Centers for Medicare & Medicaid Services, HHS

§ 456.602 Subpart I—Inspections of Care in Intermediate Care Facilities and Institutions for Mental Diseases

§ 456.600 Purpose.
This subpart prescribes requirements for periodic inspections of care and services intermediate care facilities (ICF’s), and institutions for mental diseases (IMD’s).

§ 456.601 Definitions.
For purposes of this subpart—
Facility means an institution for mental diseases, or an intermediate care facility.
Intermediate care facility includes institutions of the mentally retarded or persons with related conditions but excludes religious nonmedical institutions as defined in § 440.170(b) of this chapter.
Institution for mental diseases includes a mental hospital, a psychiatric facility, and an intermediate care facility that primarily cares for mental patients.
Psychiatric facility includes a facility or program that provides inpatient psychiatric services for individuals under 21, as specified in § 441.151 of this chapter, but does not include psychiatric wards in acute care hospitals.

§ 456.602 Inspection team.
(a) A team, as described in this section and § 456.603 must periodically inspect the care and services provided to recipients in each facility.
(b) Each team conducting periodic inspections must have a least one member who is at physician or registered nurse and other appropriate health and social service personnel.
(c) For an ICF other than an ICF, each team must have a psychiatrist or physician knowledgeable about mental institutions and other appropriate mental health and social service personnel.
(d) For an ICF that primarily cares for mental patients, each team must have at least one member who knows
§ 456.603 Financial interests and employment of team members.

(a) Except as provided in paragraph (b) of this section—
   (1) [Reserved]
   (2) No member of a team that reviews care in an ICF may have a financial interest in or be employed by any ICF.

(b) A member of a team that reviews care in an IMD or an institution for the mentally retarded or persons with related conditions—
   (1) May not have a financial interest in any institution of that same type but may have a financial interest in other facilities or institutions; and
   (2) May not review care in an institution where he is employed but may review care in any other facility or institution.

§ 456.604 Physician team member inspecting care of recipients.

No physician member of a team may inspect the care of a recipient for whom he is the attending physician.

§ 456.605 Number and location of teams.

There must be a sufficient number of teams so located within the State that onsite inspections can be made at appropriate intervals in each facility caring for recipients.

§ 456.606 Frequency of inspections.

The team and the agency must determine, based on the quality of care and services being provided in a facility and the condition of recipients in the facility, at what intervals inspections will be made. However, the team must inspect the care and services provided to each recipient in the facility at least annually.

§ 456.607 Notification before inspection.

No facility may be notified of the time of inspection more than 48 hours before the scheduled arrival of the team.

§ 456.608 Personal contact with and observation of recipients and review of records.

(a) For recipients under age 21 in psychiatric facilities and recipients in ICFs, other than those described in paragraph (b) of this section, the team's inspection must include—
   (1) Personal contact with and observation of each recipient; and
   (2) Review of each recipient's medical record.

(b) For recipients age 65 or older in IMDs, the team's inspection must include—
   (1) Review of each recipient's medical record; and
   (2) If the record does not contain complete reports of periodic assessments required by §441.102 of this subchapter or, if such reports are inadequate, personal contact with and observation of each recipient.

§ 456.609 Determinations by team.

The team must determine in its inspection whether—
(a) The services available in the facility are adequate to—
   (1) Meet the health needs of each recipient, and the rehabilitative and social needs of each recipient in an ICF; and
   (2) Promote his maximum physical, mental, and psychosocial functioning.

(b) It is necessary and desirable for the recipient to remain in the facility;