction (including intermediate)
107. Survey process
108. Survey process: ombudsman participation
109. Transfer or eviction hearing
110. Not used

O. State Medicaid Agency and Managed Care

- 100134 MC – Enrollment
- 100135 MC – Service coordination
- 100138 MC – Value added
- 100140 MC – Appeals, denials
- 100142 MC – Dignity, respect, MC staff attitudes
- 100143 MC – Choice of provider or doctor
- 100144 MC – Add-on service (ACD, CPWC, CWC, DME, additional therapies)
111. Access to information, application
112. Denial of eligibility
113. Non-covered services
114. Personal Needs Allowance (PNA)
115. Services
116. Not used

P. System / Others

117. Abuse, neglect, abandonment by family member, friend, guardian or, while on visit out of facility, any other person
118. Bed shortage: placement
119. Facilities operating without a license
120. Family conflict; interference
121. Financial exploitation or neglect by family or other not affiliated with facility
122. Legal: guardianship, conservatorship, power of attorney, wills
123. Medicare
124. Mental health, developmental disabilities (including PASRR)
125. Problems with resident's physician / assistant
126. Protective Service agency
127. SSA, SSI, VA, other benefits / agencies
128. Request for less restrictive placement

Q. Complaints about services in settings other than long-term care facilities or by outside provider

129. Home care
130. Hospital or hospice
131. Public or other congregate housing not providing personal care
132. Services from outside provider
133. Not used

