

Long-Term Care Survey Alert

Communication: Prevent Investigations Or Worse: Give The Right Information To Hospitals In Time

This simple advice can avoid a world of trouble for your nursing facility.

Suppose your facility transfers a resident with severe pressure ulcers and malnutrition to the hospital for suspected sepsis. You know your facility has done everything by the book to provide optimal care. But if the hospital doesn't know that too, your SNF is only a phone call away from a major legal disaster.

Attorney **Paula Sanders** just closed a case where a hospital worker reported a nursing home to the state police because the worker was appalled at the condition of a resident transferred to the hospital. The facility had to endure a formal pre-investigation before the state attorney general decided not to press charges, recalls Sanders, a partner in the law firm of **Post & Schell** in Harrisburg, PA.

The rest of the story: "The resident had very bad unavoidable pressure ulcers due to his own noncompliance [with the care plan], as well as his fragile medical condition and numerous comorbidities," Sanders reports. But there was no accompanying documentation or communication to convey that information to the hospital, she adds.

Another example: A female resident with dementia consistently displayed sexually inappropriate behavior, relays **Mardy Chizek**, a geriatric nurse practitioner and legal nurse consultant in Westmont, IL.

The woman also claimed that men were coming into her room and fondling her. As part of its risk management plan, the facility investigated each of the resident's allegations and had the documentation to show it had.

"Then the resident accused a male caregiver of sexually abusing her -- and claimed she had dismembered him," Chizek says. And when the resident went to the emergency department, she relayed that accusation to the ED staff who called the police.

Bottom line: The nursing home could have avoided a police investigation, state licensure and survey problems, and negative media coverage -- not to mention about \$100,000 in investigation fees -- if staff had simply let the ED know what was going on with the resident in terms of her allegations, says Chizek.