

OBRA Regulations and Culture Change

Can They Possibly Work
Together?

Objectives

- Understand the Intent of OBRA
- Understand what “Culture Change” is all about
- Demonstrate how “Culture Change” and DO go “OBRA go hand in hand”

Background of OBRA

- Omnibus Reconciliation Act of 1987
- Three Expectations:
 - Providers remain in substantial compliance at all times
 - All deficiencies will be addressed promptly
 - Residents will receive the care and services they need to achieve their highest level of functioning—physical, mental, emotional and psychosocial.

Culture Change

- From “institutional” model to “person-centered” model
- Group met in 1997 to form the Pioneer Network
- Movement from “the way it’s always been” to “how the resident want to live his/her life

Examples of Regulatory Groupings Which Expect Us to Embrace and Implement Culture Change

- Resident Rights
- Resident Behaviors and Facility Practices
- Quality of Life
- Resident Assessment

Quality of Care Versus Quality of Life and Resident Rights

- Regulations are divided into specific categories/areas
- Quality of Care has been the focus of the survey process since OBRA was implemented
- Many facilities have not yet addressed Quality of Life regulations and issues

Why Culture Change?

- Why **NOT** Culture Change?
 - Written Exercise and Discussion
 - Film

F151 Exercise of Rights

- Exercising rights means that residents have autonomy and choice to the maximum extent possible about how they wish to have their everyday lives, and receive care, subject to the facility's rules, as long as those rules do not violate a regulatory requirement.

Resident Rights

- Right to exercise their rights
- Free Choice
- Privacy and Confidentiality
- Grievances
- Access and Visitation
- Telephone
- Self-administration of drugs

F155 Right to Refuse Treatment

- As provided under State Law, a resident who has the capacity to make a health care decision and who withholds consent to treatment or makes an explicit refusal of treatment either directly or through an advanced directive may not be treated against his/her wishes.

Resident Behaviors and Facility Practices

- Use of physical and chemical restraints
- Detection and prevention of abuse, neglect and misappropriation of personal property
- Staff treatment of residents

F223 and F224 Staff Treatment of Residents

- Each resident has the right to be free from