

NURSING HOME COMPLAINT DEFICIENCY REPORT

(Pursuant to Public Act 187 of 2010, Section 718)

May 2012

Bureau of Health Systems



Rick Snyder, Governor
Steven H. Hilfinger, Director

Introduction

Public Act 187 of 2010, Section 718, requires that the department shall report to the legislature on its most frequently cited complaint deficiencies for the prior 3 fiscal years. The department shall determine whether there is an increase in the number of citations from 1 year to the next and assess the cause of the increase, if any, and whether education and training of nursing facility staff or department staff is needed. The department will implement any training indicated by the study. The department shall provide the results of the study to the senate and house appropriations subcommittees on community health and the senate and house fiscal agencies by May 1 of the current fiscal year.

The information provided is based on data for the period October 1, 2008 through September 30, 2011, comprising FY2009, FY2010, and FY2011. Using survey data maintained by the Centers for Medicare & Medicaid Services, the following analysis of federal deficiencies is provided.

In FY2009, the department cited 650 federal deficiencies; in FY2010, the department cited 977 federal deficiencies and in FY2011, the department cited 1,030 federal deficiencies. An analysis concludes that this increase shows the impact of the lessening of the backlog of complaints which leads to more timely investigations, resulting in more investigations being conducted, as well as an increase in the number of complaints received. When comparing the top federal deficiencies cited each fiscal year, the agency found that the top six citations remained in the top totals for each fiscal year, FY2009, FY2010 and FY2011. There is some movement beyond those six, but even those totals reflect little change from year to year. (Attachment A)

Each year, pursuant to MCL 333.20155 in the Public Health Code, the Bureau of Health Systems analyzes the top ten federal deficiencies cited from the previous fiscal year. The agency uses that information to develop programs for the Joint Provider/Surveyor Training (JPST), held biannually, highlighting at least one of the top 10 deficiencies. These trainings are held for nursing home staff and Bureau of Health Systems' surveyors, as mandated by the Public Health Code (MCL 333.20155(2)). The following list enumerates the federal deficiencies presented for clarification during the last three fiscal years:

FY	JPST Sessions	Deficiency
FY2009	Spring	F-314 – Proper treatment to prevent/heal pressure sores
	Fall	F-329 – Drug regimen is free from unnecessary drugs
FY2010	Spring	F-309 – Provide necessary care for highest practical well being
	Fall	F-241 – Dignity
FY2011	Spring	F-281 – Services provided meet professional standards
	Fall	F-226 – Policies, procedures prohibit abuse, neglect

Further, as directed by the Public Health Code, the Bureau of Health Systems compares the top ten complaint and standard survey deficiencies cited in Michigan, with those cited in our geographical region – Region V, as well as nationally. The analysis we provide the administration and the legislature speaks specifically to any trends within the state, region and nation, explaining any deficiencies where we appear to be an outlier. This annual legislative boilerplate report, *Citation Review Protocol*, is forwarded in November.

Most Frequently Cited Federal Deficiencies Complaint Surveys

FY09	FY10	FY11
F-323 – Facility is free of accident hazards	F-323 – Facility is free of accident hazards	F-323 – Facility is free of accident hazards
F-225 – Not employ persons guilty of abuse	F-309 – Provide necessary care for highest practical well being	F-225 – Not employ persons guilty of abuse
F-309 – Provide necessary care for highest practical well being	F-223 – Residents' right to be free from abuse	F-281 – Services provided meet professional standards
F-281 – Services provided meet professional standards	F-281 – Services provided meet professional standards	F-309 – Provide necessary care for highest practical well being
F-241 – Dignity	F-225 – Not employ persons guilty of abuse	F-223 – Residents' right to be free from abuse
F-223 – Residents' right to be free from abuse	F-241 – Dignity	F-241 – Dignity
F-157 – Inform of accidents, significant changes, transfers	F-157 – Inform of accidents, significant changes, transfers	F-333 – Residents free from significant medical errors
F-314 – Proper care to prevent/heal pressure sores	F-333 – Residents free from significant medical errors	F-226 – Policies, procedures prohibit abuse, Neglect
F-246 – Accommodations of needs	F-226 – Policies, procedures prohibit abuse, Neglect	F-224 – Facility prohibits abuse, neglect
F-226 – Policies, procedures prohibit abuse, neglect	F-314 – Proper care to prevent/heal pressure sores	F-157 – Inform of accidents, significant changes, transfers

Source: Centers for Medicare & Medicaid Services