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| **Resident Possession and Use of Illegal Substances** |
| *Date Implemented:* |  | *Date Reviewed/ Revised:* |  | *Reviewed/ Revised By:* |  |

**Policy:**

It is the policy of this facility to uphold the resident’s right to retain and use personal possessions, unless to do so would infringe upon the rights or health and safety of other residents. The possession and use of illegal substances by residents will not be tolerated.

**Policy Explanation and Compliance Guidelines:**

1. Facility staff will have knowledge of signs, symptoms, and triggers of possible illegal substance use, which includes but is not limited to:
	1. Changes in resident behavior
	2. Increased, unexplained drowsiness
	3. Lack of coordination
	4. Slurred speech
	5. Mood changes
	6. Loss of consciousness
2. If the facility determines through observation that a resident may have access to illegal substances that they brought into the facility or secured from an outside source, the facility will not act as an arm of law enforcement. In accordance with state laws, a referral will be made to local law enforcement.
3. To protect the health and safety of residents, the facility will provide additional monitoring and supervision, which includes denying access or providing supervised visitation to individuals who have a history of bringing illegal substances into the facility.
4. If facility staff identifies items or substances that pose risks to residents’ health and safety and are in plain view, they will confiscate them.
5. Facility staff will not conduct searches of a resident or their personal belongings, unless the resident or resident representative agrees to a voluntary search and understands the reason for the search.

**References:**

Centers for Medicare & Medicaid Services. *State Operations Manual, Appendix PP: Guidance to Surveyors for Long Term Care Facilities* (October 2022) F557: Respect, Dignity/Right to Have Personal Property.

Centers for Medicare & Medicaid Services. *State Operations Manual, Appendix PP: Guidance to Surveyors for Long Term Care Facilities* (October 2022) F563: Right to Receive/Deny Visitors.