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California Department of Public Health



ARNOLD SCHWARZENEGGER
Governor

September 28, 2007

AFL 07-25

TO: **ALL LONG TERM CARE HEALTH FACILITIES**

SUBJECT: **CLARIFICATION OF TERMS USED IN THE DEFINITION OF PHYSICAL RESTRAINTS AS APPLIED TO THE REQUIREMENTS FOR LONG TERM CARE FACILITIES**

The purpose of this letter is to remind facilities of the clarification of the terms used in the definition of physical restraints as contained in the attached Centers for Medicare & Medicaid Services (CMS), S&C 07-22 letter dated June 22, 2007.

CMS is committed to reducing unnecessary physical restraint use in nursing homes and ensuring residents are free of physical restraints unless permitted by regulation. Proper interpretation of the definition of physical restraint is necessary in order to understand whether or not facilities are accurately assessing devices as physical restraints and meeting the federal requirement for restraint use.

Title 42 of the Code of Federal Regulations (CFR) Section 483.13(a) provides that “the resident has the right to be free from any physical or chemical restraints imposed for discipline or convenience, and not required to treat the resident’s medical symptoms.”

CMS defines “physical restraints” in the State Operations Manual (SOM), Appendix PP as “any manual method or physical or mechanical device, material, or equipment attached or adjacent to the resident’s body that the individual cannot remove easily which restricts freedom of movement or normal access to one’s body.”

For this reason, CMS has issued S&C 07-22 which provides clarification to the following phrases and terms related to physical restraints.

“Freedom of Movement” means any change in place or position for the body or any part of the body that the person is physically able to control.

“Remove Easily” means that the manual method, device, material, or equipment can be removed intentionally by the resident in the same manner as it was applied by the staff (e.g., siderails are put down, not climbed over; buckles are intentionally unbuckled;

ties or knots are intentionally untied; etc.) considering the resident's physical condition and ability to accomplish objective (e.g., transfer to a chair, get to the bathroom in time).

The definition of "**Medical Symptom**" has not changed. It is defined as an indication or characteristic of a physical or psychological condition. S&C 07-22 provides additional clarification for medical symptom.

Physical restraints have a limited role in medical care. Physical restraints limit mobility and increase the risk for a number of adverse outcomes. Physical restraints do not eliminate falls and in some instances reducing the use of physical restrains may decrease the risk of falling.

If you have any questions regarding this letter, please contact your local Licensing and Certification district office.

Sincerely,

Original Signed by Pamela Dickfoss for Kathleen Billingsley, R.N.

Kathleen Billingsley, R.N.
Deputy Director
Center for Healthcare Quality