



Client Alert

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CMS Issues Resident “Quality of Life” Guidance to Surveyors of Long Term Care Facilities

CMS recently announced its release of Transmittal 48, effective June 12, 2009, which addresses the enhancement of nursing home quality of life measures. The Transmittal revises Appendix PP of the State Operations Manual (CMS Publication 100-07) regarding Medicare Contractor Guidance to Surveyors of Long Term Care Facilities.

The new Guidance lists several recommendations and requirements for improving and maintaining a resident’s quality of life. The facility should evaluate each resident’s unique needs and preferences to ensure that the environment accommodates the resident to the extent reasonable and does not endanger the health or safety of individuals or other residents. In particular, a resident’s bedroom and bathroom furniture and fixtures should be adapted so that the resident is able to open and close doors and turn faucets on and off, see himself or herself in a mirror and use bathroom facilities as independently as possible with access to assistive devices. Also, the facility should accommodate the resident’s preferences for arrangement of furniture in the bedroom to the extent that safety, access and space considerations allow.

Communication with the resident is encouraged. In order to assist residents in fulfilling their choices over aspects of their lives in the facility, the facility should actively seek information regarding the resident’s significant interests and preferences. The new Guidance groups a resident’s right to make choices into (1) choices over activities and (2) choices over schedules. Choices over activities include both formal activity programs and self-directed activities. Scheduling choices include accommodating the resident’s preferred times of daily waking, eating, bathing and going to bed at night. Facilities should be proactive in gathering information from residents regarding their preferences in order to assist residents in fulfilling their choices.

Also, nursing homes should “decrease the institutional character of the environment,” including eliminating tray service in the dining room, medication carts, “mass purchased” furniture, drapes and bedspreads that all look alike throughout the building, and large, centrally located nursing/care team stations. The facility should be designed to make use of daylight as much as possible. Table and floor lamps should be placed to assist residents with tasks such as reading, and high levels of glare should be eliminated.

The Guidance recognizes that while “many facilities cannot immediately make these types of changes, it should be a goal for all facilities.” Thus, nursing homes should consider formulating an “action plan” that sets timetables for meeting the resident quality of life measures set forth in the Guidance. A comprehensive “action plan” will be useful in responding to survey concerns, as well as for capital improvement and other planning purposes.

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