

Nursing Home Complaint & Deficiencies Report

(Pursuant to Section 506 (1) (2) of PA 252 of 2014)

April 1, 2015

Prepared by

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Executive Summary:

Pursuant to Public Act 252 of 2014, this report has been prepared and issued electronically to the House and Senate appropriations subcommittees, House and Senate Fiscal Agencies, and the state budget director to meet the April 1 reporting requirement. In addition, this report may also be found online under the following locations:

- The Bureau of Health Care Services website at: www.michigan.gov/bhcs.
- The All About LARA section - Legislative Reports of the Department of Licensing and Regulatory Affairs website at: www.michigan.gov/lara.

The Bureau of Health Care Services (BHCS), where the Long Term Care (LTC) Division is located, is responsible for tracking this data. The mission of BHCS and its LTC Division is to assure that residents residing in Michigan's nursing homes receive the highest quality of care and quality of life in accordance to state and federal laws.

Specifically, the information provided is based on data from January 1, 2014 through December 31, 2014.

COMPLAINTS AND DEFICIENCIES

Background:

Public Act 252 of 2014 requires the following:

Section 506 (1) The department shall report by April 1 to the subcommittees, fiscal agencies, and state budget director on the timeliness of nursing facility complaint investigations and the number of allegations that are substantiated on an annual basis. The report shall consist of the number of allegations filed by consumers and the number of facility-reported incidents. The department shall make every effort to contact every complainant and the subject of a complaint during an investigation.

Section 506 (2) The department shall gather information on its most frequently cited complaint deficiencies for the prior 3 fiscal years and include that information in the report required under subsection (1). 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 are needed.

2014 Data:

The following data was generated from the federal Centers for Medicare and Medicaid Services (CMS) ASPEN Complaints and Incidents Tracking System (ACTS):

1. The number of nursing facility complaint intakes filed:	2,486
• Number of allegations	9,344
• Substantiated allegations	1,615
• Unsubstantiated allegations	7,729
• Resolved without investigation	58
• Pending investigation	0
2. The number of nursing facility reported incidents (FRI) filed:	3,038
• Number of incidents	2,391
• Incidents with deficiencies noted	1,228
• Incidents with no deficiencies noted	1,163
• Resolved without investigation	1,024
• Pending Investigation	0
3. The average length of time (includes weekend and holidays) for the department to enter a facility in response to a complaint filed against a nursing home:	
a. Acknowledgment of receipt of complaint	10.55 days
b. Complaint investigation (only) conducted (average # of working days):	
• Immediate Jeopardy (IJ)*	1.89
• Non-IJ High**	8.38
• Non-IJ Medium*** and Non-IJ Low****	22.14
• All Non-IJ Complaints	11.16

*IJ (within 2 working days): Serious injury, impairment, or death.

**Non-IJ High (within 10 working days): Harm other than serious injury or death.

***Non-IJ Medium (within 15 working days): Potential for harm.

****Non-IJ Low (within 30 calendar days): Minimal harm.

c. Facility Reported Incidents (FRI) investigations conducted (average # of working days):

- Priority 1* 1.90
- Priority 2** 7.83
- Priority 3 *** and Priority 4**** 25.18
- All Non Priority 1 FRIs 17.24

*Priority 1 (within 2 working days): Serious injury, impairment, or death.

**Priority 2 (within 10 working days): Harm other than serious injury or death.

***Priority 3 (within 15 working days): Potential for harm.

****Priority 4 (by next survey but no longer than 365 days): Minimal harm.

Top 10 Most Frequently Cited Complaint Deficiencies – Michigan FY 2014:

Tag	Tag Description	# of Citations
F323	Free of Accident Hazards/Supervision/Devices	181
F309	Provide Care/Services for Highest Well Being	126
F225	Investigate/Report Allegations/Individuals	122
F226	Develop/Implement Abuse/Neglect, Etc., Policies	102
F241	Dignity and Respect of Individuality	53
F314	Treatment/SVCS to Prevent/Health Pressure Sores	50
F223	Free from Abuse/Involuntary Seclusion	46
F224	Prohibit Mistreatment/Neglect/Misappropriation	45
F157	Notify of Changes (Injury/Decline/Room, etc).	41
F281	Services Provided Meet Professional Standards	40

Top 10 Most Frequently Cited Complaint Deficiencies – Michigan FY 2013

Tag	Tag Description	# of Citations
F323	Free of Accident Hazards/Supervision/Devices	239
F309	Provide Care/Services for Highest Well Being	107
F241	Dignity and Respect of Individuality	67
F223	Free from Abuse/Involuntary Seclusion	66
F225	Investigate/Report Allegations/Individuals	66
F226	Develop/Implement Abuse/Neglect, Etc., Policies	57
F281	Services Provided Meet Professional Standards	57
F157	Notify of Changes (Injury/Decline/Room, etc).	43
F224	Prohibit Mistreatment/Neglect/Misappropriation	38
F279	Develop Comprehensive Care Plans	38

Top 10 Most Frequently Cited Complaint Deficiencies – Michigan FY 2012

Tag	Tag Description	# of Citations
F323	Free of Accident Hazards/Supervision/Devices	334
F225	Investigate/Report Allegations/Individuals	109
F309	Provide Care/Services for Highest Well Being	88
F223	Free from Abuse/Involuntary Seclusion	83
F281	Services Provided Meet Professional Standards	74
F241	Dignity and Respect of Individuality	67
F226	Develop/Implement Abuse/Neglect, Etc., Policies	46
F157	Notify of Changes (Injury/Decline/Room, etc).	40
F224	Prohibit Mistreatment/Neglect/Misappropriation	39
F279	Develop Comprehensive Care Plans	30

SUMMARY

The Bureau of Health Care Services (BHCS) executive and legislative charge is to fulfill health care licensing and regulatory responsibilities to the people of Michigan. BHCS continues to serve all consumers, including individuals, health professionals and providers in the health care industry. Through collaboration and with improved efficiencies to the Bureau, this is an opportunity to look forward as we all strive to achieve the highest level of customer service throughout the state of Michigan.