

# HOME CARE BRIEFING®

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## Staff Absenteeism: Sound Protocols Help Minimize Costly Disruptions in Care

Continuity of care in home health is essential for both client safety and quality outcomes. Seamless transitions during staff absences require thorough documentation and timely communication, in order to facilitate a mutual understanding of expectations and responsibilities among caregivers, agency staff, and clients and their families. Failing to arrange for another provider to cover assigned services may lead to serious lapses in care, along with claims of negligent endangerment.

Consider the following scenario from a recently publicized national case:

*A 35-year-old man contracted with a home health agency to receive 24/7 care for disabilities related to cerebral palsy, a lower limb amputation and diabetes. The client was unable to walk or maneuver to and from his bed without assistance. He lived in a mobile home with a roommate, who also was disabled and unable to provide any support to the client. A night care aide was scheduled to work a midnight to 6:00 a.m. shift, but notified the agency she could not report to work due to a personal emergency. The agency allegedly failed to provide a replacement aide. During the missed shift, a fire broke out in the mobile home. Unable to transfer himself to his wheelchair and exit the home, the client perished in the fire, along with his roommate. Subsequently, the client's family filed a wrongful death lawsuit against the home health agency, asserting that the presence of a caregiver would have prevented the client's death. The family demanded \$50 million in damages.*

The case served to underscore an alleged pattern of failing to ensure continuous coverage by the agency. Family members testified to the high rate of staff turnover, as well as prior instances when care providers failed to report for their shifts. At the core of the case were conflicting accounts: The family contended that the agency refused to approve extended hours for the care aide who was assigned to the previous shift, while the agency responded that the staff substitution was permitted and offered, but declined by the client.

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There was insufficient documentation clarifying the coverage arrangement for that night. Furthermore, statements made during discovery by agency employees supported both of the contradictory accounts. The lack of a written record that adequately memorialized what transpired regarding coverage arrangements made the case especially difficult to defend. The lawsuit ultimately settled before trial for an undisclosed amount.

### INCREASING CLIENT ACUITY LEVELS AND SERVICE DEMANDS

This claim scenario underscores the vital importance of continuity of care in the home setting. At a time when client acuity is steadily on the rise and growing numbers of aging baby boomers desire to live independently, home health agencies and providers must meet the demand for supportive services without disruption or compromise. In fact, according to the [Occupational Outlook Handbook](#) of the Bureau of Labor Statistics, the employment rate of home health aides is projected to increase by 38 percent during the years 2014 to 2024 – more than any other healthcare occupation – primarily due to the desire of clients to remain in private residences.

## PRACTICE SAFEGUARDS

In the event of staff absenteeism, home health agencies have a duty to secure coverage and communicate provisions for ongoing care to clients and staff. Concerted adherence to the documentation and communication guidelines imparted here can help caregivers improve their availability and efficiency at times of client handoffs, while minimizing liability exposures associated with compromised care.

- **Delineate staff responsibilities regarding absenteeism in a written procedure**, including the agency's provisions for securing staff replacement.
- **Ensure that the written procedure requires staff to report work absences to a supervisor** – preferably 24 hours in advance.
- **Verify with caregivers the protocol for reporting absences and securing staff replacement during new hire orientation**, and reinforce the requirements at annual training sessions thereafter.
- **Maintain a list of designated providers** who are readily available to assist with coverage in the event of an unexpected caregiver absence.
- **Establish protocols that address documentation requirements regarding staff absenteeism**, actions taken to secure replacement and client/family notification.

- **Notify clients and/or family members of any change in staff assignment in advance of the shift**, and document the arrangement in the client record.
- **Document all instances where clients refuse care or decline a replacement caregiver**, including any related discussions. Consider adopting a standard form that requires a client/family signature in the event either replacement staff or care is refused.
- **Conduct periodic audits of client records** to ensure that documentation is consistent and within guidelines regarding the reporting of employee absences, coverage arrangements and client/family notifications.

In order to protect a growing population of clients who live independently despite significant care demands, home health agencies must ensure seamless access to caregivers through timely coverage arrangements. Adherence to the safeguards summarized in this publication can help promote continued client safety and satisfaction.



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