

CLINICAL REGULATORY UPDATE

Phase 3 of the Mega Rule is being implemented October 24, 2022.

Here's a reminder of what your facility needs to know to comply with the pharmacy-related requirements.

Fentanyl Patch Disposal

F-Tag Implication: F755

Facility Compliance:

- State and local laws may restrict flushing of pharmaceuticals, including fentanyl patches.
- Nursing homes may use drug disposal systems if they can show the system minimizes accidental exposure and diversion.
- Ensure fentanyl patches are not disposed of in common areas or resident room trash cans or sharps containers due to potential for accidental exposure or diversion.
- For more info, refer to the [Fentanyl Disposal Did You Know!](#)

Gradual Dose Reduction

F-Tag Implications: F758

Facility Compliance:

- Requirement added to ensure dose reductions occur in modest increments over an adequate period of time to minimize withdrawal symptoms and monitor for symptom recurrence.
- Additional resources on gradual dose reduction can be found [here](#) and [here](#).

Psychosocial Harm Evaluation

F-Tag Implications: F758

Facility Compliance:

- Requires evaluation of resident's side effects of medication, including sedation, lethargy, agitation, mental status changes, or behavior changes that:
 - affect resident abilities to perform activities of daily living or interact with others,
 - cause resident to withdraw or decline usual social patterns,
 - show resident has decreased engagement in activities, and/or
 - cause diminished ability to think or concentrate.

Unnecessary Psychotropic/PRN use

F-Tag Implication: F758

Facility Compliance:

- Guidance for psychotropic medication use has been expanded to include other medications which affect brain activity when documented use appears to be a substitution for another psychotropic medication rather than the original/approved indication.
 - For example, a seizure medication being given to treat agitation when resident has no history of seizures.

Misdiagnosis related to antipsychotics

F-Tag Implication: F758

Facility Compliance:

- Additional language included about potential for misdiagnosis of residents with a condition for which antipsychotics are an approved use, excluding the resident from the long-stay antipsychotic quality measure.

Drug Regimen is Free from Unnecessary Drugs

F-Tag Implications: F757/758

Facility Compliance:

- Note added that directs the survey team to consider whether a facility is compliant with F881, the tag for the Antibiotic Stewardship Program, if the team has found evidence of unnecessary antibiotic use.
 - The unnecessary antibiotic use could indicate that a facility is not implementing part or all of an antibiotic stewardship program.