

# **CULTURE CHANGE AND COMPLIANCE: A CMS PERSPECTIVE**

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# Major Themes of OBRA '87

- Change from “patient” to “resident” to convey respect;
- Survey process is resident-centered and outcome-oriented;
- Good assessment is at the heart of providing good care;
- Facilities expected to maintain/improve well-being to extent possible;

# OBRA Themes (Cont.)

- **Quality of Life and Rights are as important as Quality of Care;**
- **Physical restraints are dangerous;**
- **Medication is not to be used to control resident behavior for staff convenience;**
- **Environment should be therapeutic as well as clean, comfortable, homelike.**

# Regulations to Consider

- **OBRA Regulations mandate facility assist residents to achieve highest practicable well-being**
- **Including dignity (F241), choices over schedules (F242), accommodating the environment to individual needs (F246), participation in care planning (F280), individualized activities (F248)**

# Regulations to Consider

- **Life Safety Code (K72)** – no furnishings can obstruct exits
- **Buffet and Homestyle dining** – be careful about:
  - **Food sanitation (F371)** – be careful to maintain clean food handling practices
  - **Food temperature (F364)** – hot food hot, cold food cold

# Regulations to Consider

- **Meal time hours – no more than 14 hours between supper and next day breakfast unless council approves up to 16 hours (F368).**
  - **Facility can comply with expanded meal hours, reheating for residents who want to sleep late.**

# What About Pets?

- **OBRA doesn't prohibit pets. Surveyors will look for:**
  - Evidence pets are kept away from meal prep. Areas
  - Facility is kept clean
  - Residents who don't want to be near pets are given their choice

# What's New?

- **New Life Safety Code allows “performance based design” – gives more leeway for innovative building designs.**
- **CMS Sharing Innovations in Quality (SIQ) Repository has opened with summaries of practice guidelines applicable to nursing homes. Will soon link to QIO site.**
- **[www.cms.hhs.gov/medicaid/survey-cert/siqhome](http://www.cms.hhs.gov/medicaid/survey-cert/siqhome)**

# More What's New

- **Rothschild Foundation – new grant to study all state regs. and develop a searchable database – so we can all see if any state regs. are in the way.**
- **Two-part CMS broadcast on person-centered dementia care.**

# The Words We Use

- Article in Jan. '03 Provider “Rewriting the Book on Institution Speak” and Fall Pioneer Newsletter “Mayday” (on their Web site). Now working on words booklet.
  - Some of our words are institutionalized
  - Let’s reconsider what we call: the staff, parts of the building, things we do.
  - Some providers have volunteered to help move our words forward. Will you help too?
  - Elders need to be the deciders.