

NURSING HOME COMPLAINT STUDY

(FY2009 Appropriation Bill - Public Act 246 of 2008)

May 1, 2009

Section 718: The department shall gather information 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.

*Michigan Department
of Community Health*



Jennifer M. Granholm, Governor
Janet Olszewski, Director

NURSING HOME COMPLAINT DEFICIENCY REPORT

(Pursuant to Section 718 of Public Act 246 of 2008)

May 2009

Bureau of Health Systems

*Michigan Department
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Introduction

The information provided is based on data for the period October 1, 2005 through September 30, 2008, comprising FY2006, FY2007, and FY2008. Using survey data maintained by the Centers for Medicare & Medicaid Services, the following analysis of federal deficiencies is provided.

In FY2006, the department cited 602 federal deficiencies; in FY2007, the department cited 601 federal deficiencies; and in FY2008, the department cited 607 federal deficiencies. When comparing the top federal deficiencies cited each fiscal year, the agency found that the top seven citations remained in the top totals for each fiscal year, FY2006, FY2007 and FY2008. There is some movement beyond those seven, 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
FY2007	Spring	F-281 – Services provided meet professional standards
	Fall	F-323 – Facility is free of accident hazards
FY2008	Spring	F-371 – Store/prepare/distribute food under sanitary conditions
	Fall	F-309 – Provide necessary care for highest practical well being
FY2009	Spring	F-314 – Proper treatment to prevent/heal pressure sores
	Fall	F-329 – Drug regimen is free from unnecessary drugs

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

FY2006

F-223 – Residents' right to be free from abuse

F-323 – Facility is free of accident hazards

F-309 – Provide necessary care for highest practical well being

F-225 – Not employ persons guilty of abuse

F-281 – Services provided meet professional standards

F-157 – Inform of accidents, significant changes, transfers

F-241 – Dignity

F-425 – Facility provides drugs & biologicals

F-224 – Facility prohibits abuse, neglect

F-328 – Proper treatment/care for special care

Source: Centers for Medicare & Medicaid Services

FY2007

F-323 – Facility is free of accident hazards

F-223 – Residents' right to be free from abuse

F-309 – Provide necessary care for highest practical well being

F-225 – Not employ persons guilty of abuse

F-281 – Services provided meet professional standards

F-241 – Dignity

F-157 – Inform of accidents, significant changes, transfers

F-314 – Proper care to prevent/heal pressure sores

F-246 – Accommodation of needs

F-279 – Develop comprehensive care plans

FY2008

F-323 – Facility is free of accident hazards

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-225 – Not employ persons guilty of abuse

F-241 – Dignity

F-157 – Inform of accidents, significant changes, transfers

F-333 – Residents free from medication significant errors

F-246 – Accommodations of needs

F-226 – Policies, procedures prohibit abuse, neglect