



QUESTIONS FROM THE FIELD

Question: What are the requirements for maintaining a resident complaint file?

Answer: There is no specific requirement for the Home to maintain a grievance file but there are some requirements that pertain to the resident's right to voice a grievance and prompt resolution of their complaints.

F165

A resident has the right to:

§483.10(f)(1) - Voice grievances without discrimination or reprisal. Such grievances include those with respect to treatment which has been furnished as well as that which has not been furnished; and (SEE TAG 166 FOR GUIDANCE)

F166

A resident has the right to:

§483.10(f)(2) - Prompt efforts by the facility to resolve grievances the resident may have, including those with respect to the behavior of other residents.

Intent §483.10(f)

The intent of the regulation is to support each resident's right to voice grievances (e.g., those about treatment, care, management of funds, lost clothing, or violation of rights) and to assure that after receiving a complaint/grievance, the facility actively seeks a resolution and keeps the resident appropriately apprised of its progress toward resolution

Interpretive Guidelines §483.10(f)

"Voice grievances" is not limited to a formal, written grievance process but may include a resident's verbalized complaint to facility staff.

"Prompt efforts... to resolve" include facility acknowledgment of complaint/grievances and actively working toward resolution of that complaint/grievance. If residents' responses indicate problems in voicing grievances and getting grievances resolved, determine how the facility deals with and makes prompt efforts to resolve resident complaints and grievances.

- With permission, review resident council minutes.
- Interview staff about how grievances are handled.
- Interview staff about communication (to resident) of progress toward resolution of complaint/grievance.

Dave's Memo: The regulation does require evidence that you have acknowledged a complaint/grievance, that you are actively working toward resolution, and that the resident is **promptly** apprised of the progress toward resolution. It is up to the Home to record this information in the manner they choose.

Besides individual resident/family complaints be sure that any Resident Council concerns are: 1) acknowledged, 2) actively worked on for a resolution, and 3) that the resident council members are **promptly** apprised of its progress toward resolution. It is up to the home to record this information in the manner they choose.

I would suggest that you keep the last 12 months of this documentation on file.