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## 42 C.F.R. § 418.110

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### Condition of participation: Hospices that provide inpatient care directly.

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A hospice that provides inpatient care directly in its own facility must demonstrate compliance with all of the following standards:

- (a) *Standard: Staffing.* The hospice is responsible for ensuring that staffing for all services reflects its volume of patients, their acuity, and the level of intensity of services needed to ensure that plan of care outcomes are achieved and negative outcomes are avoided.
  - (b) *Standard: Twenty-four hour nursing services.* (1) The hospice facility must provide 24-hour nursing services that meet the nursing needs of all patients and are furnished in accordance with each patient's plan of care. Each patient must receive all nursing services as prescribed and must be kept comfortable, clean, well-groomed, and protected from accident, injury, and infection.
  - (2) If at least one patient in the hospice facility is receiving general inpatient care, then each shift must include a registered nurse who provides direct patient care.
  - (c) *Standard: Physical environment.* The hospice must maintain a safe physical environment free of hazards for patients, staff, and visitors.
    - (1) *Safety management.* The hospice must address real or potential threats to the health and safety of the patients, others, and property.
    - (2) *Physical plant and equipment.* The hospice must develop procedures for controlling the reliability and quality of—
      - (i) The routine storage and prompt disposal of trash and medical waste;
      - (ii) Light, temperature, and ventilation/air exchanges throughout the hospice;
      - (iii) Emergency gas and water supply; and
      - (iv) The scheduled and emergency maintenance and repair of all equipment.
  - (d) *Standard: Fire protection.* (1) Except as otherwise provided in this section—
    - (i) The hospice must meet the applicable provisions and must proceed in accordance with the Life Safety Code (NFPA 101 and Tentative Interim Amendments TIA 12-1, TIA 12-2, TIA 12-3, and TIA 12-4.)
    - (ii) Notwithstanding paragraph (d)(1)(i) of this section, corridor doors and doors to rooms containing flammable or combustible materials must be provided with positive latching hardware. Roller latches are prohibited on such doors.
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- (2) In consideration of a recommendation by the State survey agency or Accrediting Organization or at the discretion of the Secretary, may waive, for periods deemed appropriate, specific provisions of the Life Safety Code, which would result in unreasonable hardship upon a hospice facility, but only if the waiver will not adversely affect the health and safety of the patients.
- (3) The provisions of the adopted edition of the Life Safety Code do not apply in a State if CMS finds that a fire and safety code imposed by State law adequately protects patients in hospices.
- (4) A hospice may place alcohol-based hand rub dispensers in its facility if the dispensers are installed in a manner that adequately protects against access by vulnerable populations.
- (5) When a sprinkler system is shut down for more than 10 hours, the hospice must:
- (i) Evacuate the building or portion of the building affected by the system outage until the system is back in service, or
  - (ii) Establish a fire watch until the system is back in service.
- (6) Buildings must have an outside window or outside door in every sleeping room, and for any building constructed after July 5, 2016 the sill height must not exceed 36 inches above the floor. Windows in atrium walls are considered outside windows for the purposes of this requirement.
- (e) *Standard: Building Safety.* Except as otherwise provided in this section, the hospice must meet the applicable provisions and must proceed in accordance with the Health Care Facilities Code (NFPA 99 and Tentative Interim Amendments TIA 12-2, TIA 12-3, TIA 12-4, TIA 12-5 and TIA 12-6).

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