

Care Plan Requirements Go Unenforced

Care Plans Necessary After Admission

Nursing home residents have significant care needs, and appropriate care must be provided from the first day. Poor care can have immediate consequences. In recent years, a [federal study](#) found that a third of short-term residents suffered harm, even though their stay in nursing homes averaged less than 16 days. Almost sixty percent of the harm was clearly or likely preventable.

To protect residents during their vulnerable first days in the facility, the federal government in 2016 strengthened care planning regulations. The regulations now require nursing homes to create a baseline care plan for every resident within 48 hours of admission, rather than wait weeks as was previously allowed. This plan, which serves as an interim plan until a comprehensive care plan is completed, must include physician orders, therapy services, and other vital information.

The absence of an accurate care plan can lead to injury or death. A [2017 federal ruling](#) describes how a resident was placed at risk by the poor care planning of a Maryland nursing home. The resident's doctor had ordered certain precautions against wandering, but the order was not in a care plan and not implemented properly. Because the nursing home had not followed the doctor's orders, the woman wandered away from the nursing home. She was later found sitting in the lobby of a building several blocks away.

Current Administration Fails to Assess Penalties for Violations

Regardless of a nursing home's noncompliance with baseline care planning requirements, it will not have to pay a single penny. The current administration declared that for 18 months it will not impose any fines or other meaningful penalties related to baseline care plan violations. This 18-month period does not expire until May 2019.

This policy alert is part of a series that highlights how the current administration in Washington is weakening protections for nursing home residents, at great risk to their health and well-being. This series is produced by Justice in Aging, The National Consumer Voice for Long-Term Care, The Center for Medicare Advocacy, California Advocates for Nursing Home Reform, and the Long Term Care Community Coalition.