JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF CONSUMER & INDUSTRY SERVICES
LANSING

DAVID C. HOLLISTER
DIRECTOR

October 29, 2003

The Honorable Valde Garcia, Chair
House of Consumer & Industry Services Subcommittee
Michigan State Senate
P.O. Box 30036
Lansing, Michigan 48909

Dear Senator Garcia:

Pursuant to Section 318 of P.A. 167 of 2003, enclosed is the annual report on the status of Nursing Home Complaint Investigation Backlog in the state as prepared by the Department of Consumer and Industry Services.

These reports, and this notification, will be posted to our web site within 48 hours, under "Inside CIS" at the following address: http://www.michigan/gov/cis/.

If you have any questions regarding this information, please feel free to contact me at 335-1976.

Sincerely,

Allan R. Pohl

Allan R. Pohl
Acting Director, Finance and Administrative Services

ARP:rct

cc: Senate Consumer and Industry Services Subcommittee Members
Robert Swanson
Mary Lannoye
Dean Kimmith
Maria Tyszkiewicz
Brian Keisling

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DAVID C. HOLLISTER
DIRECTOR

October 29, 2003

The Honorable Marc Shulman, Chair
House Consumer & Industry Services Subcommittee
Michigan House of Representatives
P.O. Box 30014
Lansing, Michigan 48909

Dear Representative Shulman:

Pursuant to Section 318 of P.A. 167 of 2003, enclosed is the annual report on the status of Nursing Home Complaint Investigation Backlog in the state as prepared by the Department of Consumer and Industry Services.

These reports, and this notification, will be posted to our web site within 48 hours, under "Inside CIS" at the following address: http://www.michigan/gov/cis/.

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cc: House Consumer & Industry Services Subcommittee Members
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Dean Kimmith
Steve Stauff
Brian Keisling

COMPLAINT BACKLOG REPORT

Bureau of Health Systems
Michigan Department of Consumer & Industry Services

Serving Michigan... Serving You

NURSING HOME COMPLAINT INVESTIGATION BACKLOG
As of October 31, 2003

Introduction

Section 318 of PA 167 of 2003, requires the department to report to the state budget office, the legislature, and the fiscal agencies the status of the nursing home complaint investigation backlog. Complaints are considered backlogged if not investigated within 30 days of receipt of a complaint.

Background

During Fiscal Year 2003, the Bureau of Health Systems received 1,361 complaints against nursing homes. The complaints consisted of 2,948 allegations. The Bureau of Health Systems' Complaint Investigation Unit conducted 1,222 on-site investigations, and 314 compliance revisits. The department resolved 42 complaints administratively. The Complaint Team investigated immediate jeopardy abuse and neglect allegations within 24 hours. Investigations of other complaints were initiated within our complaint investigation timeframes.

Data compiled by the Department indicates complaints filed by the public against nursing homes and hospital long term care units decreased by 9.1% in FY 03, as did facility reported incidents – decreasing by 2.8% in FY03. In FY03, the number of complaints and facility reported incidents alleging harm increased significantly (687) from FY02 (364).

Complaint Investigation Timeframes

Complaints involving serious injury, death, alleged abuse or situations of immediate jeopardy are responded to within 24 hours. Complaints alleging non-serious harm are to be investigated within 10 days of receipt. Investigation of all other non-urgent complaints is initiated within 15 days. Findings are issued within 30 days of receipt of a complaint. These investigation timeframes have been incorporated into performance and are monitored on a monthly basis.

Program Improvements

On September 2, 2003, the Complaint Investigation Unit initiated the electronic transmission of investigation reports to the facilities. This will ensure timely mailing of findings for those facilities and complainants who have the capability of receiving this report via the Internet. An on-line complaint filing system for the public was implemented October 1, 2003.

Complaint Investigation Unit staff training covering report-writing, documentation and investigative skills in FY03 continues to improve the quality and timeliness of the investigation process.

In October 2002 the Department conducted training for nursing care facilities on complaint resolution techniques, as a follow-up session to the March 2002 joint provider-surveyor training on the PA 11 of 2002 facility complaint process requirements. The March 2002 training covered the requirement to have someone designated to accept and initiate facility complaint investigations on a 24/7 basis, as well as the distribution of a model resident complaint form for facilities to use.

The Complaint and Facility Reported Incidents Manual was reorganized and revised in July 2002 to reflect updated regulatory information, include complaint protocol changes, and clarify existing information. All investigative staff and supervisors received copies. On October 9, 2002 copies were also sent to nursing homes and hospitals that have long term care units.

Staff

A second Survey Monitor was appointed for the Complaint Investigation Unit in October 2002, to help manage the Investigation Team and review over 1,000 findings' reports issued each year. There are currently 11 complaint surveyors (of 14 authorized) to investigate approximately 1,500 complaints and conduct 400 compliance revisits.

Conclusion

For FY03, complaints alleging immediate jeopardy were investigated within 24 hours; 31% of complaints alleging harm were completed within 10 days. The balance was completed as close to 10 days as possible. Findings of complaint investigations were issued within 30 days. Investigations of non-urgent complaints were initiated within 15 days.