

Behavioral Agreements

What are they, and when is it appropriate to use them?

A behavioral agreement, also known as a “behavioral contract” or “healthcare contract,” is a documented understanding between a patient and facility designed to initiate behavior change. Implementation of such an agreement is intended to reduce conflict between a patient and a provider.

A behavioral agreement is generally implemented after facility staff and a patient have discussed the nature of the conflict and explored steps for resolution. The document should incorporate negotiated solutions. Prior to executing a behavioral agreement, dialysis facility staff should:

- Investigate a disruptive and/or abusive incident.
 - Perform a root cause analysis (RCA).
- Notify the Network that a behavioral agreement is being considered.
 - Consult with Network staff and gain support of implementation.
- Review the “Patient Rights and Responsibilities” with the patient.
 - Be clear about behavioral expectations.

Behavioral agreements are not appropriate or necessary in all situations. Inappropriate or poorly crafted agreements can escalate and complicate a situation. If a behavioral agreement is the best way to solve a problem, it must:

- Be implemented for a short, specific length of time.
- Be reviewed by the interdisciplinary team each month.
- Address a behavior that is within the patient’s control.

Remember that **behavioral agreements cannot be used to terminate services to a patient**. See the Conditions for Coverage V766 and V767 regarding the process of involuntary discharge if your facility is considering terminating services to a patient.

All proceedings involved in implementing a behavioral agreement **must be documented** and kept as a permanent part of the patient’s medical record.

Additional resources for decreasing patient-provider conflict can be found on HSAG ESRD Network 17’s website:

www.hsag.com/ESRDNW17-Providers

- Conditions for Coverage
- Decreasing Patient Provider Conflict (DPC)
- Grievance Process
- Involuntary Discharge

