

Administrator Alert

Policy updates & rule clarifications for Assisted Living, Residential Care & Nursing Facilities

Office of Licensing & Quality - Oregon Department of Human Services

September 14, 2007

Security measures

Newly revised Residential Care and Assisted Living Facility rules will become effective November 1, 2007. These rules will apply to all licensed facilities regardless of the date of initial licensure.

The purpose of this letter is to provide you with advance notice regarding security measures your facility may, and may not use. Current rule language has been clarified to strengthen the intent of community-based care. Community-based care is founded on the principal of home-like environments intended to enhance each individual's independence.

Today, diverse groups of people live in Residential Care and Assisted Living Facilities including persons with cognitive deficits. Many residents with cognitive deficits can have their needs met in both these settings.

The intent of these rules is to allow Oregon citizens who reside in licensed care facilities the civil rights and dignity as adults to exercise the right to freedom and the responsibility to accept the consequences. In addition, these rules provide some protection for persons who are unable to understand the potential risk of unsupervised outside access.

Current rules require:

- Exits from the building will be unobstructed
- Exit doors must not include locks that prevent evacuation
- Exit door alarms or other system must be provided for security purposes and to alert staff when residents exit the facility
- Adequate staffing at all times to meet the needs of all residents
- The right to interact freely with others in the community



For more information, contact the DHS Office of Licensing & Quality,
1-800-232-3020. Visit the DHS Web site at www.oregon.gov/DHS/

New rules additionally state:

- The door alarm system may be integrated with the call system
- Security devices intended to alert staff of an individual resident's potential elopement might include electronic pendants, bracelets, pins, etc.
- If an electronic code must be entered to use an exit door, that code must be clearly posted for residents, visitors and staff
- Outdoor perimeter fencing must not be secured to prevent exit unless the facility has written approval of SPD or is in compliance with OAR chapter 411, division 057 (Indorsement of Alzheimer's Care Units) or OAR 309-032-0720 (Standards for Enhanced Care Services).

Alert systems, person centered service plans and adequate staffing are sufficient safety measures for most residents with cognitive impairment. At the same time, other residents are not prevented from enjoying community access.

Residents who exhibit unpredictable or dedicated exit seeking and who have been assessed to be unsafe without supervision may need additional protection. Individual residents may be appropriate for an Alzheimer's Care Unit, Enhanced Care Unit or a Mental Health treatment facility.

Facility action required:

1. Assess all residents who may be at risk of unsafe elopement.
 2. Determine which of those residents can remain safe with approved security measures and individualized service plans in place.
 3. Communicate with the residents (and their representatives/guardians), who have been determined to be unsafe, regarding relocation to a more appropriate setting. A written 30-day involuntary move-out notice may be issued if a move is not agreed upon voluntarily.
 4. Notify all residents and their representatives of any changes regarding security measures.
 5. Make any necessary modifications to the building to achieve compliance with the structural requirements by November 1, 2007.
 6. Requests for time extensions may be submitted to SPD with specific information on progress toward compliance and a date certain for completion.
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In this Alert

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Rule references:

Residential care

OAR 411-054-0200(2) (g)

OAR 411-054-0200(3) (e) (A) (B)

OAR 411-054-0200(10) (b) (c)

Assisted living

OAR 411-054-0300(2) (g)

OAR 411-054-0300(3) (e) (A) (B)

OAR 411-054-0300(10) (b) (c)

For questions, you may contact:

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Specific questions regarding building modifications, call and alert systems should be addressed to:

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