



## ADMINISTRATIVE RULES OF MONTANA



### **37.106.2843 PERSONAL CARE SERVICES**

- (1) Personal care assistance must be provided to each resident in accordance with their established agreement and needs. Assistance must include, but is not limited to assisting with:
  - (a) personal grooming such as bathing, hand washing, shaving, shampoo and hair care, nail filing or trimming and dressing;
  - (b) oral hygiene or denture care;
  - (c) toileting and toilet hygiene;
  - (d) eating;
  - (e) the use of crutches, braces, walkers, wheelchairs or prosthetic devices, including vision and hearing aids; and
  - (f) self-medication.
- (2) Evidence that the facility is meeting each resident's needs for personal care services include the following outcomes for residents:
  - (a) physical well being of the resident means the resident:
    - (i) has clean and groomed hair, skin, teeth and nails;
    - (ii) is nourished and hydrated;
    - (iii) is free of pressure sores, skin breaks or tears, chaps and chaffing;
    - (iv) is appropriately dressed for the season in clean clothes;
    - (v) risk of accident, injury and infection has been minimized; and
    - (vi) receives prompt emergency care for illnesses, injuries and life threatening situations;
  - (b) behavioral and emotional well being of the resident includes:
    - (i) an opportunity to participate in age appropriate activities that are meaningful to the resident if desired;
    - (ii) a sense of security and safety;
    - (iii) a reasonable degree of contentment; and
    - (iv) a feeling of stable and predictable environment;
  - (c) unless medically required by a physician or other practitioner's written order, the resident is:

- (i) free to go to bed at the time desired;
  - (ii) free to get up in the morning at the time desired;
  - (iii) free to have visitors;
  - (iv) granted privacy;
  - (v) assisted to maintain a level of self care and independence;
  - (vi) assisted as needed to have good oral hygiene;
  - (vii) made as comfortable as possible by the facility;
  - (viii) free to make choices and assumes the risk of those choices;
  - (ix) fully informed of the services that are provided by the facility;
  - (x) free of abuse, neglect and exploitation;
  - (xi) treated with dignity; and
  - (xii) given the opportunity to participate in activities, if desired.
- (3) In the event of accident or injury to a resident requiring emergency medical, dental or nursing care or, in the event of death, the assisted living facility shall:
- (a) immediately make arrangements for emergency care or transfer to an appropriate place for treatment;
  - (b) immediately notify the resident's practitioner and the resident's legal representative.
- (4) A resident shall receive skin care that meets the following standards:
- (a) the facility shall practice preventive measures to identify those at risk and maintain a resident's skin integrity. Risk factors include:
    - (i) skin redness lasting more than 30 minutes after pressure is relieved from a bony prominence, such as hips, heels, elbows or coccyx; and
    - (ii) malnutrition/dehydration, whether secondary to poor appetite or another disease process; and
  - (b) an area of broken or damaged skin must be reported within 24 hours to the resident's practitioner. Treatment must be provided as ordered by the resident's practitioner.
- (5) A person with a stage 3 or 4 pressure ulcer may not be admitted or permitted to remain in a category A facility.
- (6) The facility shall ensure records of observations, treatments and progress notes are entered in the resident's record and that services are in accordance with the resident health care plan.
- (7) Direct care staff shall receive training related to maintenance of skin integrity and the prevention of pressure sores by:
- (a) keeping residents clean and dry;
  - (b) providing residents with clean and dry bed linens;
  - (c) keeping residents well hydrated;

- (d) maintaining or restoring healthy nutrition; and
- (e) keeping the residents physically active and avoiding the overuse of wheelchairs, sitting no longer than one hour or remaining in one position for longer than two hours at one time, and other sources of skin breakdown in ADLs.

**Authorizing statute(s):** Sec. 50-5-103, 50-5-226 and 50-5-227, MCA

**Implementing statute(s):** Sec. 50-5-225, 50-5-226 and 50-5-227, MCA

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**History:** NEW, 2002 MAR p. 3638, Eff. 12/27/02; AMD, 2004 MAR p. 1146, Eff. 5/7/04.