NAC 449.74489  Physical or chemical restraint of patients. (NRS 449.037)

1. A facility for skilled nursing shall not use physical or chemical restraints on a patient to discipline the patient or for the convenience of members of the staff.

2. Physical or chemical restraints may be used only if required to treat a patient’s medical symptoms.

3. As used in this section:
   (a) “Chemical restraints” means a psychopharmacologic drug that is not required to treat the medical symptoms of a patient, but is used to discipline a patient or for the convenience of members of the staff of a facility for skilled nursing.
   (b) “Physical restraints” means any manual method or physical or mechanical device, material or equipment attached or adjacent to a patient’s body that cannot be removed easily by the patient and restricts the freedom of movement of the patient or normal access to the patient’s body.

(Added to NAC by Bd. of Health by R051-99, eff. 9-27-99)

NAC 449.74491  Prohibition of certain practices regarding patients; investigation of certain violations and injuries to patients; unfit employees. (NRS 449.037)

1. A facility for skilled nursing shall adopt and carry out written policies and procedures that prohibit:
   (a) The mistreatment and neglect of the patients in the facility;
   (b) The verbal, sexual, physical and mental abuse of the patients in the facility;
   (c) Corporal punishment and involuntary seclusion; and
   (d) The misappropriation of the property of the patients in the facility.

2. A facility for skilled nursing shall adopt procedures which ensure that all alleged violations of the policies adopted pursuant to subsection 1 and injuries to patients of unknown origin are reported immediately to the administrator of the facility, to the Bureau and to other officials in accordance with state law, and are thoroughly investigated. The procedures must ensure that further violations are prevented while the investigation is being conducted.

3. The results of any investigation must be reported:
   (a) To the administrator of the facility or his designated representative and to the Bureau within 5 working days after the alleged violation is reported.
   (b) In the manner prescribed in NRS 200.5093 and 432B.220 and chapter 433 of NRS. The administrator of the facility shall take appropriate action to correct any violation.

4. A facility for skilled nursing:
   (a) Shall not employ a person if:
(1) He has been convicted of abusing, neglecting or mistreating a patient; or
(2) A finding that he has abused, neglected, mistreated or misappropriated the property of a patient has been entered in the state nursing assistants registry maintained by the State Board of Nursing.

(b) Shall report to the State Board of Nursing, the Bureau or another appropriate occupational licensing board any judicial action taken against an employee or former employee of the facility which would indicate that the employee is unfit to be employed as a member of the staff of a facility for skilled nursing.

(Added to NAC by Bd. of Health by R051-99, eff. 9-27-99)