

- If other concerns are identified regarding justice involved residents, see §483.10(a), F550, Resident Rights for further guidance.
- For issues regarding a resident's accommodation of needs, see §483.10(e)(3), F558.
- For issues related to resident visitation, see §483.10(f)(4)(ii)-(v), F563.
- If it is determined a resident's preferences is not honored due to possible concerns with insufficient numbers of staff or staff competencies, see §483.35(a), F725, Sufficient Nursing Staff.

## **F562**

*(Rev. 229; Issued: 04-25-25; Effective: 04-25-25; Implementation: 04-28-25)*

**§483.10(f)(4)(i) The facility must provide immediate access to any resident by:**

- (A) Any representative of the Secretary,**
- (B) Any representative of the State,**
- (C) Any representative of the Office of the State long term care ombudsman, (established under section 712 of the Older Americans Act of 1965, as amended 2016 (42 U.S.C. 3001 et seq.),**
- (D) The resident's individual physician,**
- (E) Any representative of the protection and advocacy systems, as designated by the state, and as established under the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15001 et seq),**
- (F) Any representative of the agency responsible for the protection and advocacy system for individuals with mental disorder (established under the Protection and Advocacy for Mentally Ill Individuals Act of 2000 (42 U.S.C. 10801 et seq.), and**
- (G) The resident representative.**

### **GUIDANCE §483.10(f)(4)(i)**

The facility must provide immediate access to the resident by the resident's physician, representative, and various state and federal officials and organizations as outlined in the regulation, which would include state and federal surveyors.

Surveyors are considered representatives of the Secretary and/or the State. Facility staff cannot prohibit surveyors from talking to residents, family members, and resident representatives.

**NOTE:** If facility staff attempt to interfere with the survey process and restrict a surveyor's ability to gather necessary information to determine compliance with requirements, surveyors should consult with the CMS *location*.