

Requirements of Participation- Administration Checklist

January 2017

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§483.70: Administration.

The following are the requirements which need to be in your Policy and Procedures for this section of the Conditions of Participation and included in staff training as applicable:

- In addition to these requirements facilities should have policies in place on the following:
 - Nondiscrimination on the basis of race, color, or national origin
 - Nondiscrimination on the basis of disability,
 - Nondiscrimination on the basis of age, sex
 - Protection of human subjects of research;
 - and Fraud and abuse;
 - Protection of individually identifiable health information
- The Governing body appoints an administrator who is licensed by the state, is responsible for management of the facility, and reports top the governing body (*please note, CMS will allow a governing body to delegate the reporting requirement to a CEO or other management position, but the Governing Body should pass a resolution authorizing that and also have a mechanism for the delegated management employee to report to the board on the management of the facility*).
- The administrators' duties and responsibilities involve providing appropriate notices in the event of a facility closure.
- Resident medical records must remain confidential except when release is; to the individual or authorized resident representative; required by law; for treatment, payment or health care operation; for public health activities, reporting of abuse or neglect, health oversight activities, judicial and administrative proceedings, law enforcement purposes, organ donation programs, research purposes, to coroners medical examiners or funeral directors.
- Medical records must be safeguarded and retained for 5 years after discharge or for a length of time specified in state law and for a minor 3 years after reaching majority or for the time specified in state law.
- Resident medical records must include:

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- Information to identify the resident;
 - Resident assessments;
 - Comprehensive plan of care and services;
 - Results of any preadmission screening and resident review evaluations and determinations conducted by the state;
 - Physician, nurses and other licensed professionals notes;
 - Laboratory, radiology and other diagnostic reports.
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- Residents will be timely transferred and admitted to a hospital when ordered by the attending physician, or, in an emergency, by another practitioner.

 - Medical and care and treatment information, when transferring provider deems appropriate, for determining whether a resident can receive appropriate services in a less restrictive setting than the facility or hospital or reintegrated into the community, will be exchanged by the providers.

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