



Culture of Safety Center 2022 Summit

Wandering, Elopement and Immediate Jeopardy

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Aug. 24, 2022

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Wandering, Elopement, Immediate Jeopardy

Nursing homes care for some of the most vulnerable people in our society, often having high acuity and multiple co-morbidities.

Because a particular vulnerability may make a resident more susceptible to severe harm, surveyors must consider the particular vulnerabilities of the individual resident at risk when determining whether noncompliance has resulted in or has created the likelihood, of serious injury, serious harm, serious impairment, or death.

The vulnerability does not result in an automatic IJ – each situation is evaluated on its own terms to determine if the components of IJ are present.

Death always reaches the threshold for the component of serious harm.

Wandering, Elopement, Immediate Jeopardy

- Wandering is random or repetitive locomotion. It may be goal directed as if the person was searching for something such as the exit, or it may be aimless.
- Non-goal-directed wandering requires a response in a manner that addresses both safety issues and an evaluation to identify root causes to the degree possible.
- Moving about the facility aimlessly may indicate the resident is frustrated, anxious, hungry, bored, or depressed. The goal directed wandering may provide exercise or sensual stimulation. This goal directed wandering should also require staff supervision and a facility response to address safety issues.

Wandering

- Wandering may become unsafe when a resident becomes overly tired or enters an area that is physically hazardous or contains potential safety hazards such as chemicals tools, equipment. Entering another resident's room may lead to an altercation. Unsafe wandering can be associated with an increased risk for falls and injuries.
- While wander, door, and building alarms can help monitor a resident's activities, staff must be vigilant in order to respond to them in a timely manner. Alarms do not replace necessary supervision and require frequent maintenance and testing to ensure proper functioning.

Wandering

- Wandering becomes elopement when a resident moves from a safe environment to an unsafe one without authorization or supervision.
- Elopement occurs when a resident leaves the premises or a safe area without authorization and/or any necessary supervision to do so. A resident who leaves a safe area may be at risk of or have the potential to experience heat or cold exposure, dehydration, and/or other medical complications, or being struck by a motor vehicle.

Elopement

- Elopement can range from exiting a door and wandering around the outside of the building to crossing the road to the store for cigarettes to wandering down a lane; crossing a road; and ending up in the kitchen of a neighboring house.
- The concern with elopement is staff are often unaware of the resident being missing for a period of time and don't think to look for him/her until the resident does not show for a meal or bedtime.

Elopement

- Facility policies which clearly define the mechanism and procedure for assessing and identifying , monitoring, and managing residents at risk for elopement can help to minimize the risk of a resident leaving a safe area without authorization and/or appropriate supervision.
- In addition, the resident at risk should have interventions in their comprehensive plan of care to address the potential for elopement.
- A facility's disaster and emergency preparedness plan should include a plan to locate a missing resident.

Elopement

- Elopement may include the resident walking out one entrance to a facility and entering another door without supervision.
- It may be a resident walking down the driveway; crossing a busy street; and going to the store to buy cigarettes.
- It may be a resident who goes down a lane; crosses railroad tracks; and ends up sitting in the kitchen of a neighboring house.

Elopement

- Elopement may include a resident walking away from the smoking area at night and wandering on the facility property.
- It may include a resident leaving the facility; walking along a busy road; and coming close to a very busy road.
- It may include a resident walking down a service road; going toward a main road; on property where there are close railroad tracks and heavily wooded area.

Immediate Jeopardy

- Immediate jeopardy is defined as a situation in which a recipient of care has suffered or is likely to suffer serious injury, harm, impairment, or death as a result of a provider's noncompliance with one or more health and safety requirements.
- IJ represent the most egregious and severe threat to the health and safety of residents.

Immediate Jeopardy

Some key changes in the definition of IJ include:

1. Likelihood – changed from potential. The nature and/or extent of the identified noncompliance creates a likelihood (reasonable expectation) such harm will occur if not corrected.
2. Culpability – has been removed. Noncompliance is the cause of the serious injury, harm, impairment, or death.
3. Psychosocial harm – whether noncompliance has caused or made likely serious mental or psychosocial harm to residents. Consider how a reasonable person in the resident's position would be impacted by the noncompliance.

Immediate Jeopardy (cont.)

Some key changes in the definition of IJ include:

4. No automatic IJ citations – Each citation must be decided independently.
5. Resident at risk – resident who, as a result of noncompliance, and in consideration of the resident's physical, mental, psychosocial, and/or health needs, and/or vulnerabilities, is likely to experience a serious adverse outcome.

Immediate Jeopardy

Some triggers include:

1. Failure to protect from abuse/neglect.
2. Failure to provide supervision to prevent accidents/incidents/elopement.
3. Failure to protect from psychological harm.
4. Wounds developing in the facility or worsening wounds due to inappropriate treatment, untreated, failure to follow care plan, not turning/repositioning.
5. Failure to protect/prevent undue significant medication error.
6. Failure to provide adequate nutrition, hydration, significant weight loss.
7. Failure to protect from nosocomial infections r/t technique, standards of practice.

Immediate Jeopardy

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Immediate Jeopardy

Three components:

1. Non-compliance – facility has failed to meet one of more federal health regulations.
2. Serious adverse outcome or likely serious outcome – the result of the identified noncompliance, serious harm, impairment, or death has occurred, is occurring, or is likely to occur to the resident.
3. Need for immediate action – need created because of noncompliance and required immediate corrective action by provider to prevent serious injury, harm, impairment, or death from occurring or recurring.

Immediate Jeopardy

Severity and Scope:

- J – isolated - one or limited number of residents affected and/or very limited number of staff involved, and/or situation occurred only occasionally or in very limited number of locations – 3 or fewer residents
- K – pattern – more than limited number of residents affected and/or more than limited number of staff involved and/or situation occurred in several locations and/or same residents have been affected by repeated occurrences of same practice – more than 3 but <75% of residents

Immediate Jeopardy (cont.)

Severity and Scope:

- L – widespread – situation was pervasive throughout facility or represented systemic failure which affected or was likely to affect a large portion of all the facility's residents - >75% of facility's residents

Immediate Jeopardy

Serious injury, serious harm, serious impairment, or death are adverse outcomes which result in, or are likely to result in

1. Death OR
2. Significant decline in physical, mental, or psychosocial functioning not solely due to the normal progression of a disease or aging process, OR
3. Loss of limb, or disfigurement, OR
4. Avoidable pain which is excruciating and more than transient, OR

Immediate Jeopardy (cont.)

5. Other serious harm which creates life-threatening complications/conditions
 - It does not require serious injury, harm, impairment, or death to occur. It is sufficient that noncompliance makes serious injury, harm, impairment, or death likely to occur to one or more residents.

Immediate Jeopardy

When noncompliance causes a serious adverse outcome or creates the likelihood a serious adverse outcome will occur, the facility must take immediate corrective action to prevent the serious injury, serious harm, serious impairment, or death from occurring or recurring.

Even when the resident has been removed from the situation by transfer to acute care, discharge, or death, immediate action must be taken to remove the systemic problems which contributed to, caused, or were a factor in causing the serious adverse reaction, or making such an outcome likely. The need for immediate action does not exist only when a surveyor identifies it. The duration of IJ is determined when a facility takes the immediate action necessary to remove the IJ. The facility can take the immediate action before, during, or after the survey. Therefore facility action determines the duration of the IJ.

Immediate Jeopardy

Past noncompliance refers to a deficiency citation at an F or K tag which meets ALL of the following criteria:

1. The facility was not in compliance with the specific regulatory requirement at the time the situation occurred.
2. The noncompliance occurred after the exit date of the last recertification survey and before the survey currently being conducted.

Immediate Jeopardy (cont.)

3. There is sufficient evidence the facility corrected the noncompliance and is in substantial compliance at the time of the current survey for the specific regulatory requirements as referenced by the specific tag.
 - The facility has taken sufficient corrective actions prior to the survey to both remove the immediate jeopardy and fully correct the noncompliance before the start of the survey.

Immediate Jeopardy

Immediate Action removal Plan

- documents immediate action provider will take to prevent serious harm from occurring or recurring
- required and provided to surveyor as soon as provider has identified steps it will take to ensure no residents are suffering or likely to suffer serious injury, serious harm, serious impairment, or death as a result of the provider's noncompliance

Immediate Jeopardy (cont.)

Immediate Action removal Plan

- IJ is removed when the removal plan is fully implemented AND no resident is currently experiencing serious injury, serious harm, serious impairment, or dying AND/OR serious injury, serious harm, serious impairment or death is not likely.
- A 23-day termination occurs with no acceptable removal plan, or it is not implemented based on an onsite revisit. A 6-month mandatory termination occurs with a removal plan which is acceptable and implemented; the immediacy is removed but noncompliance continues.

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