



## Resident Rights Policy and Procedure Checklist

### Purpose and Intent §483.10(a)

All residents have rights guaranteed to them under Federal and State laws and regulations. This regulation is intended to lay the foundation for the resident rights requirements in long-term care facilities. Each resident has the right to be treated with dignity and respect. All activities and interactions with residents by any staff, temporary agency staff or volunteers must focus on assisting the resident in maintaining and enhancing his or her self-esteem and self-worth and incorporating the resident's, goals, preferences, and choices. When providing care and services, staff must respect each resident's individuality, as well as honor and value their input. This includes the resident's right to reside and receive services with reasonable accommodations of the resident's individualized needs and preferences and homelike environment. In addition, the resident has a right to organize and participate in resident groups in the facility.

To assure that the individual facility has followed all the required steps that enable a resident the right to a dignified existence, self-determination, and communication with and access to persons and services inside and outside the facility. This is in accordance with the new Requirements of Participation (RoP). The following checklist captures specific action items for successful completion. The left column represents the actual Requirements of Participation (RoP) language, and the right column indicates specific leadership strategies for successful completion and implementation of the revised RoP. When preparing updated policies and procedures, it is recommended to include actual RoP language as applicable.

### Suggested Checklist Program and Policy and Procedure

<b>Regulation</b>	<b>Recommended Actions</b>
<p><b>§483.10(e)(3)</b> The right to reside and receive services in the facility with reasonable accommodation of resident needs and preferences except when to do so would endanger the health or safety of the resident or other residents.</p>	<p><input type="checkbox"/> Review, develop and/or implement the reasonable accommodation of resident needs and preferences policy and procedure</p>
<p><b>§483.10(e)</b> Respect and Dignity. The resident has a right to be treated with respect and dignity, including:</p>	<p><input type="checkbox"/> Assure that policy contains the necessary components of the reasonable accommodation of</p>



**§483.10(e)(2)** The right to retain and use personal possessions, including furnishings, and clothing, as space permits, unless to do so would infringe upon the rights or health and safety of other residents.

**INTENT §483.10(e)(2)** All residents' possessions, regardless of their apparent value to others, must be treated with respect.

**GUIDANCE §483.10(e)(2)** The right to retain and use personal possessions promotes a homelike environment and supports each resident in maintaining their independence.

**§483.10(i)(1)** A safe, clean, comfortable, and homelike environment, allowing the resident to use his or her personal belongings to the extent possible.

(i) This includes ensuring that the resident can receive care and services safely and that the physical layout of the facility maximizes resident independence and does not pose a safety risk. Effective November 28, 2017

(ii) The facility shall exercise reasonable care for the protection of the resident's property from loss or theft.

**§483.10(i)(2)** Housekeeping and maintenance services necessary to maintain a sanitary, orderly, and comfortable interior;

**§483.10(i)(3)** Clean bed and bath linens that are in good condition;

**§483.10(i)(4)** Private closet space in each resident room, as specified in

**§483.90 (e)(2)(iv);**

**§483.10(i)(5)** Adequate and comfortable lighting levels in all areas;

**§483.10(i)(6)** Comfortable and safe temperature levels. Facilities initially certified after October 1, 1990 must maintain a temperature range of 71 to 81°F; and

**§483.10(i)(7)** For the maintenance of comfortable sound levels

residents needs and preferences to include:

- Individualizing the physical environment of the resident's bedroom and bathroom, as well as individualizing common living areas as much as feasible
- The environment must reflect the unique needs and preferences of each resident
- Common areas frequented by residents should accommodate residents' physical limitations.
- Resident seating should have appropriate seat height, depth, firmness, and with arms that assist residents to independently rise to a standing position.
- Functional furniture must be arranged to accommodate residents' needs and preferences.
- Educate the interdisciplinary team about the reasonable accommodation of resident needs and preferences policy and procedure and their role in development and implementation of interventions.
- Conduct updated training for interdisciplinary team leaders about supervising and monitoring for compliance with the reasonable accommodation of resident needs and preferences policy and procedure



	<ul style="list-style-type: none"><li><input type="checkbox"/> Review the reasonable accommodation of resident needs and preferences policy with the Medical Director in conjunction with the Quarterly Quality Assurance Committee meeting</li><li><input type="checkbox"/> Review, develop and/or implement the policy and procedure for resident's right to a homelike environment</li><li><input type="checkbox"/> Assure that the policy and procedure contains the necessary components to include:<ul style="list-style-type: none"><li>• The right to retain and use personal possessions</li><li>• The resident's possessions will be treated with respect</li><li>• The resident's right to retain and use the possessions to promote a homelike environment and support independence</li><li>• The physical layout of the facility will maximize resident independence and safety</li><li>• Protection of the resident's property from loss or theft</li><li>• Housekeeping and maintenance for a safe, sanitary, orderly and comfortable interior, clean linens, private closet space, adequate and comfortable lighting and sound, and comfortable and safe temperatures</li></ul></li></ul>
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	<ul style="list-style-type: none"> <li><input type="checkbox"/> Educate the interdisciplinary team about the homelike environment policy and procedure and their role in implementation of interventions.</li> <li><input type="checkbox"/> Conduct updated training for interdisciplinary team leaders about supervising and monitoring for compliance with the homelike environment policy and procedure</li> <li><input type="checkbox"/> Review the homelike environment Policy with the Medical Director in conjunction with the Quarterly Quality Assurance Committee meeting</li> </ul>
<p><b>§483.10(f)(5)</b> The resident has a right to organize and participate in resident groups in the facility.</p> <p>(i) The facility must provide a resident or family group, if one exists, with private space; and take reasonable steps, with the approval of the group, to make residents and family members aware of upcoming meetings in a timely manner.</p> <p>(ii) Staff, visitors, or other guests may attend resident group or family group meetings only at the respective group's invitation.</p> <p>(iii) The facility must provide a designated staff person who is approved by the resident or family group and the facility and who is responsible for providing assistance and responding to written requests that result from group meetings.</p> <p>(iv) The facility must consider the views of a resident or family group and act promptly upon the grievances and recommendations of such groups concerning issues of resident care and life in the facility.</p> <p>(A) The facility must be able to demonstrate their response and rationale for such response.</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Review, develop and/or implement policy as it relates the residents right to participate in resident groups in the facility</li> <li><input type="checkbox"/> Assure that the policy contains the essential components which are: <ul style="list-style-type: none"> <li>○ Provision of a private space for a resident or family group, if one exists</li> <li>○ To take reasonable steps to make residents and family members aware of upcoming meetings in a timely manner with approval of the group</li> <li>○ Who may or may not attend the resident or family group meetings</li> <li>○ The provision of a designated staff person, approved by the resident or family group who will provide assistance and respond to written requests resulting from the group meetings</li> </ul> </li> </ul>



<p>(B) This should not be construed to mean that the facility must implement as recommended every request of the resident or family group.</p> <p><b>§483.10(f)(6)</b> The resident has a right to participate in family groups.</p> <p><b>§483.10(f)(7)</b> The resident has a right to have family member(s) or other resident representative(s) meet in the facility with the families or resident representative(s) of other residents in the facility.</p>	<ul style="list-style-type: none"><li>○ A system for consideration and prompt action from grievance and/or recommendations concerning issues of resident care and life in the facility to include the response and rationale.</li></ul> <ul style="list-style-type: none"><li><input type="checkbox"/> Assure the policy includes the resident’s right to participate in family groups</li><li><input type="checkbox"/> Assure that the policy includes the residents right to have family member(s) or other resident representative(s) meet in the facility with the families or resident representative(s) of other residents in the facility.</li><li><input type="checkbox"/> Educate the interdisciplinary team about the facility policy and procedure regarding residents right to organize and participate in groups</li><li><input type="checkbox"/> Conduct updated training for interdisciplinary team leaders about supervising and monitoring for compliance with the facility policy and procedure regarding residents right to organize and participate in groups</li><li><input type="checkbox"/> Review the facility policy and procedure regarding residents right to organize and participate in groups with the Medical Director in conjunction with the Quarterly Quality Assurance Committee meeting</li></ul>
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The below areas serve as a cross reference for facility leaders to conduct addition policy and procedure review across departments to incorporate the changes set forth in **§483.10(a)**

### **Resident Rights**

This listing is not all encompassing however should serve as a resource for leaders as they update their internal policies, procedures and operational processes.

Cross Reference: (additional areas for review)

- CMS Regulations
- State and Local Regulations
- Employee Orientation
- Annual Training Requirements
- Medical Director
- Quality Assurance and Performance Improvement
- Staff Training and Education

### **References**

CMS State Operations Manual, Appendix PP – Guidance to Surveyors for Long Term Care Facilities:

- <https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/GuidanceforLawsAndRegulations/Downloads/Advance-Appendix-PP-Including-Phase-2-.pdf>



## **Resident Rights: Accommodation of Needs and Preferences and Homelike Environment Policy**

### **POLICY**

It is the policy of the facility to identify and provide reasonable accommodation of resident needs and preferences except when to do so would endanger the health or safety of the resident or other residents. Residents have the right to retain and use personal possessions to promote a homelike environment and to support each resident in maintaining their independence. The facility will provide a safe, clean, comfortable, and homelike environment, allowing the resident to use his or her personal belongings to the extent possible.

### **OBJECTIVE**

The objective of the accommodation of resident needs and preferences is to create an individualized, home-like environment to maintain and/or achieve independent functioning, dignity, and well-being to the extent possible in accordance with the resident's own needs and preference.

### **DEFINITIONS**

**“Reasonable accommodation of resident needs and preferences”** means the facility's efforts to individualize the resident's physical environment.

**“Adequate lighting”** means levels of illumination suitable to tasks the resident chooses to perform or the facility staff must perform.

**“Comfortable lighting”** means lighting that minimizes glare and provides maximum resident control, where feasible, over the intensity, location, and direction of lighting to meet their needs or enhance independent functioning.

**“Comfortable and safe temperature levels”** means that the ambient temperature should be in a relatively narrow range that minimizes residents' susceptibility to loss of body heat and risk of hypothermia, or hyperthermia, or and is comfortable for the residents.

**“Comfortable sound levels”** do not interfere with resident's hearing and enhance privacy when privacy is desired, and encourage interaction when social participation is desired. Of particular concern to comfortable sound levels is the resident's control over unwanted noise.





**“Environment”** refers to any environment in the facility that is frequented by residents, including (but not limited to) the residents’ rooms, bathrooms, hallways, dining areas, lobby, outdoor patios, therapy areas and activity areas.

A **“homelike environment”** is one that de-emphasizes the institutional character of the setting, to the extent possible, and allows the resident to use those personal belongings that support a homelike environment. A determination of “homelike” should include the resident’s opinion of the living environment.

**“Orderly”** is defined as an uncluttered physical environment that is neat and well-kept.

#### **PROCEDURE:**

1. The facility will assess and interview resident for the need to make reasonable accommodations such as:
  - Room set-up
  - Placement of personal items and supplies
  - Protection of resident’s personal items and supplies from loss or theft
  - Call light in reach for room and bathroom and the correct type for resident use
  - Resident lighting to meet the resident’s needs
  - Adaptive devices necessary to maintain/restore resident at their highest level of functioning
2. The facility will assist the resident in attendance of family gatherings or community events of the resident’s choosing when possible.
3. Resident preferences will be included when planning therapy scheduling whenever possible to meet the individualized needs and requests of the resident.
4. Resident preferences will be included when planning bathing schedules for the resident whenever possible.
5. Resident will be provided access to use a telephone in a private area not overheard by others.
6. Resident preferences for routines with daily care will be included in the individualized care plan process whenever possible.





7. The resident's environment will be maintained in a homelike manner to ensure:

- Appropriate housekeeping
- Clean linens in good repair
- Private closet space for each resident
- Adequate and comfortable lighting
- Comfortable and safe temperatures
- Comfortable sound levels

## References

CMS State Operations Manual, Appendix PP – Guidance to Surveyors for Long Term Care Facilities:

- <https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/GuidanceforLawsAndRegulations/Downloads/Advance-Appendix-PP-Including-Phase-2-.pdf>



## **Resident Rights: Resident and Family Groups Policy**

### **POLICY**

It is the policy of the facility to provide the opportunity and space for residents and/or families to organize and participate in resident and/or family groups in the facility. The facility will provide a private space and take reasonable steps to make residents and family members aware of meetings in a timely manner with approval of the group. Staff, visitors and other guests may only attend the group meetings upon the invitation of the group. A staff member, approved by the group, will provide assistance and respond to written requests from the group meeting(s).

### **OBJECTIVE OF THE RESIDENT AND FAMILY GROUPS POLICY**

The objective of the policy is to ensure that the resident and family groups are provided with assistance for a private space to meet to be able to have meetings privately with those invited.

### **DEFINITIONS**

**“A resident or family group”** is defined as a group of residents or residents’ family members that meets regularly to:

- Discuss and offer suggestions about facility policies and procedures affecting residents’ care, treatment, and quality of life;
- Support each other;
- Plan resident and family activities;
- Participate in educational activities; or
- For any other purpose.

### **PROCEDURE:**

1. Any resident or family may request to organize and participate in a group.
2. The facility will provide a private space for the group to meet.
3. The facility will, upon request, make residents and family members aware of the group meetings.
4. Staff, visitors and other guests may only attend the meeting upon invitation.
5. A staff member, approved by the group, will be identified if requested, to provide assistance as needed and will provide written response to the group requests.



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## References

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**Training Plan - Resident Rights:  
Accommodation of Resident Needs and Preferences, Homelike  
Environment and Resident and Family Groups**

<b>Training Name: Residents Rights - Interdisciplinary Team</b>	
	<input type="checkbox"/> Training <input type="checkbox"/> Simulation <input type="checkbox"/> Workshop <input checked="" type="checkbox"/> Presentation
<b>Training Objectives</b>	<ol style="list-style-type: none"> <li>1. Obtain a basic understanding of the requirements for accommodations of the resident's needs and preferences</li> <li>2. Learn the components necessary for a homelike environment</li> <li>3. Obtain an understanding of the requirement for resident and family groups</li> </ol>
<b>Connection to Overall Project Goals</b>	The training is part of the overall project to educate and support nursing facility operators and staff regarding the requirements of participation for nursing homes as it relates to Residents Rights
<b>Participants: Who should attend?</b>	<ul style="list-style-type: none"> <li>• Interdisciplinary Team</li> <li>• All Staff</li> </ul>
	<b>What training should they attend before this one?</b> <ul style="list-style-type: none"> <li>• No pre-requisite</li> </ul>
	<b>What training should they attend after this?</b> <ul style="list-style-type: none"> <li>• Annually and as needed</li> </ul>
<b>Facilitators: (How many trainers should participate and whom?)</b>	One presenter will be needed to facilitate the PowerPoint presentation, discussion and post-test
<b>Logistics Requirements</b>	<b>What is needed?</b>
	<ul style="list-style-type: none"> <li>• Room for training</li> <li>• Projector</li> <li>• Screen or other blank light colored surface</li> </ul>



## Training References

CMS: State Operations Manual, Appendix PP, Guidance to Surveyors for Long Term Care Facilities:

- <https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/GuidanceforLawsAndRegulations/Downloads/Advance-Appendix-PP-Including-Phase-2-.pdf>



**Accommodations of Resident Needs and Preferences/Homelike Environment  
(Audit)**

Resident: \_\_\_\_\_

Room: \_\_\_\_\_

Observation	Yes	No
Is the resident room set up so resident can easily move around, use closet, dresser and bathroom?		
Are resident's personal items in place per resident preference?		
Do roommates items take over the resident's personal space?		
Are the room and bathroom call lights in reach?		
Is lighting appropriate for resident to maintain highest level of functioning?		
If indicated on the plan of care, is adaptive equipment available and in good repair?		
Is the room temperature comfortable?		
Does resident indicate that their preferences were included in planning routine schedules? (i.e. bath times, therapy, etc.)		
Is resident room clean and orderly?		

**Comments:** \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
**(Signature)**

\_\_\_\_\_  
**(Date)**



**POST TEST FOR ACCOMMODATION OF NEEDS AND PREFERENCES,  
HOMELIKE ENVIRONMENT AND RESIDENT AND FAMILY GROUPS**

Question: True or False?	Answer
1. Residents will not be able to have a choice in scheduling for therapy.	
2. A homelike environment means that the resident is able to bring in all items they choose to be placed in the resident room.	
3. Resident preferences should be included when planning the bath schedule.	
4. Residents have the right to organize groups in the facility.	
5. Only invited staff members can attend the group meetings.	

Employee Printed Name \_\_\_\_\_ Date: \_\_\_\_\_

Employee Signature: \_\_\_\_\_