

Skilled Nursing Home / Nursing Home Reporting Requirements

This bulletin is intended to provide clarification to nursing homes on the reporting requirements under federal (42 C.F.R. 483.13(c)(2) - (4) and state (NAC 449.74491) regulations. These sections address the facility's obligations to report allegations and the results of the investigation of these alleged violations involving mistreatment, neglect, or abuse, including injuries of unknown source, and misappropriation of resident property.

As specified in 42 CFR 483.13(c)(2) - (4) and NAC 449.74491, the following alleged violations and the results of all investigations must be reported to the administrator of the facility, other officials in accordance with state law, and the state survey and certification agency. These alleged violations are defined as follows:

- Neglect - Failure to provide goods and services necessary to avoid physical harm, mental anguish, or mental illness (42 C.F.R. §488.301). Please note: Unwitnessed elopements or any elopement that results in injury or death should be reported.
- Abuse - The willful infliction of injury, unreasonable confinement, intimidations, or punishment with resulting physical harm, pain or mental anguish (42 C.F.R. §488.301).
- Injuries of unknown source - An injury should be classified as an "injury of unknown source" when both of the following conditions are met:
 - The source of the injury was not observed by any person **or** the source of the injury could not be explained by the resident or after assessment by the staff **and**,
 - The injury is suspicious because of the extent of the injury **or** the location of the injury (e.g., the injury is located in an area not generally vulnerable to trauma) **or** the number of injuries observed at one particular point in time **or** the incidence of injuries over time.
- Misappropriation of resident property - The deliberate misplacement, exploitation, or wrongful, temporary or permanent use of a resident's belongings or money without the resident's consent (42 C.F.R. §488.301).

Facilities should use this guidance in determining those incidents that must be reported to BHCQC, noting that falls without injury are not within the criteria outlined above. Falls with significant injury, i.e., requiring the resident to be out of the facility for medical treatment should be reported.

The requirement that all alleged violations must be reported immediately is interpreted to be as soon as possible, but not to exceed 24 hours. In order to prevent unnecessary calls to your facility, this report should identify the nature of the incident, the name of all residents involved, and the name (and if applicable the professional license or certification number) of all staff members involved and any immediate actions taken by the facility.

The regulations then require the results of all investigations be reported to the facility administrator and to BHQC within 5 working days of the incident. This report should identify the investigative steps taken, along with the disciplinary and/or preventative actions taken by the facility. The information should be thorough enough to provide clear explanation that the facility has considered all possible concerns and implemented actions to safeguard the individual resident and other residents at risk.

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