

## Report on Medicare Compliance Volume 31, Number 14. April 18, 2022 Tip Sheet for Reinforcing Residents' Rights: 'How You Treat Someone Matters'

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By Nina Youngstrom

With CMS phasing out certain COVID-19 waivers for nursing homes and skilled nursing facilities, it's a good time to raise employees' awareness of the pre-public health emergency compliance requirements as well as residents' longstanding rights, said Margaret Scavotto, president of Management Performance Associates.<sup>[1]</sup> According to 42 C.F.R. § 483.10, "The resident has a right to a dignified existence, self-determination, and communication with and access to persons and services inside and outside the facility."<sup>[2]</sup> She created this tip sheet to help nursing home employees foster positive interactions with residents. "Since the pandemic, there is a huge staffing deficit, and the conditions for working in nursing homes are more challenging," she said. "We have PPE [personal protective equipment] and other COVID precautions, and workloads are harder, and everyone is tired and stressed, especially when you have a staff that's spread thin." Sometimes compliance falls by the wayside. For example, a nursing home employee may brush off a resident's request for a visitor. "I think we elevate the care we provide when we train people on what it really means to treat people with dignity," Scavotto said. She doesn't think surveyors will fine a nursing home under the Medicare conditions of participation if an employee gives a resident a nickname. "Tags are for verbal abuse. But I think this is important. It comes down to respect and the golden rule, and it comes down to making quality of life better. It falls under resident rights," Scavotto said. Against the backdrop of compliance training and regulatory requirements, employees should be reminded that what they do is important. "You are providing dignity and respect, not just providing medication and helping people get dressed," she said. "How you treat someone matters." Contact Scavotto at [mcs@healthcareperformance.com](mailto:mcs@healthcareperformance.com).

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