

ALASKA PIONEER HOME		P&P No: 09.03
Title: Resident File		Approval: D. COTE
Key Words: Resident Service Contract, Assisted Living Plan, Protected Health Information		
Team: Administration, Resident Care	Effective Date: 8/1/12	Page: 1 of 6

PURPOSE

To describe the information contained in the Alaska Pioneer Home (AKPH) resident file, as well as the legal and ethical obligations of confidentiality.

POLICY

Each AKPH resident file contains a current signed assisted living contract and a resident service contract.

Health information related to a specific AKPH resident is protected from access by an unauthorized person.

AKPH staff does not disclose resident protected health information, according to state and federal regulations.

DEFINITIONS

Resident includes the resident’s legal representative when receiving notice, acknowledging written material, agreeing, approving , dating, signing, developing, or receiving copies.

Confidential information is medical or mental health, health care eligibility, claims, billing, payment, or identifying information about one individual that can be obtained by review.

PROCEDURE

I. Resident File

- A. The AKPH maintains a file for each resident that includes:
 1. Resident’s name, birth date, photo, and social security number.
 2. Name, address, and telephone number of the resident’s closest relative, service coordinator, and representative, if appropriate.
 3. Statement of what actions the resident’s representative is authorized to take on the resident’s behalf.
 4. Power of attorney or written designation of an agent, representative, or surrogate for the resident.
 5. Assisted living plan.

Title: Resident File

6. Resident service contract between the Home and the resident.
 7. Written acknowledgement by the resident that the resident has received a copy and has (been) read the following:
 - a. Resident's rights.
 - b. Grievance procedure.
 - c. Protection from retaliation; immunity.
 - d. Home house rules.
 8. Notice about the depository in which the resident's advance payment money is being held.
 9. Agreement to Home safekeeping and management of the resident's money.
 10. Living will, if any.
 11. AKPH retains a resident's file for at least seven (7) years after the resident terminates residency at the Home.
- B. Additional documents and information that AKPH may place in a resident's file include:
1. Face sheet.
 2. Code status.
 3. Resident file checklist.
 4. DHSS notice of privacy.
 5. AKPH admission history and physical exam.
 6. Health insurance card and number.
 7. Current TB (tuberculosis) test form. If TB positive, then an evaluation to include sputum results and chest x-ray.
 8. Vaccination record and consent form.
 9. Physician and/or nurse practitioner orders.
 10. Hospital admission and discharge summaries.
 11. Quarterly reviews.
 12. Current and past AKPH care plans.
 13. Medicaid Choice Waiver care plans.
 14. MMSE (mini mental state examination, Folstein test)
 15. MAR (medication administration record).
 16. Behavior log.
 17. CNA (certified nurse aid) flow sheet.
 18. Lab and radiology reports.
 19. Therapy reports, such as PT, OT, ST.
 20. Dental, dietary, and podiatry notes.
 21. Social worker notes.

Title: Resident File

C. Document retention

1. AccuCare electronic medical records software is the primary source for resident data retention.
 - a. Progress notes can be printed on a regular basis and filed in the chart.
2. Thinning and archiving charts
 - a. Resident charts are thinned on a regular basis.
 - b. Old records are kept in an historical records file for seven (7) years.
 - c. Physician and nurse practitioner orders and progress notes are retained in the chart for one year.
3. The Homes retain the financial, clinical, and other records of a resident for which services have been billed to the Medicaid program for at least seven (7) years from the date the service is provided. (7 AAC 43.030)
4. Destroying or archiving charts
 - a. Resident charts are destroyed seven (7) years following their death or discharge from the Home.
 - 1) Hard copy documents are shredded to ensure confidentiality of information.
 - 2) Electronic data is archived by placing the resident in a non-active status in the AccuCare electronic medical record system.

D. Residential services contract

1. A residential service contract is signed by the resident and the Home before AKPH residency begins.
2. After the contract is signed, a copy is given to the resident and a second copy is placed in the resident's file.
3. A resident service contract must state the:
 - a. Services and accommodations to be provided by the Home.
 - b. Rates charged by the Home.
 - c. Rights, duties, and obligations of the resident.
 - d. Policy and procedure for termination of the contract.
 - e. Amount and purpose of any advance payments required by the Home.
 - f. Policy for refund or advance payments in the termination of the contract or death of the resident.
4. The contract is revised whenever there is a change in the resident's service level or information in the contract.

E. Assisted Living Plan (ALP)

1. AKPH ensures that an ALP for a resident of the Home is developed, and approved by the resident, within 30 days after the resident was admitted to the Home.
2. The ALP is developed by the resident with participation from:

Title: Resident File

- a. Resident's service coordinator, if any.
- b. Representative of provider of services to the resident.
- c. Administrator of the Home.
3. An ALP for an AKPH resident must:
 - a. Provide an environment suited to the resident's needs and best interests.
 - b. Allow the resident to evaluate the options and risks when making decisions about the resident's abilities, preferences, and service needs.
 - c. Allow the Home to consent or refuse to accept the resident's choices.
4. An ALP must identify and describe:
 - a. The resident's strengths and limitations in performing the activities of daily living.
 - b. Any physical disabilities, medical condition, general health, emotional health, mental health, or problems that are relevant to the services needed by the resident.
 - c. The resident's preference in roommates, living environment, food, recreational activities, religious affiliation, and relationships and visitation with friends, family members, and others.
 - d. Activities of daily living with which the resident needs assistance.
 - e. How assistance with the activities of daily living will be provided by the Home.
 - f. The resident's need for health-related services and how the need will be met.
 - g. The resident's reasonable wants and the services that will be provided to meet those wants.
5. If the Home provides health related services to a resident, the Home ensures that:
 - a. A physician provides a written statement which includes:
 - 1) Medical history and physical exam.
 - 2) List of medications.
 - 3) Therapy regimen needed to maintain function, mobility, or independence.
 - b. A registered nurse reviews the resident's need for health related services.
6. An ALP must be written in a language that is understood by the resident.
7. The ALP is approved, dated, and signed by the administrator of the Home and by the resident.
8. Copies of the ALP are kept in the Home resident file, and given to the resident.
9. Review of the ALP
 - a. The Home resident and the administrator (or designee) determine if the ALP is meeting the resident's reasonable wants and needs.
 - b. The resident and administrator revise the plan if necessary.

Title: Resident File

- c. The resident can request that the service coordinator and family members participate in the evaluation.
 - d. The resident's review is done at least annually.
 - e. The ALP is also reviewed whenever the resident's condition or needs change, or at the request of the resident or representative.
- F. Protected health information
1. AKPH residents and applicants divulge personal and medical information to AKPH staff to determine eligibility for admission to the Home.
 2. *A Notice of Use of Private Health Care Information* is provided to each resident on admission to the Home.
 3. Care team staff contacts the supervisor when uncertain if information is legal to divulge.
 4. An AKPH employee notifies the supervisor if served with a subpoena to appear in court to testify, with or without confidential records.
 - a. The AKPH employee does not act until the supervisor has conferred with the division director and/or the attorney general's office, and gives instruction to the employee.
 5. An AKPH employee commits a class A misdemeanor if confidential information is used for personal gain or in a manner not connected with official Home duties.
 - a. Giving sworn testimony or evidence in a legal proceeding by court order is an exception.
 6. Care team members and administrative staff are responsible for:
 - a. Taking precautions against leaving identifying information in a work area to which the public has unsupervised access.
 - b. Removing identifying information from the work place only upon approval of a supervisor and for purposes related to their official duties.
 - c. Using discretion with telephone and conversations that can be overheard by unauthorized persons.
 - d. Refusing to respond to a request for identifying information from persons not directly connected to the administration or care of AKPH residents.
 - e. Placing confidential information sent through the mail in a sealed envelope marked *confidential*.
 - f. Using DSM (direct secure messaging) with e-mails that include confidential resident information.
 - g. Storing confidential materials to be discarded in a locked area until the materials can be shredded or destroyed.
 - h. Making health information available to residents within a week of a *Release of Information* submittal.

AKPH P&P No. 09.03	Effective Date: 8/1/12	Page: 6 of 6
Title: Resident File		

- i. Immediately reporting suspected breaches of confidentiality or security to their supervisor.

HISTORY OF REVISIONS

New: 1/1/12
Revised: 1/27/12; 5/29/12; 7/20/12
Reviewed: 1/27/12

ATTACHMENTS

REFERENCES

AS 47.33.070, AS 47.33.210-240, 7 AAC 75.300