July 21, 2014

Q: Under the Illinois Department of Public Health’s regulations concerning “thermal hazards” and the federal guidance under F323, what are the facility’s responsibilities to the residents with regard to “hot surfaces”?

A: Both the Skilled (300.2920f) and ICFID/DD (350.2720f) Codes requires that *any surfaces* that exceed 140 degrees be properly protected so that residents do not accidentally injure themselves. There are hot surfaces everywhere, including radiators, hot water or steam pipes, baseboard heaters, therapy equipment, cooking surfaces and others. The Code requires that the resident be protected from these hot surfaces, which beyond the obvious and those noted above, could include cushions on patio furniture heated by the sun or requiring residents to wear shoes if walking outside on a hot sidewalk. Pursuant to the interpretive guidelines under federal tag F323, the facility has the responsibility to assess risks to residents and take action to prevent accidents. The question becomes whether the accident is “avoidable” or “unavoidable” and/or whether the hazard is under control of the facility or not. Supervision is also a consideration for problems noted under F323.