

- How facility staff provide responses, actions, and rationale to the groups.

Examples of noncompliance may include, but are not limited to:

- Facility staff impede or prevent residents or family members ability to meet or organize a resident or family group;
- Resident and/or families were not always informed in advance of upcoming meetings.
- Facility staff impede with meetings and/or operations of family or resident council by mandating that they have a staff person in the room during meetings or assigning a staff person to liaise with the council that is not agreeable to the council;
- Private meeting space for these groups is not provided;
- The views, grievances or recommendations from these groups have not been considered or acted upon by facility staff;
- Facility staff does not provide these groups with responses, actions, and rationale taken regarding their concerns;
- Facility staff are not able to demonstrate their response and rationale to grievances;
- Facility staff prevent family members or representatives from meeting with those of another resident.

#### **POTENTIAL TAGS FOR ADDITIONAL INVESTIGATION**

For concerns regarding the handling of individual grievances, refer to §483.10(j), F585, Grievances.

#### **F566**

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**§483.10(f)(9) The resident has a right to choose or refuse to perform services for the facility and the facility must not require a resident to perform services for the facility. The resident may perform services for the facility, if he or she chooses, when—**

- (i) The facility has documented the resident’s need or desire for work in the plan of care;**
- (ii) The plan specifies the nature of the services performed and whether the services are voluntary or paid;**
- (iii) Compensation for paid services is at or above prevailing rates; and**
- (iv) The resident agrees to the work arrangement described in the plan of care.**

#### **DEFINITIONS §483.10(f)(9)**

**“Prevailing rate”** is the wage paid to the majority of workers in the community surrounding the facility for the same type, quality, and quantity of work requiring comparable skills.

#### **GUIDANCE §483.10(f)(9)**

All work or services provided by a resident, whether voluntary or paid, must be part of his/her care plan. Any work assignment must be agreed to and negotiated by the resident or the resident’s representative. The resident also has the right to refuse to participate in these services or assignments at any time.