

What Would You Do
Non-Long Term Care Learning Activity

Item	Description
Objective:	Given a set of situational examples, the surveyor will identify the primary roles and best course of action for each scenario while conducting a survey in a non-long term care facility.
Prior to Class:	Print one copy of the Preceptor Instructor Sheet (with answers) and one copy of each of the three Conflict of Interest Scenarios. (There will be two different scenarios for each team.)
Total Time for Activity:	60 minutes* (*Activity times are highly dependent on class size and dynamics. The time given is approximate.)
Set-Up:	After dividing the class into three groups, distribute a copy of the designated set of scenarios to each team. Tell them they will have 30 minutes to read and discuss their two scenarios. They should select someone to take notes and be prepared to report back to the class.

Step:	Preceptor Instructions:	Activity Time:
1.	Divide the class into groups and distribute an equal amount of the scenarios to each group. (Alternative: work through all scenarios as a group.)	5 min.
2.	Each group should select someone to take notes and be prepared to report back to class. Groups must answer the two questions: What is the potential conflict? What would you do and why?	5 min.
3.	Give the teams time to read and discuss the scenario.	25 min.
4.	As the groups are completing this task, walk around the room and listen to the conversations. Provide direction where appropriate.	
5.	After 20 minutes, warn the class that there are only five minutes left before it will be time to discuss solutions.	5 min
6.	Debrief each scenario by discussing key points contained in the Preceptor Answer Sheet.	25 min.

Surveyor:

Date:

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What Would You Do?

Team A

Directions: For each of the following scenarios please answer the following questions in the space provided:

1. What is the potential conflict?
2. What would you do or say and why?

Note that there may be more than one problem in a scenario.

Scenario 1

You are in a facility and a member of the facility administration engages you in conversation regarding staffing. She shares some of the difficulties health-care facilities have in recruiting and retaining staff. She then gives you her card on which she writes “RNs needed” and her name on the back. She puts the card down as she leaves the room saying, “Please give this to any nurses you might know who need a job.”

Scenario 2

You are in a facility conference room reviewing a record. You are on the phone with your supervisor updating her on when the team thinks it will exit. A staff person enters the room during the conversation, stating, “The administrator would like to take you to lunch.” You are about done and end the conversation by saying, “Great! After we leave here, I will stop at the office to complete the pre-survey preparation for XYZ facility so we’ll be ready for entrance tomorrow.”

Surveyor:

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What Would You Do?

Team B

Directions: For each of the following scenarios please answer the following questions in the space provided.

1. What is the potential conflict?
2. What would you do and why?

Note that there may be more than one problem in a scenario.

Scenario 3a

You are in a facility. A patient/resident/client is deteriorating. You are observing. Staff does not seem to know what to do about the person's declining blood pressure and respiratory status. A supervisor visits the floor and the staff asks her to evaluate. She immediately instructs the staff on appropriate emergency measures and calls the doctor.

Scenario 3b

You are in a facility. A patient/resident/client is deteriorating. You are observing. Staff does not seem to know what to do about the person's declining blood pressure and respiratory status. The nurse goes to the phone and pages the doctor. You observe the patient start to have gasping respirations, but the nurse cannot see this from her location and no other staff is there.

Scenario 3c

You are in a facility. A patient/resident/client is deteriorating. You are observing. Staff does not seem to know what to do about the person's declining blood pressure and respiratory status. When the person stops breathing, staff grabs the Ambu Bag and places the mask incorrectly. They do not position the head correctly or obtain a seal with the Ambu Bag. No one has called the emergency resuscitation code or gotten the code cart.

Surveyor:

Date:

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What Would You Do?

Team B (continued)

Scenario 4

You walk in to complete a complaint survey. When the Director of Nursing is introduced, you discover that she was your supervisor in your previous job four years ago. You and she had a good relationship at that time. You do not think there will be any problem being objective in completing the survey. She invites you out for dinner that evening to talk over old times.

Surveyor:

Date:

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Team C

Directions: For each of the following scenarios please answer the following questions in the space provided.

1. What is the potential conflict?
2. What would you do and why?

Note that there may be more than one problem in a scenario.

Scenario 5

Facility staff is frustrated regarding a particular CMS requirement. They ask you to explain the requirement, which you do. They then ask you for input on how they can meet the requirements and what suggestions you would make to help them achieve compliance.

Scenario 6

You are on a full hospital survey. When looking at a medical record, you discover it is one of your neighbors. As a team member, what would you do and why?

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What Would You Do?

_Preceptor Instructor Sheet

Directions: For each of the following scenarios please answer the following questions in the space provided.

1. What is the potential conflict?
2. What would you do or say and why?

Note that there may be more than one problem in a scenario.

Scenario 1

You are in a facility and a member of the facility administration engages you in conversation regarding staffing. She shares some of the difficulties health care facilities have in recruiting and retaining staff. She then gives you her card on which she writes “RNs needed” and her name on the back. She puts the card down as she leaves the room saying, “Please give this to any nurses you might know who need a job.”

Potential conflict: If you give out that card to friends or co-workers, it suggests a relationship between the facility and you in your capacity as a CMS Surveyor. You must avoid any affiliations or investments that might be a conflict of interest or could reasonably give the appearance of a conflict of interest.

What to do? Do not pick up the card. Tell the administrator, “Thank you,” but that you cannot help with any recruitment activities. Ask for another card that you could keep in case you need to contact her about the survey.

Scenario 2

You are in a facility conference room reviewing a record. You are on the phone with your supervisor updating her on when the team thinks it will exit. A staff person enters the room during the conversation, stating, “The administrator would like to take you to lunch.” You are about done and end the conversation by saying, “Great! After we leave here I will stop at the office to complete the pre-survey preparation for XYZ facility so we’ll be ready for entrance tomorrow.”

Potential conflict: surveys should be unannounced; inappropriate staff relationship. What to do? Greet the staff member by name; politely decline the luncheon invitation or say, “I will be happy to attend as long as everyone is paying their own bill.” When you are alone, call your supervisor back and tell her the current facility staff overheard the phone conversation and are now aware of the next survey. (Note to preceptor: Emphasize the importance of being proactive here. The

Citation: State Operations Manual (SOM), Chapter 7- 7202 Conflicts of Interest

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Citation: Introduction to Surveying for Non-Long Term Care Course; Module 2, Lesson 5
Program Background

Provider Type: NLTC

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surveyor should not get into trouble as long as he or she discloses this information immediately. If this was discovered retroactively, it is possible that, depending on the state's laws and regulations, there could be disciplinary action for the surveyor.)

Scenario 3a

You are in a facility. A patient/resident is deteriorating. You are observing. Staff does not seem to know what to do about the person's declining blood pressure and respiratory status. A supervisor visits the floor and the staff asks her to evaluate. She immediately instructs the staff on appropriate emergency measures and calls the doctor.

Potential conflict: consulting role vs. surveyor role; nursing license

What to do? Continue to observe. After the event, ask staff to describe their training in emergency measures. Ask the nursing management how staff learning needs are identified and how competencies are addressed. You may also want to find out the credentials of the staff that were present.

Scenario 3b

You are in a facility. A patient/resident is deteriorating. You are observing. Staff does not seem to know what to do about the person's declining blood pressure and respiratory status. The nurse goes to the phone and pages the doctor. You observe the patient start to have gasping respirations, but the nurse cannot see this from her location and no other staff is there.

Potential conflict: consulting role vs. surveyor role; nursing license

What to Do: Immediately call the nurse and tell her the patient is in respiratory distress. Continue to observe.

Scenario 3c

You are in a facility. A patient/resident is deteriorating. You are observing. Staff does not seem to know what to do about the person's declining blood pressure and respiratory status. When the person stops breathing, staff grabs the Ambu Bag and places the mask incorrectly. They do not position the head correctly or obtain a seal with the Ambu Bag. No one has called the emergency resuscitation code or gotten the code cart.

Potential conflict: consulting role vs. surveyor role; nursing license

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This is now a life and death situation for this patient/resident and, as a health-care professional, you need to intervene. Intervene by instructing staff to call a code (or call 911 in an ambulatory setting). This is one of the few situations where it would be alright to instruct the staff. (Notes to preceptor: “Ask staff what their procedure is” scenario.)

Scenario 4

You walk in to complete a complaint survey. When the Director of Nursing is introduced, you discover that she was your supervisor in your previous job four years ago. You and she had a good relationship at that time. You do not think there will be any problem being objective in completing the survey. She invites you out for dinner that evening to talk over old times.

Potential conflict: conflict of interest as you have a relationship with the DON

What to do? 1) Notify your Team Leader/supervisor. 2) Decline the dinner invitation. (Notes to preceptor: The new surveyor does have the obligation to tell the Team Leader/supervisor if this is just someone you worked with a few years ago, or if there was a closer relationship. If the person was your supervisor previously, would there be any basis for this person to allege that you were biased against the facility because of the prior working relationship? Discuss that if you go to dinner, it may imply that there is an inappropriate relationship that compromises the objectivity of your survey.

Scenario 5

Facility staff is frustrated regarding a particular CMS requirement. They ask you to explain the requirement, which you do. They then ask you for input on how they can meet the requirements and what suggestions you would make to help them achieve compliance.

Potential Conflict: Consulting vs. surveyor role

What to do?: Explain that in your role as surveyor you can only discuss the regulations and the survey process, but not suggest solutions, adding that often internal problem-solving staff sessions can offer the best solutions. You can also direct them to other publicly available resources, i.e., an applicable web site.

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Scenario 6

You are on a full hospital survey. When looking at a medical record you discover it is one of your neighbors.

Potential conflict: confidentiality in both cases

What to do: Turn the file over to another team member. Let the team coordinator know that this is someone you know and you cannot complete the review.