

Use of Intervention and Physical Restraint

DEPARTMENT OF HEALTH
DIVISION OF HEALTH CARE SERVICES
RESIDENTIAL LICENSING



Learning Objectives:

At the end of this presentation, you will know:

1. The definitions of a time out, physical restraint, restrictive intervention, seclusion, and chemical restraint.
2. The Assisted Living Licensing requirements of the Home's restraint procedure.
3. The requirement to conduct a restraint assessment.
4. Notification requirements regarding the use of restraint.
5. What is safety equipment.
6. What actions are prohibited.
7. Trainings available for de-escalation and restraint.

Definition: Time Out

- A time out is the restriction of a resident, with that resident's consent, to a quiet area or unlocked quiet room for a period not to exceed 30 minutes.
- 7 AAC 75.295 (e)





Definition: Physical Restraint

- Physical restraint is a manual method that restricts body movement, or a physical or mechanical device, material, or piece of equipment that is attached or adjacent to the resident's body, that prevents the resident from easily removing it, and that restricts movement or normal access to the body.
- 7 AAC 75.295 (f)

Definition: Restrictive Intervention

- Restrictive intervention means an action or procedure that limits an individual's movement or access to other individuals, locations, or activities.
- 7 AAC 120.229(g)(1)





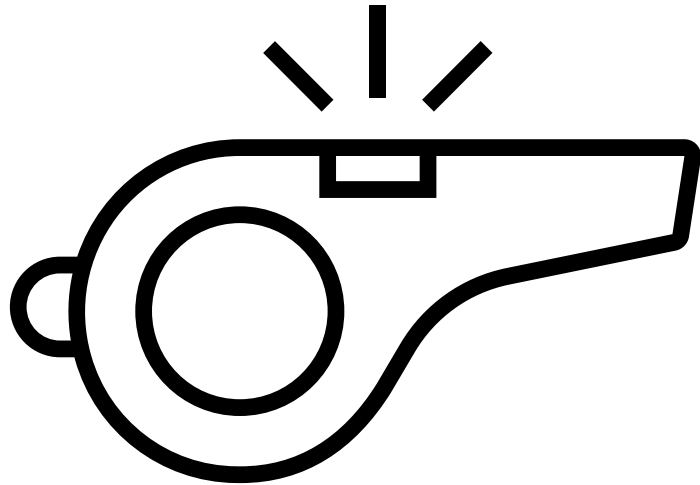
Definition: Seclusion

- Seclusion means the involuntary confinement of an individual alone in a room or an area from which the individual is physically prevented from having contact with others or leaving.
- 7 AAC 120.229(g)(2)

Definition: Chemical Restraint

- A chemical restraint means the use of medication to restrict freedom or movement in order to manage or control behaviors, for disciplinary purposes, or for the convenience of a provider. This does not include medication prescribed for the purpose of managing behaviors by a licensed advanced practice nurse, physician, physician assistant, or dentist, individual listed in and administered in accordance with the applicable medication administration and medication self-administration guidelines.
- 7 AAC 120.229(g)(3)(A)(B)





7 AAC 75.295: Use of Intervention and Physical Restraint (a)&(b)

- An assisted living home must have a written procedure that has been approved by licensing regarding the use of physical restraint.
- Under AS 47.33.330(a)(4) an assisted living home may use physical restraint if a resident's action presents an imminent danger to the resident or others, but only after other interventions, including the use of a time out, have failed. A time out or physical restraint may not be used as a punishment, as a substitute for a less restrictive form of intervention, or as a convince for the home's staff. A time out or physical restraint must be terminated as soon as the resident no longer presents an imminent danger to that resident or others.

Restraint Policy and Procedure

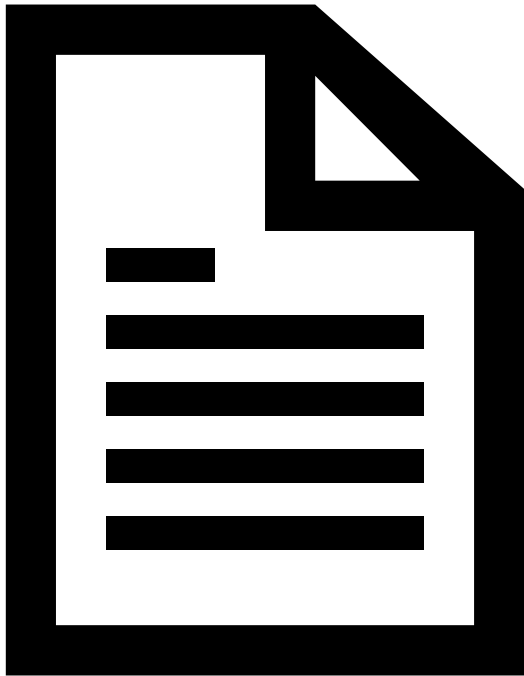
- An effective restraint procedure is built by the home having a clear policy regarding the use of restrictive interventions and physical restraints.
- A home is not required to use restrictive intervention or physical restraint, but the Home's policy should address their stance and how the home will help their residents should a need to ensure safety, including restraint, be required.
- A home's policy can also address items, which when approved by the resident's physician are not considered restraint.



7 AAC 75.295: Use of Intervention and Physical Restraint (c)

- As part of the Home's procedure for restraint, they are required to:
 1. At the time of admission, review with the resident, the Home's approved restraint procedure and;
 2. Conducted an assessment regarding the potential need for the use of time outs or physical restraints.





Restraint Assessment 7

AAC 75.295 (c)(2)(A)(B)

- The restraint assessment must ask for information:
 - About the resident's prior behavior that might indicate a need for the use of time outs or physical restraint; and
 - That might help minimize the use of time outs or physical restraints.

The Department provides a sample restraint assessment form the Home may use. This form can be found at:

<https://health.alaska.gov/dhcs/Pages/cl/ALH%27s/Provider-Resources.aspx>

Sample Assessment

Restraint Assessment

Resident Name _____ Assessment Date: _____

Physician _____ Contact: _____

Legal Representative _____ Contact: _____

Emergency Contact _____ Contact: _____

Assessment

Does this person use or need restraints? Yes [] No []

Has this person previously required the use of a physical restraint? Yes [] No []

If yes, when was a physical restraint last used?

What types of restraint(s) is currently or has been used?

When was the restraint ordered?

Who ordered the restraint?

What behavior(s) require or have required restraints to be used?

How is the restraint used?

When should the restraint be terminated?

How often should you evaluate the restraint when in use?

Are there any less restrictive alternatives other than restraint that can be used?

What supports might help this resident to minimize the use of time outs or physical restraint?

Is this outlined in the resident's current Plan of Care or Assisted Living Plan that is agreed upon and signed by the resident's team? Yes [] No []

Person Completing this Assessment Signature: _____

Resident/Resident Representatives Signature: _____

Attention: Attach doctors' orders and special instructions for the restraints to this form.

Common Type of Restraints

- Self-release safety belts
- Lap-top trays
- Wedge chair cushions
- Concave mattresses.
- Bedside rails

7 AAC 75.295:

Use of Intervention and Physical Restraint (c)(3)

- The Home's restraint procedure should also address if the use of time outs or physical restraint is needed, how it will be documented in the resident's assisted living plan, this may also include recommendations by the Home to use time outs or restraints if after reviewing the resident's history something has been identified as occasional imminent danger to the resident or others.

7 AAC 75.295:

Use of Intervention and Physical Restraint (c)(3)(A)(B)(C)

The Assisted Living Plan

- If a time out or restraint is needed the assisted living plan should:
 1. Identify when a time out of restraint should be used.
 2. What forms of physical restraint should be used, based on recommendations from the resident's primary physician; and
 3. Any prenotification procedures requested by the resident's representative if the 24-hour notice required by 7 AAC 75.295(d)(1) of this section is unsatisfactory to the representative.

7 AAC 75.295: Use of Intervention and Physical Restraint (d)(2)

- Additionally, the Home's procedure must include if restraint is used, the home must document.
 - The resident's name.
 - A description of the incident that led to the decision to use physical restraint.
 - A brief description of any other form of intervention used or attempted before the use of physical restraint.
 - The type of restraint used.
 - The time when the restraint began.
 - The time when the restraint ended.

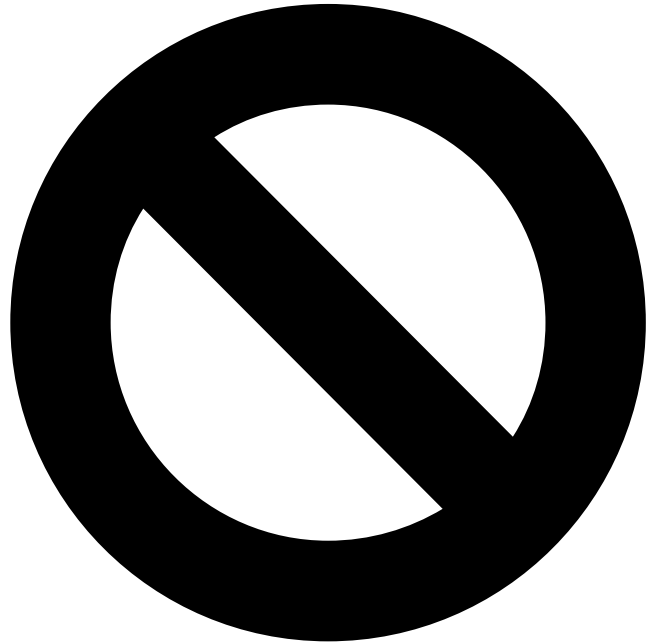


Safety Equipment

7 AAC 75.295: Use of Intervention and Physical Restraint (f)(1-5)

- The following five items are not considered physical restraints if authorized in writing by the resident's primary physician, and guidelines regarding their use is documented in the assisted living plan.
 - Self-release safety belt
 - Lap-top tray
 - Wedge chair cushion
 - Concave mattresses
 - Bedside rails if they prevent resident from falling out of bed because of their diagnosis an/or aid with their mobility.





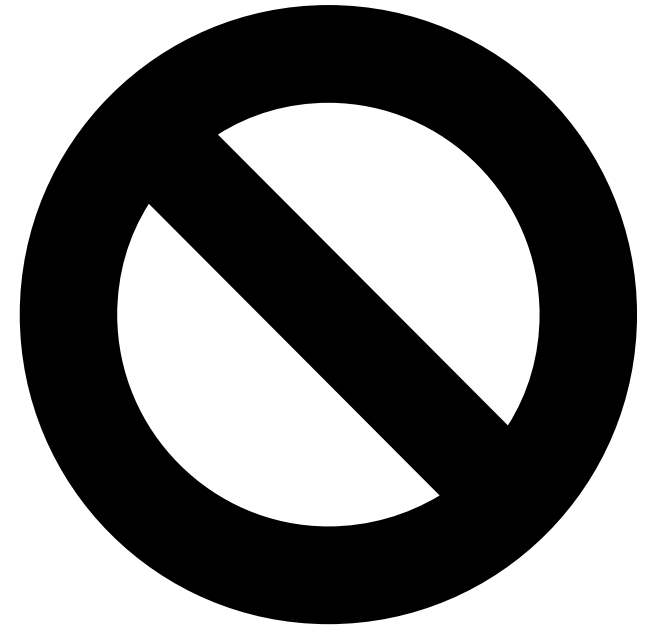
AS 47.33.330 (a)(4),(5),and (6) Prohibitions

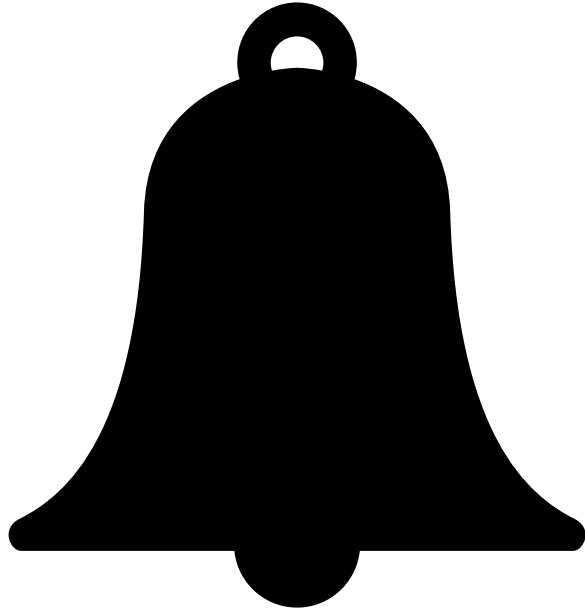
- An assisted living home, including staff of the home, may not place a resident under physical restraint unless the resident's own actions present an imminent danger to the resident or others.
- An assisted living home, including staff of the home, may not place a resident under chemical restraint, unless the resident is voluntarily taking tranquilizer, or other medication, prescribed by a licensed physician.
- An assisted living home, including staff of the home, may not restrain, interfere with, coerce, discriminate against, or retaliate against a resident for asserting a right specified by AS 47.33. or by other law.

AS 47.33.330 (b)

Prohibitions

- An assisted living home may not physically restrain a resident unless the home has a written restraint procedure that has been approved by the licensing agency. The home shall terminate the physical restraint as soon as the resident no longer presents an imminent danger.





Notification Requirements: 7 AAC 75.340 (a)(1)(D)

- An assisted living home will provide notice through centralized intake within 24 hours or on the next business day if:
 - physical restraint is used under 7 AAC 75.295; notification under this subparagraph shall be provided only to the resident's representative; notification under this subparagraph need not be made if the resident's assisted living plan indicates that notification under (4) of this subsection is sufficient as established under 7 AAC 75.295(d)(1); notice must be given under this subparagraph or under (4) of this subsection even if prenotification is required under 7 AAC 75.295(c)(3)(C.
 - (any prenotification procedures requested by the resident's representative in addition to the 24-hour notice required by (d)(1) of this section or the five-day written report required under (d)(2) of this section.)

Notification Requirements: 7 AAC 75.340 (a)(4)

- An assisted living home will provide notice through centralized intake within five day if:
 - Physical restraint is used under 7 AAC 75.295 unless a shorter time is provided in a resident's assisted living plan in accordance with 7 AAC 75.295 (c); the notice must include the information required by 7 AAX 75.295 (d)



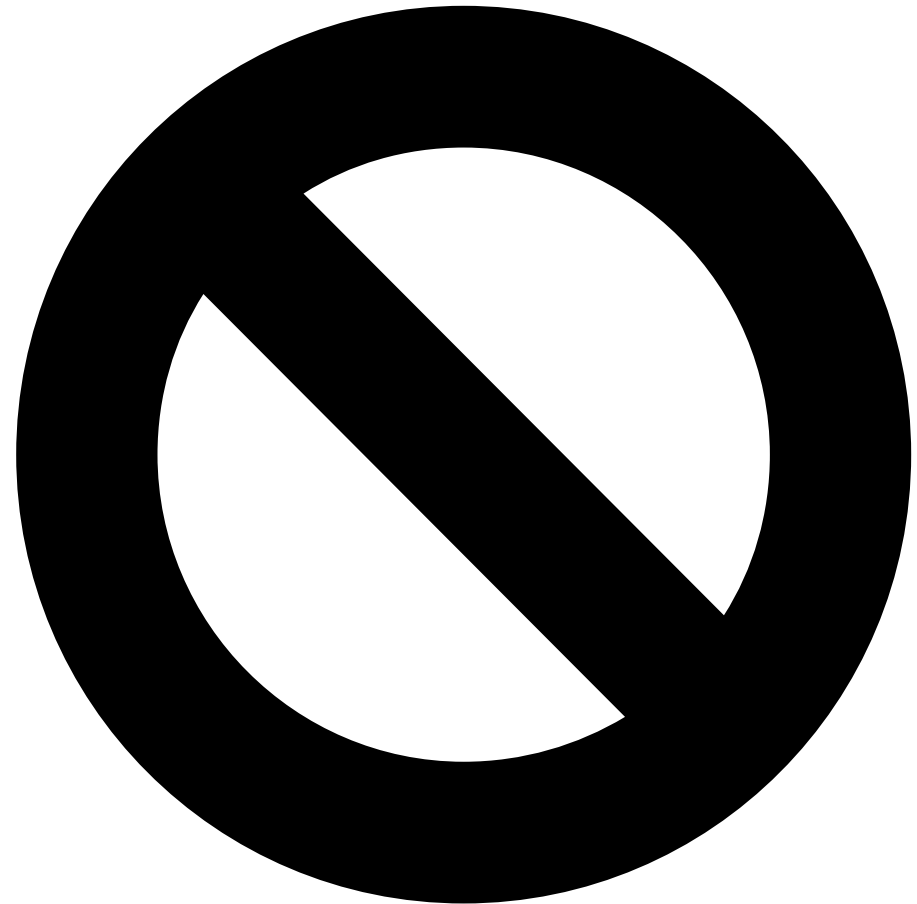
Licensing Expectations: Inspections and Investigations

- During a Home's regularly scheduled inspection or investigation, licensing may request documentation the Home had reviewed its approved restraint procedure with the resident and/or their representative and the resident's restraint assessment was performed at or by admission.
- Licensing may also review a resident's assisted living plan or Home Community Based Services Support Plan to ensure restraint usage is properly documented.
- It is best practice to include the restraint procedure review and assessment in a resident file.



Certification Requirements

- Home's certified to provide Home Community Based Services must have a restrictive intervention policy and procedure. This policy may meet or exceed assisted living licensing requirements for the Use of Intervention and Physical Restraint.
- Things to consider:
 - Certification requires:
 - Prohibition of the use of chemical restraints, seclusion, and prone restraints.
 - The type of training provided to staff.



Trainings Available

- Crisis Prevention Institute (CPI) – Nonviolent crisis intervention
 - Alaska Training Cooperative
- The Mandt System
- TACT 2 - Therapeutic Aggression Control Techniques





Questions or Comments

- If you have any additional questions or concerns, please follow-up with your assigned licensing specialist and/or their supervisor.
- Questions and concerns can also be sent to ALH.Newhome@alaska.gov.