

## MDS Alert

### RoPs: Take Immediate Action On These Phase 1 Requirements

**Update your policies and procedures on infection control and prevention right away.**

In addition to the key provisions in the nursing home Requirements of Participation (RoPs) regulations addressing Resident Assessment (§483.20) and Comprehensive Resident Centered Care Plans (§483.21), there are a plethora of other provisions that you need to know about. And many of these provisions are included in Phase 1 ☐ which means your compliance deadline is just days away, on Nov. 28.

Here's an overview of the other key Phase 1 requirements contained in the regulations, according to a recent **Leading Age** summary memo:

- Resident Rights §483.10 ☐ Incorporate all the language in this section into your policies and procedures manuals.
- Freedom from Abuse, Neglect and Exploitation §483.12 ☐ Although your facility is likely already doing most of the provisions in this section, you need to make sure that the language in your policies and procedures is consistent with the new requirements.
- Admission, Transfer, and Discharge Rights §483.15 ☐ This section contains a lot of new terminology, which must be consistent in your written policies addressing resident representatives, admission policy, admission agreement, transfer and discharge policies, LOA policy, and communication plans. Also pay attention to new language for bed-hold requirements, as well as the bans on pre-dispute arbitration and waivers for loss of property.
- Quality of Care and Quality of Life §483.25 ☐ Ensure that you have appropriate personnel to provide basic life support/CPR (you cannot be a no-CPR facility). You may need to update your policies and procedures related to pain, tube feedings, restraints, bedrails, Activities of Daily Living (ADL) assistance, and mobility/range of motion (ROM).
- Physician Services §483.30 ☐ Make sure your policies clarify the authorizing state law language. This section allows attending physicians to delegate to a qualified dietitian writing dietary orders and to a qualified therapist writing therapy orders, to the extent permitted under state law.
- Nursing Services §483.35 ☐ Pay attention to this section's new requirements for documentation of training.
- Behavioral Health Services §483.4 ☐ The requirement that the facility must provide comprehensive assessment and medically related social services is part of Phase 1.
- Pharmacy Services §483.45 ☐ Pay attention to the requirement to notify any irregularities to the medical director.
- Laboratory, Radiology and Other Diagnostic Services §483.50 ☐ Make sure your community has standards for service and timeliness, a process for overseeing and tracking quality, and policies and procedures that describe abnormal ranges and notification timing policies.
- Dental Services §483.55 ☐ Update your policies and procedures related to loss of denture and facility responsibility. You must provide for transportation and document that the resident can eat and drink while awaiting referral.
- Food and Nutrition §483.60 ☐ Phase 1 includes education requirements for newly hired director of food and nutrition services or newly hired dietitians, as well as requirements for participation of food services staff in the IDT and a policy requiring menus that reflect residents' cultural and ethnic needs. The section also allows physicians to delegate to a registered or licensed dietitian the task of prescribing a resident's diet, as state law allows. The section requires you to have a policy regarding use and storage of food brought by families to secure safe and sanitary storage, handling and consumption.
- Specialized Rehab Services §483.65 ☐ Update your written policies to include respiratory therapy in the list of specialized rehabilitation services and include the policy for obtaining these services when the need is identified.
- Administration §483.70 ☐ Update your policies and procedures to define that the administrator's reports to be accountable to the governing body, that the governing body is responsible and accountable for Quality

Assurance/Performance Improvement (QAPI), and there shall be no pre-dispute arbitrations.

- QAPI §483.75 □ Pay attention to the Phase 1 requirement of the make-up of the quality assessment and assurance (QAA) committee, and update your written policies to reflect new team member requirements.
- Infection Control §483.80 □ Update your policies and procedures regarding infection control and prevention, policies regarding when and how you'll use infection control procedures, policies related to employees with communicable diseases or infections, and policies regarding hand washing and storage/processing of linens. Also update your policies regarding immunizations.
- Physical Environment §483.90 □ Create/update policies and procedures to reflect the new requirement for substantial reconstruction, as well as regular inspection of bedframes, mattresses and bedrails.
- Training Requirements §483.95 □ Update your written policies for staff and volunteer training. You must provide and document training in dementia and abuse to all volunteers, and you must have training for feeding assistants. You must also provide staff training at least annually on abuse and dementia care.

**Link:** To view the Oct. 19 Leading Age summary memo on the Phase 1 requirements, go to [www.leadingage.org/uploadedFiles/Content/Members/Provider\\_Types/Nursing\\_Homes/Nursing\\_Home\\_Rules\\_and\\_Regulations/LeadingAge\\_RoPs\\_Phase\\_I\\_Requirements\\_Summary.pdf](http://www.leadingage.org/uploadedFiles/Content/Members/Provider_Types/Nursing_Homes/Nursing_Home_Rules_and_Regulations/LeadingAge_RoPs_Phase_I_Requirements_Summary.pdf).