

KEY ELEMENTS OF NONCOMPLIANCE §483.10(b)(3)-(7)

To cite deficient practice at F551, the surveyor's investigation will generally show that the facility failed to do any one or more of the following:

- Ensure a competent resident's choice for a representative is honored **or**
- Ensure that treatment of a same-sex spouse was the same as treatment of an opposite-sex spouse; **or**
- Ensure the resident representative did not make decisions beyond the extent allowed by the court or delegated by the resident; **or**
- Ensure the resident's wishes and preferences were considered when decisions were made by the resident representative; **or**
- Ensure the decisions of the resident representative are given the same consideration as if the resident made the decision themselves; **or**
- Honor the resident's authority to exercise his or her rights, even when he or she has delegated those rights, including the right to revoke a delegation of rights; **or**
- Ensure the resident representative was reported as State law required when not acting in the best interest of the resident; **or**
- Ensure a resident who was found incompetent by the court is provided with opportunities to participate in the care planning process.

F552

(Rev. 173, Issued: 11-22-17, Effective: 11-28-17, Implementation: 11-28-17)

§483.10(c) Planning and Implementing Care.

The resident has the right to be informed of, and participate in, his or her treatment, including:

§483.10(c)(1) The right to be fully informed in language that he or she can understand of his or her total health status, including but not limited to, his or her medical condition.

§483.10(c)(4) The right to be informed, in advance, of the care to be furnished and the type of care giver or professional that will furnish care.

§483.10(c)(5) The right to be informed in advance, by the physician or other practitioner or professional, of the risks and benefits of proposed care, of treatment and treatment alternatives or treatment options and to choose the alternative or option he or she prefers.

DEFINITIONS §483.10(c)(1), (4)-(5)

“Total health status” includes functional status, nutritional status, rehabilitation and restorative potential, ability to participate in activities, cognitive status, oral health status, psychosocial status, and sensory and physical impairments.

“Treatment” refers to medical care, nursing care, and interventions provided to maintain or restore health and well-being, improve functional level, or relieve symptoms.

GUIDANCE §483.10(c)(1), (4)-(5)