

MDS Alert

Reader Questions: Draw Line for Residents Between 'Busy' and 'Work'

Question: One of our residents with dementia genuinely wants to help, and giving her a task keeps her busy enough that she doesn't bother other residents. Is it OK to let her make other residents' beds or put tablecloths on dining hall tables?

Ohio Subscriber

Answer: Let these two words guide your decisions around resident work: "care plan." Care planning these kinds of activities/tasks allows residents and their representatives to consent fully to work that could otherwise teeter on the edge of taking advantage.



In fact, the surveyors' guide, the State Operations Manual (SOM) Appendix PP, specifies in tag F566 that there are four conditions that must be met for a resident to be able to provide work for a facility:

- (i) The facility has documented the resident's need or desire for work in the plan of care;
- (ii) The plan specifies the nature of the services performed and whether the services are voluntary or paid;
- (iii) Compensation for paid services is at or above prevailing rates; and
- (iv) The resident agrees to the work arrangement described in the plan of care.

The SOM defines "prevailing rate" as the rate paid for the same or similar work, of comparable skill, performed in the community surrounding the facility.

To remain in compliance, make sure you seek agreement from the resident or their representative and then get very specific in their care plan.

"Review the resident's care plan to ensure it includes the nature of the services to be provided, including the resident's desire to do so, and the objectives for this arrangement; and, whether they are provided voluntarily or paid," the SOM says.

Surveyors are instructed by the SOM to talk to residents or their representatives and staff to ascertain the resident's willingness to perform tasks, as well as observing the resident while performing the task(s) to see whether they seem engaged.