

Long-Term Care Survey Alert

What Do You Think?

Question: If a resident refuses to cooperate no matter what with required isolation for infection control, can a facility physically restrain the person without running afoul of OBRA? If so, what should the facility do in terms of care planning for that resident?

Answer: If the resident requires isolation to prevent spread of infection or reverse isolation to protect him if he has a weakened immune system--and the facility is equipped to provide isolation--then the staff could isolate the person, says **Joseph Bianculli**, an attorney in Arlington, VA. "Some facilities aren't set up to provide appropriate isolation (lack of private rooms, for example), so they send the resident with an infection to the hospital."

Keep in mind that the **Centers for Medicare & Medicaid Services** defines a restraint as limiting the resident's freedom inappropriately or for the staff's convenience rather than for a medical reason that justifies the level of restraint used, Bianculli adds. So if your facility is going to restrain the resident in some form, go through the restraint protocol spelled out by the RAI user's manual, suggests **Ari Markenson**, attorney with **Epstein Becker and Green** in New York, NY. (To review the restraint protocol, read pp. 3-200 to 3-201 of the RAI user's manual at www.cms.hhs.gov/quality/mds20/raich3.pdf.)

[The resident's care plan should also address his psychosocial, safety and physical needs while on isolation, says Bianculli. Restorative nursing programs can play a role in promoting optimal wellbeing for residents who require isolation for infection control. For example, if the facility isolates residents with certain MRSA infections, restorative could focus on dressing skills in the room to make sure the person still gets dressed and maintains that skill, says Julie Thurn-Favilla, RN, a consultant with the Milwaukee office of LarsonAllen. The restorative nursing program could also focus on "transfer training or range-of-motion to ensure the resident on isolation does not become deconditioned and maintains his current level of functioning," she adds.](#)