

Prepublication Requirements

The Joint Commission has approved the following revisions for prepublication. While revised requirements are published in the semiannual updates to the print manuals (as well as in the online E-dition®), accredited organizations and paid subscribers can also view them in the monthly periodical *The Joint Commission Perspectives*®. To begin your subscription, call 800-746-6578 or visit <http://www.jcrinc.com>.



Revisions to Deemed Program Requirements for Hospitals

APPLICABLE TO HOSPITALS

Effective September 29, 2014

Human Resources (HR)


Standard HR.01.02.01

The hospital defines staff qualifications.

Elements of Performance for HR.01.02.01

A 12. For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: The activities program is directed by a professional who meets one of the following criteria:

- Is a qualified therapeutic recreation specialist or an activities professional who is licensed or registered, if applicable, by the state in which he or she practices and is eligible for certification as a therapeutic recreation specialist or as an activities professional by a recognized accrediting body on or after October 1, 1990
- Has two years of experience in a social or recreational program within the last five years, one year of which was full time in a patient activities program in a health care setting
- Is a qualified occupational therapist or occupational therapy assistant
- Has completed a training course approved by the state

A 13. For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: The facility does not employ individuals who have been found guilty by a court of law of abusing, neglecting, or mistreating residents or who have had a finding entered into the state nurse aide registry concerning abuse, neglect, or mistreatment of residents or of misappropriation of their property. 

Standard HR.01.02.05

The hospital verifies staff qualifications.






Element of Performance for HR.01.02.05

A 17. For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: A qualified social worker is an individual who has a bachelor's degree in social work or a bachelor's degree in a human services field including but not limited to sociology, special education, rehabilitation counseling, or psychology and has one year of supervised social work experience in a health care setting working directly with individuals.

Leadership (LD)

Standard LD.04.02.03

Ethical principles guide the hospital's business practices.

Key: **A** indicates scoring category A; **C** indicates scoring category C;  indicates that documentation is required;  indicates Measure of Success is needed;  indicates an Immediate Threat to Health or Safety;  indicates situational decision rules apply;  indicates direct impact requirements apply; **R** indicates an identified risk area

Elements of Performance for LD.04.02.03

C 13. © **For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care:** Each resident who is entitled to Medicaid benefits is informed in writing, either at the time of admission or when the resident becomes eligible for Medicaid, of the following: Ⓜ

- The items and services included in the state plan for which the resident may not be charged
- Those items and services that the facility offers and for which the resident may be charged, and the amount of charges for those services

A 14. **For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care:** Residents are informed when changes are made to the services that are specified in LD.04.02.03, EP 13.

C 15. **For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care:** When a resident becomes eligible for Medicaid after admission to the hospital, the hospital charges the resident only the Medicaid-allowable charge. Ⓜ

A 16. **For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care:** Residents are informed before or at the time of admission, and periodically during the resident's stay, of services available in the facility and of charges for those services not covered under Medicare or by the facility's per diem rate.

Medical Staff (MS)**Standard MS.01.01.01**

Medical staff bylaws address self-governance and accountability to the governing body.

Element of Performance for MS.01.01.01

A 37. **For hospitals that use Joint Commission accreditation for deemed status purposes:** When a multihospital system has a unified and integrated medical staff, the bylaws describe the process by which medical staff members at each separately accredited hospital (that is, all medical staff members who hold privileges to practice at that specific hospital) are advised of their right to opt out of the unified and

integrated medical staff structure after a majority vote by the members to maintain a separate and distinct medical staff for their respective hospital.

Standard MS.01.01.05

For hospitals that use Joint Commission accreditation for deemed status purposes: Multihospital systems can choose to establish a unified and integrated medical staff in accordance with state and local laws.

Elements of Performance for MS.01.01.05

A 1. **For hospitals that use Joint Commission accreditation for deemed status purposes:** If a multihospital system with separately accredited hospitals chooses to establish a unified and integrated medical staff, the following occurs: Each separately accredited hospital within a multihospital system that elects to have a unified and integrated medical staff demonstrates that the medical staff members of each hospital (that is, all medical staff members who hold privileges to practice at that specific hospital) have voted by majority either to accept the unified and integrated medical staff structure or to opt out of such a structure and maintain a separate and distinct medical staff for their hospital.

A 2. **For hospitals that use Joint Commission accreditation for deemed status purposes:** If a multihospital system with separately accredited hospitals chooses to establish a unified and integrated medical staff, the following occurs: The unified and integrated medical staff takes into account each member hospital's unique circumstances and any significant differences in patient populations and services offered in each hospital.

A 3. **For hospitals that use Joint Commission accreditation for deemed status purposes:** If a multihospital system with separately accredited hospitals chooses to establish a unified and integrated medical staff, the following occurs: The unified and integrated medical staff establishes and implements policies and procedures to make certain that the needs and concerns expressed by members of the medical staff at each of its separately accredited hospitals, regardless of practice or location, are given due consideration.

A 4. **For hospitals that use Joint Commission accreditation for deemed status purposes:** If a multihospital system with separately accredited hospitals chooses to establish a unified and integrated medical staff, the following occurs: The unified and integrated

medical staff has mechanisms in place to make certain that issues localized to particular hospitals within the system are duly considered and addressed.

Provision of Care, Treatment, and Services (PC)

Standard PC.01.02.09

The hospital assesses the patient who may be a victim of possible abuse and neglect.



Elements of Performance for PC.01.02.09

A 8. For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: The hospital reports to the state nurse aide registry or licensing authorities any knowledge it has of any actions taken by a court of law against an employee that would indicate unfitness for service as a nurse aide or other facility staff. (See also RI.01.06.03, EP 3)

Standard PC.02.01.03

The hospital provides care, treatment, and services as ordered or prescribed, and in accordance with law and regulation.

Element of Performance for PC.02.01.03

A 1. For hospitals that use Joint Commission accreditation for deemed status purposes: Prior to providing care, treatment, and services, the hospital obtains or renews orders (verbal or written) from a licensed independent practitioner or other practitioner in accordance with professional standards of practice; law and regulation; hospital policies; and medical staff bylaws, rules, and regulations. *  

Note: Outpatient services may be ordered by a practitioner not appointed to the medical staff as long as he or she meets the following:


- Responsible for the care of the patient
- Licensed in the state where he or she provides care to the patient
- Acting within his or her scope of practice under state law
- Authorized in accordance with state law and policies adopted by the medical staff and approved by the governing body to order the applicable outpatient services


*: For law and regulation guidance pertaining to those responsible for the care of the patient, refer to 42 CFR 482.12(c).

Standard PC.02.02.01

The hospital coordinates the patient's care, treatment, and services based on the patient's needs.

Elements of Performance for PC.02.02.01

C 8. For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: The hospital provides activity services directly or through referral for ambulatory and nonambulatory residents at various functional levels. 


C 9. For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: The hospital provides services (directly or through referral) to facilitate family support, social work, nursing care, dental care, rehabilitation, primary physician care, or discharge. 


A 12. For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: The hospital provides 24-hour emergency dental services directly or through arrangement with an external provider.

Standard PC.02.02.09

For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: Residents participate in social and recreational activities according to their abilities and interests.

Elements of Performance for PC.02.02.09

C 1. For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: The hospital offers residents a variety of social and recreational activities according to their abilities and interests. 

C 3. For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: The hospital helps residents to participate in social and recreational activities according to their abilities and interests. 

Standard PC.04.01.03

The hospital discharges or transfers the patient based on his or her assessed needs and the organization's ability to meet those needs.

Elements of Performance for PC.04.01.03

C 5. Ⓧ **For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care:** Except when specified in the CoP from 42 CFR 483.12(a)(5)(ii), the written notice of transfer or discharge required under paragraph 42 CFR 483.12(a)(4) must be made by the hospital at least 30 days before the resident is transferred or discharged. Ⓧ

Note: *Notice may be made as soon as is practical before transfer or discharge when the safety of the individuals in the facility would be endangered; the health of the individuals in the facility would be endangered; the resident's health improves sufficiently to allow a more immediate transfer or discharge, and immediate transfer or discharge is required by the resident's urgent medical needs; or a resident has not resided in the facility for 30 days.*

C 6. Ⓧ **For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care:** The written notice before transfer or discharge specified in the CoP from 42 CFR 483.12(a)(4) includes the following: Ⓧ

- The reason for transfer or discharge
- The effective date of transfer or discharge
- The location to which the resident is transferred or discharged
- A statement that the resident has the right to appeal the action to the state
- The name, address, and telephone number of the state's long term care ombudsman
- For a resident who is developmentally disabled, the mailing address and telephone number of the agency responsible for the protection and advocacy, established under Part C of the Developmental Disabilities Assistance and Bill of Rights Act
- For a resident who is mentally ill, the mailing address and telephone number of the agency responsible for the protection and advocacy, established under the Protection and Advocacy for Mentally Ill Individuals Act

Standard PC.04.01.07

For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: Residents are not transferred or discharged from the hospital unless they meet specific criteria, in accordance with law and regulation.

Element of Performance for PC.04.01.07

C 1. **For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care:** The hospital transfers or discharges residents only when at least one of the following conditions is met: Ⓧ

- The resident's health has improved to the point where he or she no longer needs the hospital's services.
- The transfer or discharge is necessary for the resident's benefit or if the hospital cannot meet the resident's needs.
- The health or safety of the resident is endangered by remaining in the hospital.
- The hospital has provided the resident, who has not paid for his or her stay, with reasonable notice of transfer or discharge, as defined by the hospital and in accordance with law and regulation.
- The hospital ceases operation.
- The resident leaves against medical advice and signs a form stating that his or her action runs contrary to medical advice.

Record of Care, Treatment, and Services (RC)**Standard RC.02.04.01**

The hospital documents the patient's discharge information.

Elements of Performance for RC.02.04.01

C 1. **For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care:** Documentation in the medical record includes discharge information provided to the resident and/or to the receiving organization. Ⓧ

C 2. **For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care:** The resident's discharge information includes the following: Ⓧ

- The reason for transfer, discharge, or referral
- Treatment provided, diet, medication orders, and orders for the resident's immediate care
- Referrals provided to the resident, the referring licensed independent practitioner's name, and the name of the licensed independent practitioner who has agreed to be responsible for the resident's medical care and treatment, if this person is someone other than the referring licensed independent practitioner


- Medical findings and diagnoses; a summary of the care, treatment, and services provided; and progress reached toward goals
- Information about the resident's behavior, ambulation, nutrition, physical status, psychosocial status, and potential for rehabilitation
- Nursing information that is useful in the resident's care
- Any advance directives
- Instructions given to the resident before discharge


Rights and Responsibilities of the Individual (RI)

Standard RI.01.06.05

The patient has the right to an environment that preserves dignity and contributes to a positive self-image.

Elements of Performance for RI.01.06.05


C 8. For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: The hospital provides accommodations for residents with significant others living in the same facility when both individuals consent to the arrangement. 

C 14. For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: The resident has the right to have access to stationery, postage, and writing implements at the resident's own expense. 


Standard RI.01.06.09


For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: The resident has the right to choose his or her medical, dental, and other licensed independent practitioner care providers.

Elements of Performance for RI.01.06.09

C 1. For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: The hospital supports the resident's right to choose an attending physician, dentist, and other licensed independent practitioner. 

C 2. For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: The hospital supports the resident's right to request a different licensed independent practitioner upon admission and


throughout the course of care. 

C 3. For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: The hospital makes reasonable attempts to respond to requests from residents to choose a different licensed independent practitioner upon admission and throughout the course of care. 

Standard RI.01.06.11

For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: The resident has the right to communicate with his or her medical, dental, and other licensed independent practitioner care providers.

Element of Performance for RI.01.06.11


C 3. For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: The hospital helps the resident make and keep appointments with medical, dental, and other licensed independent practitioners. 

Standard RI.01.07.05

For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: The resident has the right to receive and restrict visitors.

Elements of Performance for RI.01.07.05

A 1. For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: The hospital establishes liberal visiting hours that are limited only by the resident's personal preferences.

C 3. For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: The hospital provides space for the resident to receive visitors in comfort and privacy. 

A 5. For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: The hospital supports the resident's right to choose with whom he or she communicates.

A 6. For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: The hospital complies with law and regulation regarding individuals who are exempted from visiting hour restrictions in order to gain immediate access to the resident.

Standard RI.01.07.07

For psychiatric hospital settings that provide longer term care (more than 30 days) and for hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: The hospital protects the rights of patients and residents who work for or on behalf of the hospital.

Elements of Performance for RI.01.07.07

- A 1.** **Ⓧ** For psychiatric hospital settings that provide longer term care (more than 30 days) and for hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: The hospital has a written policy that addresses situations in which patients and residents work for or on behalf of the hospital.
- C 2.** For psychiatric hospital settings that provide longer term care (more than 30 days) and for hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: The hospital implements its policy regarding patients and residents who work for or on behalf of the hospital. **Ⓧ**
- A 3.** For psychiatric hospital settings that provide longer term care (more than 30 days) and for hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: Wages paid to patients and residents who work for or on behalf of the hospital are in accordance with law and regulation.
- C 4.** For psychiatric hospital settings that provide longer term care (more than 30 days) and for hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: The hospital incorporates work performed by the patient or resident for or on behalf of the hospital into the plan of care. **Ⓧ**
- A 5.** For psychiatric hospital settings that provide longer

term care (more than 30 days) and for hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: Patients and residents have the right to refuse to work for or on behalf of the hospital.

Standard RI.01.07.13

For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: The resident has the right to transportation services, as appropriate to his or her care or service plan.

Element of Performance for RI.01.07.13

- C 1.** For hospitals that use Joint Commission accreditation for deemed status purposes and have swing beds used for long term care: The hospital arranges transportation for the resident to and from physician or dentist appointments and other activities identified in the resident's care or service plan. **Ⓧ**