

LONG TERM CARE COMMUNITY COALITION

Advancing Quality, Dignity & Justice

CONSUMER FACT SHEET: PHYSICAL RESTRAINTS

There are many standards which nursing homes are required to follow in order to ensure that residents receive appropriate care, have a good quality of life and are treated with dignity. **YOU** can use these standards to support better care in your nursing home.

Following is the standard and guidelines that we have identified as important when it comes to the use of physical restraints in nursing homes. The descriptions were taken directly from the federal regulations and guidelines (as indicated by text in italics). For more information about the use of bed rails as a physical restraint, please see LTCCC's bed rails fact sheet: <https://nursinghome411.org/fact-sheet-bed-rails/>.

THE LAW

Respect and Dignity [42 C.F.R. 483.10(e), 483.12] [F-604]

The resident has a right to be treated with respect and dignity, including:

The right to be free from any physical or chemical restraints imposed for purposes of discipline or convenience, and not required to treat the resident's medical symptoms . . .

The resident has the right to be free from abuse, neglect, misappropriation of resident property, and exploitation . . . This includes but is not limited to freedom from corporal punishment, involuntary seclusion and any physical or chemical restraint not required to treat the resident's medical symptoms.

The facility must—

Ensure that the resident is free from physical or chemical restraints imposed for purposes of discipline or convenience and that are not required to treat the resident's medical symptoms. When the use of restraints is indicated, the facility must use the least restrictive alternative for the least amount of time and document ongoing re- evaluation of the need for restraints.

WHAT IS A PHYSICAL RESTRAINT?

According to CMS's Interpretative Guidance, a physical restraint is any manual method, physical or mechanical device, equipment, or material that meets all of the following criteria:

- *Is attached or adjacent to the resident's body;*
- *Cannot be removed easily by the resident; and*
- *Restricts the resident's freedom of movement or normal access to his/her body.*

The Interpretative Guidance states that removing a physical restraint easily means the manual method, physical or mechanical device, equipment, or material, can be removed intentionally by the resident in the same manner as it was applied by the staff.