

L508

(Rev. 210; Issued:02-03-23; Effective:02-03-23; Implementation:02-03-23)

§418.52(b)(4) The hospice must:

- (i) Ensure that all alleged violations involving mistreatment, neglect, or verbal, mental, sexual, and physical abuse, including injuries of unknown source, and misappropriation of patient property by anyone furnishing services on behalf of the hospice, are reported immediately by hospice employees and contracted staff to the hospice administrator;**

Interpretive Guidelines §418.52(b)(4)(i)

All patient complaints and alleged or real violations included in this standard must be reported immediately to the hospice administrator and should be investigated, resolved and documented. The hospice must ensure that all hospice employees and contracted staff are trained on how and when to report allegations involving mistreatment, neglect, or verbal, mental, sexual, and physical abuse by anyone furnishing services on behalf of the hospice. This includes reporting injuries of unknown origin, as well as misappropriation of patient property.

- **“Abuse”** means the willful infliction of injury, unreasonable confinement, intimidation, or punishment with resulting physical harm, pain or mental anguish.
- **“Verbal abuse”** includes the use of oral, written or gestured language that willfully includes disparaging and derogatory terms to patients or their families, or within their hearing distance, regardless of their age, ability to comprehend, or disability.
- **“Mental abuse”** includes, but is not limited to, humiliation, harassment, and threats of punishment or deprivation.
- **“Sexual abuse”** includes, but is not limited to, sexual harassment, sexual coercion, or sexual assault.
- **“Physical abuse”** includes, but is not limited to, hitting, slapping, pinching and kicking. It also includes controlling behavior through corporal punishment.
- **“Neglect”** means failure to provide goods and services necessary to avoid physical harm or mental anguish.
- **“Misappropriation of patient property”** means the deliberate misplacement, exploitation, or wrongful, temporary or permanent use of a patient’s belongings or money without the patient’s consent.
- **“Injuries of unknown source”** – An injury should be classified as an “injury of unknown source” when both of the following conditions are met:
 1. The source of the injury was not observed by any person or the source of the injury could not be explained by the patient; and
 2. The injury is suspicious because of the extent of the injury or the location of the injury (e.g., the injury is located in an area not generally vulnerable

to trauma) or the number of injuries observed at one particular point in time or the incidence of injuries over time.

- **“Immediately”** means as soon as possible, but not to exceed 24 hours after discovery of the incident, in the absence of a shorter State time frame requirement.
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