

~~(2) IF APPLICABLE:~~

- ~~(i) THE INTERESTED FAMILY MEMBER OF THE RESIDENT; OR~~
- ~~(ii) THE RESIDENT'S REPRESENTATIVE.~~

~~(C) A NURSING HOME SUBJECT TO THE PROVISIONS OF SUBSECTION (B) OF THIS SECTION SHALL PROVIDE WRITTEN NOTICE OF THE FOLLOWING:~~

- ~~(1) A CHANGE IN THE RESIDENT'S CONDITION;~~
- ~~(2) THE ADVERSE EVENT THAT MAY RESULT IN A CHANGE IN THE RESIDENT'S CONDITION;~~
- ~~(3) THE OUTCOME OF CARE THAT RESULTS IN AN UNANTICIPATED CONSEQUENCE; AND~~
- ~~(4) THE CORRECTIVE ACTION TAKEN, IF ANY.~~

~~(D) A WRITTEN NOTICE REQUIRED UNDER THE PROVISIONS OF THIS SECTION SHALL BE:~~

- ~~(1) CONSISTENT WITH ALL FEDERAL AND STATE CONFIDENTIALITY LAWS; AND~~
- ~~(2) SENT IN A TIMELY MANNER.~~

~~(E) THE SECRETARY MAY, FOR A VIOLATION OF THIS SECTION, IMPOSE AN ADMINISTRATIVE PENALTY UP TO:~~

- ~~(1) \$500 FOR A FIRST VIOLATION; AND~~
- ~~(2) \$1,000 FOR A SUBSEQUENT, REPEATED VIOLATION.~~

(A) IN THIS SECTION, "CHANGE IN CONDITION" MEANS A SIGNIFICANT CHANGE IN THE RESIDENT'S PHYSICAL, MENTAL, OR PSYCHOLOGICAL STATUS INCLUDING:

- (1) LIFE-THREATENING CONDITIONS SUCH AS HEART ATTACK OR STROKE;
- (2) CLINICAL COMPLICATIONS SUCH AS:
 - (I) DEVELOPMENT OF A PRESSURE SORE;
 - (II) ONSET OF RECURRENT PERIODS OF DELIRIUM;
 - (III) ONSET OF RECURRENT URINARY TRACT INFECTION;
 - (IV) ONSET OF DEPRESSION; OR
 - (V) ONSET OF AGGRESSIVE OR INAPPROPRIATE BEHAVIOR;
- (3) THE NEED TO DISCONTINUE A MEDICATION OR TREATMENT BECAUSE OF: