

Administration for Community Living/Administration on Aging- Office of Long-Term Care Ombudsman Programs

National Ombudsman Reporting System (NORS)

OMB Control Number 0985-XXXX

Table 2: Complaint codes and definitions

Expiration Date: XX/XX/XXXX

Complaint: an expression of dissatisfaction or concern brought to, or initiated by, the Ombudsman program which requires Ombudsman program investigation and resolution on behalf of one or more residents of a long-term care facility.

Abuse, Gross Neglect, Exploitation (Code A)

Use this section for serious complaints of willful mistreatment of residents by facility staff, resident representative/ family/friend, other residents or an outside individual. Indicate who appears to be the cause of the abuse, neglect or exploitation: (1) Facility staff, (2) another resident (3) resident representative, family, friend or (4) other.

| Label | Code | Definition | Examples and Reporting Tips |
|-----------------|------|--|--|
| Abuse: physical | A01 | The intentional use of physical force that results in acute or chronic illness, bodily injury, physical pain, functional impairment, distress, or death. | Includes hitting, slapping, and pinching, kicking, etc. and/or controlling behavior through corporal punishment. |
| Abuse: sexual | A02 | Forced and/or unwanted sexual interaction (touching and non-touching acts) of any kind. | Includes, but not limited to unwanted or inappropriate touching, sexual coercion, sexually explicit photographing, and sexual harassment. Sexual harassment includes any form of unwanted sexual attention (e.g., sexual advances, suggestions, requests or threats) that is deemed inappropriate, offensive, intimidating or humiliating. Harassment includes contact and non-contact acts. |

| Label | Code | Definition | Examples and Reporting Tips |
|------------------------|------|--|--|
| Abuse: psychological | A03 | The infliction of anguish, pain, or distress through verbal or nonverbal acts. This includes but is not limited to verbal assaults, insults, threats, intimidation, humiliation, and harassment. | <p>Includes, but is not limited to: oral, written or gestured language that willfully includes disparaging and derogatory terms used against residents regardless of their ability to comprehend; humiliation; bullying; harassment; threats of punishment or deprivation; and involuntary seclusion, which is the separation of a resident from other residents or from his/her room against the resident's will.</p> <p>It also includes abuse that is facilitated or caused by the taking or using photographs or recordings in any manner that would demean or humiliate a resident; posting these photos on social media networks, or sending these photos through multimedia messages.</p> <p>Use D03 (Dignity and respect) for less severe forms of staff rudeness or insensitivity.</p> <p>Use F02 (Response to requests for assistance) if staff is unavailable, unresponsive to residents.</p> |
| Financial exploitation | A04 | The illegal or improper use of an individual's funds, property, or assets for another person's profit or advantage. | Includes, but is not limited to, depriving a resident of rightful access to, information about, or use of personal benefits, resources, personal needs allowance, belongings, or assets. |

| Label | Code | Definition | Examples and Reporting Tips |
|---------------|------|---|--|
| Gross neglect | A05 | Failure to protect a resident from harm or the failure to meet needs for essential medical care, nutrition, hydration, hygiene, clothing, basic activities of daily living or shelter, which results in a serious risk of compromised health and/or safety, relative to age, health status, and cultural norms. | Use the appropriate categories under Resident Care (F) or, in some cases, Facility Policies, Practices and Procedures(J) and for similar complaints but gross neglect is not clearly indicated. |

Access to Information (Code B)

Use this category for complaints against the facility regarding access to information made by or on behalf of the resident. Use for willful interference with ombudsman duties.

| Label | Code | Definition | Examples and Reporting Tips |
|-------------------------------------|------|---|---|
| Access to information and records | B01 | Access to information or access to resident records is denied or delayed. | <p>Examples of records include medical, financial and similar documents. Access to information includes public benefits, or any information regarding medical condition, advance directives or treatment.</p> <p>Includes access to the administrative records, policies, and documents, to which the residents have, or the general public has access, of long-term care facilities.</p> |
| Language and communication barriers | B02 | Information (written, verbal or other formats) is not provided in a language or format that the resident can understand; facility does not provide an interpreter. Language barrier on the part of facility staff making it difficult for the resident to understand and communicate with a staff person, and similar complaints. | Use when the resident is not provided with auxiliary aids and services. |
| Willful interference | B03 | Actions or inactions taken by an individual or entity in an attempt to intentionally prevent, interfere with, or attempt to impede a resident or complainant from accessing the Ombudsman program. | <p>Includes when an employee or other representative of a facility interferes with the Ombudsman program having immediate access to the facility, access to records, or to meet with a resident in person, in private, or by phone.</p> <p>Use B01 (Access to information and records) when the resident is having difficulty accessing records and other information.</p> |

Admission, Transfer, Discharge, Eviction (Code C)

Use this category for complaints against the facility involving issues regarding Admission, Transfer, Discharge and/or Eviction.

| Label | Code | Definition | Examples and Reporting Tips |
|-----------------------|------|--|---|
| Admission | C01 | Resident is admitted to a facility or section of a facility against his or her wishes. The admission agreement or contract is missing or contains illegal provisions. | Use when the facility requires or requests waivers of rights as a condition of admission. Use for violation of Medicaid rules or other improper or illegal provisions such as discrimination in admission based on pay source, sexual orientation, gender identity, or similar issue. |
| Appeal process | C02 | Resident did not receive information on appeal rights, or assistance from facility staff to file an appeal. The facility failed to follow appeal ruling and similar problems. | Use when facility fails to inform resident of appeal rights under Medicaid, Medicare, managed care or other. |
| Discharge or eviction | C03 | Resident received a discharge notice and does not want to leave. Resident was transferred or discharged without notice or due process; resident was transferred to the hospital and not advised of bed hold policy, or was not readmitted post hospitalization and similar problems. | Use when facility fails to provide a written discharge notice; notice is incomplete or incorrect; if the transfer or discharge is for inappropriate reasons; or to an inappropriate environment. |
| Room issues | C04 | Resident requests a room change and the request is denied or resident objects to planned room change; there is no notice or inadequate notice of change. | Use for issues with room assignments, forced room changes or intra-facility transfers; complaints involving roommate choice; and similar problems. |

Autonomy, Choice, Rights (Code D)

Use this category for complaints involving facility staff failure to honor and promote a resident's right or preferences.

| Label | Code | Definition | Examples and Reporting Tips |
|----------------------------------|------|---|--|
| Choice in health care | D01 | Resident is denied the right to choose own physician/pharmacy/hospice or other health care provider. | Use when the resident's preferred care or treatment schedule is not accommodated. Use L02 (Services from outside provider) if the resident is permitted to choose her personal physician but that physician is unavailable. |
| Live in less restrictive setting | D02 | Resident is not offered transition planning services to return to a less restrictive setting; request to return to community is denied, ignored, or inadequately addressed; facility staff prevents the resident from moving from the facility; and similar problems. | Use for nursing home complaints about MDS Section Q (request for information to return to community) and when facility fails to refer resident to the Local Contact Agency for assistance. |
| Dignity and respect | D03 | Resident is treated with rudeness, indifference or insensitivity. | Facility staff fails to knock before entering room, posts signs relating to individual's care and similar problems. Use when interactions are not age-appropriate or person-centered. Use codes A02 (Abuse: sexual) or A03 (Abuse psychological) for inappropriate posts on social media. |

| Label | Code | Definition | Examples and Reporting Tips |
|------------------------|------|---|--|
| Privacy | D04 | Failure to ensure privacy during provision of care or treatment, or in other aspects of life. | <p>Use when facility staff: discloses confidential information; shares resident information in a newsletter or other format without consent; opens resident mail; fails to close doors/privacy curtains when giving personal care; monitors phone calls or e-mails.</p> <p>Use for lack of privacy when meeting with visitors and if couples denied privacy and similar problems.</p> <p>Use code B03 (Willful interference) if a lack of privacy is related to visits from the Ombudsman program.</p> |
| Response to complaints | D05 | Facility staff ignores or trivializes a resident complaint or there is no facility grievance process thereby limiting the resident's ability to resolve a problem directly with the administration. | Use if the grievance procedure is not followed or made known to residents. |
| Retaliation | D06 | Acts of retaliation/revenge by facility staff in response to a complaint to the facility, Ombudsman program, or state survey agency. | <p>Use for threat of discharge, lack of care, requests ignored, call lights unanswered, rough handling, monitoring resident's phone, mail or visits without resident's permission.</p> <p>Use for retaliation in response to actions taken by a resident, family, or another person acting on behalf of a resident. May add additional complaints if resident feels abused, or neglected due to the retaliation.</p> |

| Label | Code | Definition | Examples and Reporting Tips |
|------------------------------|------|--|--|
| Visitors | D07 | Restrictions on a resident's ability to choose who to associate with and when to visit, either in the facility or in the community. | |
| Resident or family council | D08 | Interference with or prevention of the formation of a resident or family council. Staff does not assist in the promotion of councils or exerts too much control; does not respond or follow-up on council requests and similar problems. | |
| Other rights and preferences | D09 | The deprivation of any right, not defined in D1-D8, such as personal liberty or freedom of choice, right of assembly, speech, religious freedom, the right to vote. | Includes cohabitation, smoking/non-smoking, right to refuse care or treatment and other civil rights issues or preferences. Use D4 for complaints involving privacy. |

Financial, Property (Code E)

Use this category for complaints involving facility staff mismanagement of residents' funds and property or billing problems.

| Label | Code | Definition | Examples and Reporting Tips |
|---------------------|------|---|---|
| Billing and charges | E01 | Incorrect or improper billing such as overcharging, raising rates without notice, deposits not refunded, and billing for services or supplies that were not provided, and similar complaints. | Use for billing for items or services that should be covered by Medicaid, Medicare or other insurance. |
| Personal property | E02 | Loss or mismanagement, by the facility, of resident property including resident's money or trust fund. | Use for lost personal items such as laundry, prostheses, dentures, hearing aid, glasses, radio, watch, and cigarettes. Use if the facility staff withholds or damages resident property and similar problems. Use for failing to reimburse resident for lost or damaged items. Use A04 (Financial exploitation) if improper use of property or money is for the benefit of others. |

Care (Code F)

Use this category for any complaint involving facility staff failure to provide care including, poor quality care, planning and delivery.

| Label | Code | Definition | Examples and Reporting Tips |
|-------------------------------------|------|---|---|
| Accidents and falls | F01 | Any unexpected or unintended incident or injury of unknown origin, which may result in injury or illness to a resident. | <p>Example: A resident who self-propels catches a finger in wheelchair spoke and fractures a finger; resident falls while getting out of bed; pinches hand in doorjamb and sustains a skin tear.</p> <p>Use A05 (Gross neglect) if this is a repeated problem which facility staff fail to address.</p> |
| Response to requests for assistance | F02 | Failure to promptly respond to call light or call bell or requests for assistance goes unanswered. | <p>Such as, requests for returning to resident's room, transfers to chair or bed, and similar problems.</p> <p>Use D06 (Retaliation) if slow response in reaction to a resident complaint or actions taken by the resident, family, or other person involved in the resident's care.</p> |
| Care planning | F03 | Facility does not create or follow a person-centered care plan. Care planning does not include the resident or resident representative, or staff disregards or is not informed of the plan. s | <p>Use if the nursing home resident's Specialized Services as indicated by a PASRR level II screen are not included in the care plan.</p> <p>Use if care plans are not scheduled, not enough time allowed at the meeting, or a copy of plan is not provided to the resident, etc.</p> |

| Label | Code | Definition | Examples and Reporting Tips |
|-----------------------------------|------|---|--|
| Medications | F04 | Medication given in error, or not given on time or at all. Medication administration not documented or incorrectly documented. | Medications not secured, incorrect medications including expired; not filled in a timely manner; incorrectly labeled and similar problems. |
| Personal hygiene | F05 | Failure to provide hygiene services such as: not bathed in a timely manner or at all, or is allowed to remain in soiled clothing or incontinent briefs; hands and face not washed; teeth or dentures not cleaned. | Use for lack of nail care and grooming and similar problems Use A05 (Gross neglect) if there is failure to meet essential care. |
| Access to health related services | F06 | Failure to obtain or maintain healthcare services based upon a change in resident's condition, or at the residents' request, or if the service is not obtained in a timely manner and similar complaints. | Services such as podiatry, dental, vision, hearing, mental health, hospice. Use D01 (Choice in health care) if denied choice of medical provider. |
| Symptoms unattended | F07 | Failure to accommodate, identify or provide services related to a change in resident's condition. Use if symptoms are not addressed and care is not provided. | Use for failure to identify and address symptoms such as pain, skin integrity, pressure sores, fever, and infection. Use if resident's health care provider is not notified of changes in resident condition; resident representative is not notified of changes in resident condition. Use for lack of monitoring and care for individuals with nasal gastric tubes and similar. Includes changes in mental health or cognitive changes. Use A05 (Gross neglect) if there is failure to meet essential care that threatens the health, safety or welfare of the resident. |

| Label | Code | Definition | Examples and Reporting Tips |
|--------------------------------|------|--|---|
| Incontinence care | F08 | Failure to provide incontinence care or catheter care in a timely manner as requested, or as directed by the care plan. Not providing necessary bowel and bladder training. | Resident is not assisted to the bathroom or is provided with incontinence briefs or catheters rather than receiving assistance to go to the bathroom (for purposes of staff convenience.) |
| Assistive devices or equipment | F09 | Failure to provide access to assistive devices and similar equipment and supports. Failure to maintain adaptive equipment. | Use if the facility creates barriers in accessing or keeping a service animal. Equipment and devices can include but are not limited to: Hoyer lifts; handrails; grab bars; raised toilet seat; elevators; ambulation aids; wheelchairs; hearing or visual aids and communication devices. |
| Rehabilitation services | F10 | Failure to provide or arrange for rehabilitation therapies or services. The resident is not assisted or encouraged to improve or maintain his or her function or is not assisted or encouraged to ambulate when appropriate. | Services such as physical, occupational and speech therapy; range of motion and exercise programs and similar. |

| Label | Code | Definition | Examples and Reporting Tips |
|--------------------|------|--|--|
| Physical restraint | F 11 | Use of any device, material or equipment attached to or near the resident's body, that cannot be controlled or easily removed by the resident which deliberately prevent or are deliberately intended to prevent free body movement to a position of choice and/or a normal access to their body | <p>Physical restraints include, but are not limited to: leg restraints; arm restraints; hand mitts; soft ties or vests; lap cushions, and lap trays the resident cannot remove easily. Physical restraints include any other device that a resident cannot control or remove without assistance including reclining chairs and improper use of bed rails.</p> <p>Use this code for issues involving the assessment, use and monitoring of physical restraints.</p> |
| Chemical restraint | F 12 | Use of any for discipline or convenience that is not required to treat medical symptoms. | <p>Includes inappropriate use of antipsychotics, anti-anxiety or hypnotic medication.</p> <p>Use this code for issues involving the inappropriate assessment, use or monitoring of chemical restraints.</p> |

Activities, Community Integration and Social Services (Code G)

Use this category for any complaint involving activities, community integration or social services.

| Label | Code | Definition | Examples and Reporting Tips |
|---------------------|------|---|---|
| Activities | G01 | Lack of choice and appropriate activities for each resident; facility fails to consider individualized preferences; variety of activities is limited or not offered; posted activities not conducted; | Use for any complaint related to activities either individual or group. Use D07 (Visitors) if the complaint is about interaction with visitors. |
| Transportation | G02 | Failure to assist resident in obtaining transportation to participate in community, attend health care appointments, and similar complaints. | Use L02 (Services from outside provider) if complaint is about a transportation provider other than the facility. |
| Conflict resolution | G03 | Disagreement between residents where the assistance of the Ombudsman is requested by the residents or facility staff to achieve a resolution. | Use for roommate disagreement over the volume of the TV, visitors in the room, and conflict between residents about a resident council. Use L01 (Resident representative or family conflict) for a resident conflict or disagreement with their resident representative, family or friend. |
| Social services | G04 | Social services are not available or appropriate. Facility staff fail to provide social services to help a resident achieve his or her goals; access supports, etc. | Includes problems with making medical appointments, arranging for escorts to appointments, family support, grief counseling and similar problems. |

Dietary (Code H)

Use this category for complains regarding food service, assistance.

| Label | Code | Definition | Examples and Reporting Tips |
|-----------------------------|------|---|---|
| Food services | H01 | Food quantity, quality, variation, choice, temperature and timing of meals and snacks are substandard or do not meet resident expectations. | Includes posted menu is not served; alternate selections not offered; servings too small; no variety; quality is poor; food has little nutritional value, presentation, utensils not provided and similar complaints. Use I03 (Supplies, storage and furnishings) if there is a shortage of dining supplies |
| Dining and hydration | H02 | Facility staff fails to assist with dining or ensuring adequate hydration and similar complaints. | Includes the facility staff has not provided adaptive equipment for resident to maintain independence in eating, meal set-up, i.e., opening milk cartons, tray not within reach or staff not provide direct assistance; including providing fluid and reminders or assistance to stay hydrated. Use A01 (Abuse: physical) or A05 (Gross neglect) for willful instance of food deprivation. |
| Therapeutic or special diet | H03 | Therapeutic diet is not served as indicated in the care plan or a special request diet or food preferences are not accommodated and similar complaints. | Use when resident has specific dietary preferences, i.e. vegetarian, or dietary requirements based on religious practice or food allergies and similar problems. |

Environment (Code I)

Use this category for complaints involving the physical environment of the facility, including the resident’s space.

| Label | Code | Definition | Examples and Reporting Tips |
|-----------------------------------|------|--|---|
| Environment | 101 | The building environment including the room or water temperature is too hot or cold or ventilation is inadequate. | Use for cigarette smoke or other unpleasant odors; noise; and similar problems. |
| Building structure | 102 | Building interior or exterior is not maintained, or there are building hazards such as poor lighting, building not secure and similar complaints. | Use for complaints about elevator problems or malfunctioning automatic doors. Use for fire safety concerns such as inadequate or non-functioning or expired fire extinguishers, fire alarms, smoke detectors, or other emergency equipment not available and any other building maintenance problem. |
| Supplies, storage and furnishings | 103 | Furnishings in resident rooms or common areas are lacking or in disrepair; inadequate or inaccessible locked storage for valuables. Shortage of supplies such as bed linens, towels, toilet paper, etc. | Use for inadequate dining supplies, utensils, etc. Use if supplies such as linens are in poor condition. Use H01 (Food services) if there is not enough food on hand in the facility. |
| Accessibility | 104 | Complaints regarding building and grounds accessibility. | Inappropriate door handles; electronic door openers not available; sinks and toilets are wrong height, lack grab bars, etc. inaccessible entrances/exits or hallways and similar complaints. |

| Label | Code | Definition | Examples and Reporting Tips |
|--|------|--|---|
| Housekeeping, laundry and pest abatement | 105 | Housekeeping services are inadequate or absent. Resident and common rooms not clean, and linens are not changed. Laundry is not washed. Residents lack clean clothes. Problems with pest control and similar problems. | Pests include: bedbugs; cock roaches; rodents etc. Use E02 (Personal property) for lost laundry. |

Facility Policies, Procedures and Practices (Code J)

Use this category for acts of commission or omission by facility leadership/owners including: administrators, resident managers, etc.

| Label | Code | Definition | Examples and Reporting Tips |
|--------------------------|------|---|---|
| Administrative oversight | J01 | Mismanagement including but not limited to: administrator is absent, unresponsive, inadequately trained or not supervising staff; incomplete, missing or falsified record keeping: background screening not performed; illegal policies/practices and similar complaints. | Use for failure of facility to report or investigate suspected resident abuse, neglect or exploitation to the specified authority. |
| Fiscal management | J02 | Facility lacks fiscal resources that result in: staff shortages, staff alerts of not being paid, lack of food, or supplies, utilities cut off, etc. | Includes problems related to bankruptcy and general insufficient funds to operate. Includes complaints about health care fraud, waste, and abuse. Use I03 (Supplies, storage and furnishings) if there is a shortage of supplies not related to fiscal management problems. Use A04 (Financial exploitation) if the facility is misusing resident funds. |
| Staffing | J03 | Problems with shortage of staff, turn over, over-use of temporary agencies, etc. Use for complaints about the skills or training of staff and similar complaints | Includes all staff, direct care, nursing housekeeping, etc. Use J01 (Administrative oversight) if the administrator is absent or on site infrequently. |

Complaints about an Outside Agency (non-facility) (Code K)

Use this category for complaints involving decisions, policies, actions or inactions by the programs and agencies listed below; including private and public benefits.

| Label | Code | Definition | Examples and Reporting Tips |
|-------------------|------|---|--|
| Regulatory system | K01 | Complaints specific to actions or inactions of the licensing and certification agency or similar regulatory agency. | Complaints regarding access to survey information; response to complaints and survey process; failure to enforce and or sanction facility; closure process, and similar. |
| Medicaid | K02 | Complaints regarding Medicaid eligibility, coverage or other issues related to the Medicaid program. | Use for problems involving implementation of the Pre-Admission Screening and Resident Review (PASRR) requirements of the Nursing Home Reform Act related to individuals with a mental illness, intellectual, or a developmental disability seeking admission to a Medicaid-certified nursing home. Use for denials of Medicaid services. |
| Managed care | K03 | Complaints regarding covered services, denial of services or other issues related to a managed care plan. | Includes problems with coverage areas, enrollment and dis-enrollment, and the grievance and appeals process. |
| Medicare | K04 | Complaints regarding Medicare eligibility, coverage or other issues related to the Medicare program. | Includes complaints about observation status. |

| Label | Code | Definition | Examples and Reporting Tips |
|-------------------|------|---|---|
| Veterans Affairs | K05 | Complaints about eligibility, coverage or other issues related to the Department of Veterans Affairs (DVA.) | |
| Private insurance | K06 | Complaints regarding any private insurance company, covered services, denial of payment, etc. | Includes Long-Term Care insurance, disability insurance, Medicare supplemental and similar types of private insurance |

System: Others (non-facility) (Code L)

| Label | Code | Definition | Examples and Reporting Tips |
|--|------|---|---|
| Resident representative or family conflict | L01 | Resident representative, or family member interferes with the resident's decision making, and preferences related to health, welfare, safety, or rights but does not rise to the level of abuse, gross neglect or exploitation. | Includes complaints regarding resident decision making such as guardianship, conservatorship, durable power of attorney/power of attorney, wills and similar complaints. Use codes A01-A05 for any form of abuse, gross neglect or financial exploitation and for the perpetrator, select code 03 (Family, Resident representative, Friend). |
| Services from outside provider | L02 | Problems with services provided to a resident from an individual or entity not associated with or arranged by the facility. | Use for complaints about services that are typically arranged by the resident or family independent of facility services and may include, companion services, hospice, therapies, transportation and similar problems. Use F06 (Access to health related services) if the facility fails to arrange for services as directed by care plan. |
| Request to transition to community setting | L03 | Barriers to transition to community, inadequate assistance with accessing housing, services and supports not related to facility action or inaction. | Use when the resident requests assistance to remove organizational barriers, including lack of housing, unresponsive local contact agency, and lack of personal care services that prevent or delay a move. Use D02 (Live in less restrictive setting) if the facility is not providing assistance or discharge planning. |