



Indiana State
Department of Health

LONG TERM CARE NEWSLETTER

ISDH Long Term Care Newsletter
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CMS Update

Mandatory Immediate Imposition of Federal Remedies

The Centers for Medicare & Medicaid Services (CMS) is implementing a national policy that requires the use of federal enforcement remedies when one or more residents suffer significant harm. CMS's policy about when facilities with deficiencies are given an opportunity to correct before remedies are imposed can be found in Chapter 7 of the State Operation Manual (SOM). [Revised Chapter 7](#) defines new mandatory criteria for the immediate imposition of federal remedies prior to affording a facility an opportunity to correct deficiencies. The effective dates for these remedies are clarified and now require that any deficiency cited at a scope and severity level of "J" or higher (immediate jeopardy level) will require the immediate imposition of a Civil Money Penalty (CMP) against the facility in addition to any other remedy or remedies imposed. [SC 16-31-NH REVISED 07.29.16 - Mandatory Imposition of Federal Remedies and Assessment Factors Used to Determine the Seriousness of Deficiencies for Nursing Homes](#) contains additional information and details related to this revision.

Protecting Resident Privacy & Prohibiting Mental Abuse

Federal nursing home regulations require that each nursing home provides care and services in a person-centered environment in which all individuals are treated as human beings. Recent media reports have highlighted occurrences of nursing home staff taking unauthorized photographs or video recording of nursing home residents, sometimes in compromised positions. The photographs are then posted on social media networks, or sent through multimedia messages. Nursing homes must establish an environment that is as homelike as possible and includes a culture and environment that treats each resident with respect and dignity. [SC 16-33-NH - Protecting Resident Privacy and Prohibiting Mental Abuse Related to Photographs and Audio/Video Recording by Nursing Home Staff](#) discusses the facility and State responsibilities related to the protection of residents. Specifically, at the time of the next standard survey, the survey team will request and review facility policies and procedures that prohibit staff from taking, keeping and /or distributing photographs and recording that demean or humiliate a resident.

Indiana Healthcare Leadership Conference

Save the Date

Indiana Healthcare Leadership Conference Infection Prevention

Date: **Tuesday, September 13, 2016**

Time: **8:30 am**

Location: **Indiana Convention Center**

Who Should Attend: Every licensed comprehensive care facility should send two persons. Representatives from long term care provider organizations and interest groups are also invited to attend. All ISDH long term care surveyors will attend.

Check www.in.gov/isdh/23260.htm for further details when they become available and for registration information.

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