L.N. 36 of 2020

SOCIAL CARE STANDARDS AUTHORITY ACT (CAP. 582)

Social Regulatory Standards for High Dependency Chronic Care Services for Older Persons Regulations, 2020

IN EXERCISE of the powers conferred by article 30(5) of the Social Care Standards Authority Act, the Minister for the Family, Children's Rights and Social Solidarity, has made the following regulations:

1. The title of these regulations is the Social Regulatory Standards for High Dependency Chronic Care Services for Older Persons Regulations, 2020. Citation.

2. These regulations by means of the Schedule, elevate the Social Regulatory Standards for High Dependency Chronic Care Services for Older Persons, to the status of subsidiary legislation under the Social Care Standards Authority Act. Scope.

3. In these regulations, unless the context otherwise requires: Interpretation.

"Act" means the Social Care Standards Authority Act; Cap. 582.

"Authority" means the Social Care Standards Authority as established by virtue of article 5 of the Social Care Standards Authority Act; Cap. 582.

"challenging behaviour" means behaviour of such an intensity, frequency, or duration exhibited by residents that is triggered by intrinsic or extrinsic factors, and that has the potential to cause physical, emotional and, or psychological harm to the residents themselves or other persons around them. This behaviour is likely to limit or deny access to certain services or facilities without adequate support;

"civil rights" means rights conferred on persons by the laws of Malta;

"competent person" means a person who is recognised as capable and, or authorised to undertake specific activities in line with applicable national legislation, standards or directives issued by the competent authorities;

"facility" means premises that have been purposely built or

adapted to accommodate older persons with high dependency chronic care needs on a long-term basis. The premises have fittings and equipment specifically suited for the holistic provision of the residents' care and well-being;

"high dependency chronic care services" means the provision of medical, functional, psychological, social, environmental and spiritual care services for older persons who require continuous and long-term care for their well-being. Chronic care conditions are multidimensional, interdependent, complex and ongoing and require in-house interdisciplinary health and social care, including in-house specialist medical, nursing, dental, nutritional, pharmaceutical, podiatric and other therapeutic services;

"management" means a person who acts on behalf of the service provider to provide leadership to staff and to oversee and control the proper functioning of the services offered to older persons;

"older person" means a person over the age of sixty who has high dependency chronic care needs that can be holistically managed on a long-term basis by a facility.

"performance indicator" means an active descriptor of what service providers need to do to ensure service outputs that support the quality indicators;

"personal care plan" means a document that is based on a holistic assessment of the resident that specifies how the resident's needs and aspirations are going to be met and also includes the resources required to satisfy the resident's continuous and long-term chronic care needs;

"policies and procedures" mean documents released by management that regulate how the facility should operate;

"quality indicator" means a statement that sets out the requirements to achieve compliance with a standard;

"resident" means an older person who enters into an agreement with a service provider to live in and make use of services offered by the said facility. Residents may nominate persons to be kept informed about the residents' personal affairs and to take decisions or act on the residents' behalf. Such persons cannot be part of the management or staff of the service provider, except in respect of residents' personal financial transactions. Residents may also be assigned a guardian by the Guardianship Board in which case certain decisions are taken by the guardian in accordance to the Civil Code; Cap. 16.

"service provider" means a person, or organisation that provides and operates a facility and associated chronic care services to older persons on a long-term basis;

"staff" means a person engaged by the service provider wherein one of the person's responsibilities is to provide resident support, social and, or health care, irrespective of whether or how the person is compensated.

SCHEDULE
(Regulation 2)

Standard 1: Residents' Rights and Decision Making

Standard Statement:

This Standard promotes rights that ensure residents' dignity and supports residents' decisions and feedback while preventing discrimination.

Quality Indicators:

1. The service provider shall ensure that the residents' privacy is respected and that they are not subjected to unnecessary intrusion.

2. The service provider shall ensure that the residents exercise personal choice and have the opportunity to be socially active.

3. The service provider shall maximise the residents' capacity to exercise personal autonomy and choice.

4. The service provider shall encourage the residents to take part in planning and participate in social and leisure

activities.

5. The service provider shall ensure that when they pass away, residents are treated with dignity, sensitivity and respect, and in accordance to their religious beliefs.

Standard 2: Personal Care Plan

Standard Statement:

This Standard promotes the development, implementation and review of the personal care plan with individual residents to establish the care and support required and to set the objectives to satisfy the residents' needs.

Quality Indicators:

1. The service provider shall ensure that the interdisciplinary group involves the prospective resident in the assessment process and in the formulation and modification of the personal care plan.

2. The service provider shall ensure that the personal care plan includes information on a number of key areas related to the residents' long-term needs.

3. The service provider shall ensure that residents have timely access to identified physical and mental health care services.

4. The service provider shall ensure that residents receive a wholesome, appealing, balanced, varied and adequate diet.

Standard 3: Residents' Health, Social and Personal Care

Standard Statement:

This Standard promotes the holistic nature of services required to sustain the mental, physical and social well-being of residents.

Quality Indicators:

1. The service provider shall ensure that health care services offered by the facility support the well-being of residents.

2. The service provider shall ensure that medication is prescribed, prepared and administered in a documented manner that complies with local legislation and best

practice.

3. The service provider shall encourage residents to actively participate in social and leisure activities.

4. The service provider shall ensure that personal care is provided in a sensitive and dignified manner.

Standard 4: Protection and Safeguarding of Residents

Standard Statement:

This Standard promotes the protection of residents from abuse as well as the safety of residents.

Quality Indicators:

1. The service provider shall ensure that complaints are dealt with promptly, effectively and confidentially, if so requested.

2. The service provider shall ensure that residents are safeguarded from physical, verbal, psychological or sexual abuse.

3. The service provider shall ensure that the location and layout of the facility (including its grounds) is accessible, safe, well-maintained and satisfies residents' needs.

4. The service provider shall ensure that the facility and equipment are kept clean and hygienic.

5. The service provider shall ensure that the residents' financial interests are safeguarded.

Standard 5: Service Provision

Standard Statement:

This Standard promotes formal resident access and use of services that satisfy the exigencies and preferences of the residents.

Quality Indicators:

1. The service provider and residents shall enter into a written agreement covering the conditions and costs of the services and the level of care offered.

2. The service provider shall offer services in key areas to the residents.

Standard 6: Service Quality Management

Standard Statement:

This Standard promotes service management based on continuous improvement of service operations and staff training and development.

Quality Indicators:

1. The service provider shall implement management strategies to continuously improve service delivery to the residents.

2. The service provider shall implement transparent recruitment strategies and plans for the continuous development of staff.

Ippubblikat mid-Dipartiment tal-Informazzjoni (doi.gov.mt) — Valletta — ***Published by the Department of Information (doi.gov.mt) — Valletta***
Mitbugħ fl-Istamperija tal-Gvern fuq karta FSC — ***Printed at the Government Printing Press on FSC certified paper***

Prezz/*Price*
€0.54