Date: July 23, 2013

To: Jon Hellebust, Administrator
Provider: Los Lunas Community Program NMDOH
Address: 445 Camino Del Ray Ste., A
State/Zip: Los Lunas, New Mexico 87031

E-mail Address: jon.hellebust@state.nm.us
CC: Jill Marshall, Program Director
E-mail Address: jill.marshall@state.nm.us

Region: Metro
Survey Date: June 3 - 6, 2013
Program Surveyed: Developmental Disabilities Waiver
Service Surveyed: Community Living Supports (Supported Living) and Community Inclusion Supports (Adult Habilitation, Supported Employment)
Survey Type: Routine
Team Leader: Jennifer Bruns, Healthcare Surveyor, Division of Health Improvement/Quality Management Bureau
Team Members: Nicole Brown, MBA, Healthcare Surveyor, Division of Health Improvement/Quality Management Bureau; Tony Fragua, BFA, Healthcare Surveyor, Division of Health Improvement/Quality Management Bureau, Cynthia Nielsen, MSN, RN, Healthcare Surveyor, Division of Health Improvement/Quality Management Bureau, Meg Pell, BA, Healthcare Surveyor, Division of Health Improvement/Quality Management Bureau, Deb Russell, BS, Healthcare Surveyor, Division of Health Improvement/Quality Management Bureau and Corrina Strain, BSN, RN, Healthcare Surveyor, Division of Health Improvement/Quality Management Bureau

Dear Mr. Hellebust;

The Division of Health Improvement/Quality Management Bureau has completed a compliance survey of the services identified above. The purpose of the survey was to determine compliance with federal and state standards; to assure the health, safety, and welfare of individuals receiving services through the Developmental Disabilities Waiver; and to identify opportunities for improvement. This Report of Findings will be shared with the Developmental Disabilities Supports Division for their use in determining your current and future provider agreements. Upon receipt of this letter and Report of Findings your agency must immediately correct all deficiencies which place Individuals served at risk of harm.

Determination of Compliance:
The Division of Health Improvement, Quality Management Bureau has determined your agency is in:

Compliance with all Conditions of Participation.

This determination is based on your agency’s compliance with CMS waiver assurances at the Condition of Participation level. The attached QMB Report of Findings indicates Standard Level deficiencies identified and requires implementation of a Plan of Correction.
Plan of Correction:
The attached Report of Findings identifies the Standard Level and/or Condition of Participation deficiencies found during your agency’s compliance review. You are required to complete and implement a Plan of Correction. Your agency has a total of 45 business days (10 business days to submit your POC for approval and 35 days to implement your approved Plan of Correction) from the receipt of this letter.

Submission of your Plan of Correction:
Please submit your agency’s Plan of Correction in the space on the two right columns of the Report of Findings. (See attachment “A” for additional guidance in completing the Plan of Correction).

Within 10 business days of receipt of this letter your agency Plan of Correction must be submitted to the parties below:

1. Quality Management Bureau, Attention: Plan of Correction Coordinator
   5301 Central Ave. NE Suite 400 Albuquerque, NM 87108

2. Developmental Disabilities Supports Division Regional Office for region of service surveyed

Upon notification from QMB that your Plan of Correction has been approved, you must implement all remedies and corrective actions to come into compliance. If your Plan of Correction is denied, you must resubmit a revised plan as soon as possible for approval, as your POC approval and all remedies must be completed within 45 business days of the receipt of this letter.

Failure to submit your POC within the allotted 10 business days or complete and implement your Plan of Correction within the total 45 business days allowed may result in the imposition of a $200 per day Civil Monetary Penalty until it is received, completed and/or implemented.

Request for Informal Reconsideration of Findings (IRF):
If you disagree with a finding of deficient practice, you have 10 business days upon receipt of this notice to request an IRF. Submit your request for an IRF in writing to:

   QMB Deputy Bureau Chief
   5301 Central Ave NE Suite #400
   Albuquerque, NM  87108
   Attention: IRF request

See Attachment “C” for additional guidance in completing the request for Informal Reconsideration of Findings. The request for an IRF will not delay the implementation of your Plan of Correction which must be completed within 45 total business days (10 business days to submit your POC for approval and 35 days to implement your approved Plan of Correction). Providers may not appeal the nature or interpretation of the standard or regulation, the team composition or sampling methodology. If the IRF approves the modification or removal of a finding, you will be advised of any changes.

Please call the Plan of Correction Coordinator at 505-699-9356 if you have questions about the Report of Findings or Plan of Correction. Thank you for your cooperation and for the work you perform.

Sincerely,

Jennifer Bruns, BSW

Jennifer Bruns, BSW
Team Lead/Healthcare Surveyor
Division of Health Improvement
Quality Management Bureau
Survey Process Employed:

Entrance Conference Date: June 3, 2013

Present:

Los Lunas Community Program NMDOH
Jennifer Abers, Quality Assurance Manager
David Aragon, Service Coordinator
Virginia Aragon, Service Coordinator
Taylor Cannon, Service Coordinator
Joseph Chavez, Residential Coordinator
Jill Marshall, Program Director
Dorothy Maya, Residential Coordinator
Annette McDaniel, Residential Coordinator
Andrew Smith, Residential Coordinator
Paula Jean Walker, Administrator Assistant/Acting Incident Reporting Coordinator

DOH/DHI/QMB
Jennifer Bruns, BSW, Team Lead/Healthcare Surveyor
Nicole Brown, MBA, Healthcare Surveyor
Tony Fragua, BFA, Healthcare Surveyor
Cynthia Nielsen, MSN, RN, Healthcare Surveyor
Meg Pell, BA, Healthcare Surveyor
Corrina Strain, BSN, RN, Healthcare Surveyor

Exit Conference Date: June 6, 2013

Present:

Los Lunas Community Program NMDOH
Jennifer Abers, Quality Assurance Manager
David Aragon, Service Coordinator
Virginia Aragon, Service Coordinator
Sandra Baca, Quality Assurance
Olivia Barreras, Service Coordinator
Cindy Bascom, Nurse
Taylor Cannon, Service Coordinator
Joseph Chavez, Residential Coordinator
Ida Fameree, Nurse
Jon Hellebust, Administrator
Pam Lureas, Nurse
Charlene Maestas, Business Operations Manager
Jill Marshall, Program Director
Leanne Martel, Human Resources Director
Dorothy Maya, Residential Coordinator
Annette McDaniel, Residential Coordinator
Onecimo Mirabal, Quality Assurance
Raul Montano, Service Coordinator
Patty Reynolds, Day Hab Biller
Andrew Smith Residential Coordinator
Kelly Scalf, Employment Supervisor
Paula Jean Walker, Administrator Assistant/Acting Incident Reporting Coordinator

DOH/DHI/QMB
Jennifer Bruns, BSW, Team Lead/Healthcare Surveyor
Nicole Brown, MBA, Healthcare Surveyor
Tony Fragua, BFA, Healthcare Surveyor
Cynthia Nielsen, MSN, RN, Healthcare Surveyor
Meg Pell, BA, Healthcare Surveyor
Deb Russell, BS, Healthcare Surveyor
Corrina Strain, BSN, RN, Healthcare Surveyor

Administrative Locations Visited
Number: 1

Total Sample Size
Number: 18
10 - Jackson Class Members
8 - Non-Jackson Class Members
13 - Supported Living
16 - Adult Habilitation
6 - Supported Employment

Total Homes Visited
Number: 13

- Supported Living Homes Visited
Number: 13

Persons Served Records Reviewed
Number: 18

Persons Served Interviewed
Number: 10

Persons Served Observed
Number: 8 (7 Individuals were not available for on-site visits and 1 Individual's guardian refused to participate in survey interview)

Direct Support Personnel Interviewed
Number: 14

Direct Support Personnel Records Reviewed
Number: 189

Service Coordinator Records Reviewed
Number: 7

Administrative Processes and Records Reviewed:

- Medicaid Billing/Reimbursement Records for all Services Provided
- Accreditation Records
- Oversight of Individual Funds
- Individual Medical and Program Case Files, including, but not limited to:
  - Individual Service Plans
  - Progress on Identified Outcomes
  - Healthcare Plans
  - Medication Administration Records
  - Medical Emergency Response Plans
  - Therapy Evaluations and Plans
  - Healthcare Documentation Regarding Appointments and Required Follow-Up
  - Other Required Health Information
- Internal Incident Management Reports and System Process
- Personnel Files, including nursing and subcontracted staff
- Staff Training Records, Including Competency Interviews with Staff
- Agency Policy and Procedure Manual
- Caregiver Criminal History Screening Records
- Consolidated Online Registry/Employee Abuse Registry
- Human Rights Committee Notes and Meeting Minutes Evacuation Drills of Residences and Service Locations
- Quality Assurance / Improvement Plan
CC: Distribution List:  
DOH - Division of Health Improvement  
DOH - Developmental Disabilities Supports Division  
DOH - Office of Internal Audit  
HSD - Medical Assistance Division
Attachment A

Provider Instructions for Completing the QMB Plan of Correction (POC) Process

Introduction:
After a QMB Compliance Survey, your QMB Report of Findings will be sent to you via e-mail.

Each provider must develop and implement a Plan of Correction (POC) that identifies specific quality assurance and quality improvement activities the agency will implement to correct deficiencies and prevent continued non compliance.

Agencies must submit their Plan of Correction within 10 business days from the date you receive the QMB Report of Findings. (Providers who do not submit a POC within 10 business days will be referred to the Internal Review Committee [IRC] for possible actions or sanctions).

Agencies must fully implement their approved Plan of Correction within 45 business days (10 business days to submit your POC for approval and 35 days to implement your approved Plan of Correction) from the date they receive the QMB Report of Findings. (Providers who fail to complete a POC within the 45 business days allowed shall be referred to the IRC for possible actions or sanctions.)

If you have questions about the Plan of Correction process, call the QMB Plan of Correction Coordinator at 505-699-9356 or email at Crystal.Lopez-Beck@state.nm.us. Requests for technical assistance must be requested through your DDSD Regional Office.

The POC process cannot resolve disputes regarding findings. If you wish to dispute a finding on the official Report of Findings, you must file an Informal Reconsideration of Findings (IRF) request within ten (10) business days of receiving your report. Please note that you must still submit a POC for findings that are in question (see Attachment “C”).

Instructions for Completing Agency POC:

Required Content
Your Plan of Correction should provide a step-by-step description of the methods to correct each deficient practice to prevent recurrence and information that ensures the regulation cited is in compliance. The remedies noted in your POC are expected to be added to your Agency’s required, annual Quality Assurance Plan.

If a deficiency has already been corrected, the plan should state how it was corrected, the completion date (date the correction was accomplished), and how possible recurrence of the deficiency will be prevented.

The Plan of Correction must address the required six CMS core elements to address each deficiency of the POC:

1. How the specific and realistic corrective action will be accomplished for individuals found to have been affected by the deficient practice.
2. How the agency will identify other individuals who have the potential to be affected by the same deficient practice, and how the agency will act to protect individuals in similar situations.
3. What QA measures will be put into place or systemic changes made to ensure that the deficient practice will not recur
4. Indicate how the agency plans to monitor its performance to make sure that solutions are sustained. The agency must develop a QA plan for ensuring that correction is achieved and
sustained. This QA plan must be implemented, and the corrective action evaluated for its effectiveness. The plan of correction is integrated into the agency quality assurance system; and

5. Include dates when corrective action will be completed. The corrective action completion dates must be acceptable to the State.

6. The POC must be signed and dated by the agency director or other authorized official.

The following details should be considered when developing your POC:

- Details about how and when Consumer, Personnel and Residential files are audited by Agency personnel to ensure they contain required documents;
- Information about how Medication Administration Records are reviewed to verify they contain all required information before they are distributed, as they are being used, and after they are completed;
- Your processes for ensuring that all staff are trained in Core Competencies, Incident Reporting, and Individual-Specific service requirements, etc;
- How accuracy in Billing documentation is assured;
- How health, safety is assured;
- For Case Management Providers, how ISPs are reviewed to verify they meet requirements, how the timeliness of LOC packet submissions and consumer visits are tracked;
- Your process for gathering, analyzing and responding to Quality data; and,
- Details about Quality Targets in various areas, current status, analyses about why targets were not met, and remedies implemented.

Note: Instruction or in-service of staff alone may not be a sufficient plan of correction. This is a good first step toward correction, but additional steps should be taken to ensure the deficiency is corrected and will not recur.

Completion Dates

- The plan of correction must include a completion date (entered in the far right-hand column) for each finding. Be sure the date is realistic in the amount of time your Agency will need to correct the deficiency; not to exceed 45 total business days.
- Direct care issues should be corrected immediately and monitored appropriately.
- Some deficiencies may require a staged plan to accomplish total correction.
- Deficiencies requiring replacement of equipment, etc., may require more time to accomplish correction but should show reasonable time frames.

Initial Submission of the Plan of Correction Requirements

1. The Plan of Correction must be completed on the official QMB Survey Report of Findings/Plan of Correction Form and received by QMB within ten (10) business days from the date you received the report of findings.
2. For questions about the POC process, call the QMB POC Coordinator, Crystal Lopez-Beck at 505-699-9356 for assistance.
3. For Technical Assistance (TA) in developing or implementing your POC, contact your local DDSD Regional Office.
4. Submit your POC to Crystal Lopez-Beck, POC Coordinator in any of the following ways:
   a. Electronically at Crystal.Lopez-Beck@state.nm.us (preferred method)
   b. Fax to 505-222-8661, or
   c. Mail to POC Coordinator, 5301 Central Avenue NE, Suite 400, Albuquerque, NM 87108
5. Do not submit supporting documentation (evidence of compliance) to QMB until after your POC has been approved by the QMB.
6. QMB will notify you when your POC has been “approve” or “denied.”
a. During this time, whether your POC is "approved," or "denied," you will have a maximum of 45 business days from the date of receipt of your Report of Findings to correct all survey deficiencies.
b. If your POC is denied, it must be revised and resubmitted as soon as possible, as the 45 business day limit is in effect.
c. If your POC is denied a second time your agency may be referred to the Internal Review Committee.
d. You will receive written confirmation when your POC has been approved by QMB and a final deadline for completion of your POC.

7. Failure to submit your POC within 10 business days without prior approval of an extension by QMB will result in a referral to the Internal Review Committee and the possible implementation of monetary penalties and/or sanctions.

**POC Document Submission Requirements**

Once your POC has been approved by the QMB Plan of Correction Coordinator you must submit copies of documents as evidence that all deficiencies have been corrected, as follows.

1. Your internal documents are due within a **maximum** of 45 business days of receipt of your Report of Findings.
2. You may submit your documents by postal mail (paper hard copy or on a disc), fax, or electronically (scanned and attached to e-mails).
3. All submitted documents **must be annotated**; please be sure the tag numbers and Identification numbers are indicated on each document submitted. Documents which are not annotated with the Tag number and Identification number may not be accepted.
4. Do not submit original documents; Please provide copies or scanned electronic files for evidence. Originals must be maintained in the agency file(s) per DDSD Standards.
5. In lieu of some documents, you may submit copies of file or home audit forms that clearly indicate cited deficiencies have been corrected, other attestations of correction must be approved by the Plan of Correction Coordinator prior to their submission.
6. For billing deficiencies, you must submit:
   a. Evidence of an internal audit of billing documentation for a sample of individuals and timeframes;
   b. Copies of “void and adjust” forms submitted to correct all over-billed or unjustified units billed identified during your internal audit.

Revisions, Modifications or Extensions to your Plan of Correction (post QMB approval) must be made in writing and submitted to the Deputy Chief at QMB, prior to the due date and are approved on a case-by-case basis. No changes may be made to your POC or the timeframes for implementation without written approval of the POC Coordinator.
Attachment B

Department of Health, Division of Health Improvement
QMB Determination of Compliance Process

The Division of Health Improvement, Quality Management Bureau (QMB) surveys compliance of the Developmental Disabilities Waiver (DDW) standards and state and federal regulations. QMB has grouped the CMS assurances into five Service Domains: Level of Care; Plan of Care; Qualified Providers; Health, Welfare and Safety; and Administrative Oversight (note that Administrative Oversight listed in this document is not the same as the CMS assurance of Administrative Authority. Used in this context it is related to the agency’s operational policies and procedures, Quality Management system and Medicaid billing and reimbursement processes.)

The QMB Determination of Compliance process is based on provider compliance or non-compliance with standards and regulations identified in the QMB Report of Findings. All deficiencies (non-compliance with standards and regulations) are identified and cited as either a Standard level deficiency or a Condition of Participation level deficiency in the QMB Reports of Findings. All deficiencies require corrective action when non-compliance is identified.

Within the QMB Service Domains there are fundamental regulations, standards, or policies with which a provider must be in essential compliance in order to ensure the health and welfare of individuals served known as Conditions of Participation (CoPs).

The Determination of Compliance for each service type is based on a provider’s compliance with CoPs in three (3) Service Domains.

Case Management Services:
- Level of Care
- Plan of Care
- Qualified Providers

Community Inclusion Supports/ Living Supports:
- Qualified Provider
- Plan of Care
- Health, Welfare and Safety

Conditions of Participation (CoPs)

A CoP is an identified fundamental regulation, standard, or policy with which a provider must be in compliance in order to ensure the health and welfare of individuals served. CoPs are based on the Centers for Medicare and Medicaid Services, Home and Community-Based Waiver required assurances. A provider must be in compliance with CoPs to participate as a waiver provider.

QMB surveyors use professional judgment when reviewing the critical elements of each standard and regulation to determine when non-compliance with a standard level deficiency rises to the level of a CoP out of compliance. Only some deficiencies can rise to the level of a CoP. (See the next section for a list of CoPs.) The QMB survey team analyzes the relevant finding in terms of scope, actual harm or potential for harm, unique situations, patterns of performance, and other factors to determine if there is the potential for a negative outcome which would rise to the level of a CoP. A Standard level deficiency becomes a CoP out of compliance when the team’s analysis establishes that there is an identified potential for significant harm or actual harm. It is then cited as a CoP out of compliance. If the deficiency does not rise to the level of a CoP out of compliance, it is cited as a Standard Level Deficiency.
The Division of Health Improvement (DHI) and the Developmental Disabilities Supports Division (DDSD) collaborated to revise the current Conditions of Participation (CoPs). There are seven Conditions of Participation in which providers must be in compliance.

CoPs and Service Domains for Case Management Supports are as follows:

**Service Domain: Level of Care**

Condition of Participation:
1. **Level of Care**: The Case Manager shall complete all required elements of the Long Term Care Assessment Abstract (LTCAA) to ensure ongoing eligibility for waiver services.

**Service Domain: Plan of Care**

Condition of Participation:
2. **Individual Service Plan (ISP) Creation and Development**: Each individual shall have an ISP. The ISP shall be developed in accordance with DDSD regulations and standards and is updated at least annually or when warranted by changes in the individual’s needs.

Condition of Participation:
3. **ISP Monitoring and Evaluation**: The Case Manager shall ensure the health and welfare of the individual through monitoring the implementation of ISP desired outcomes.

CoPs and Service Domain for ALL Service Providers is as follows:

**Service Domain: Qualified Providers**

Condition of Participation:
4. **Qualified Providers**: Agencies shall ensure support staff has completed criminal background screening and all mandated trainings as required by the DDSD.

CoPs and Service Domains for Living Supports and Inclusion Supports are as follows:

**Service Domain: Plan of Care**

Condition of Participation:
5. **ISP Implementation**: Services provided shall be consistent with the components of the ISP and implemented to achieve desired outcomes.

**Service Domain: Health, Welfare and Safety**

Condition of Participation:
6. **Individual Health, Safety and Welfare**: Individuals have the right to live and work in a safe environment.

Condition of Participation:
7. **Individual Health, Safety and Welfare (Healthcare Oversight)**: The provider shall support individuals to access needed healthcare services in a timely manner. Nursing, healthcare services and healthcare oversight shall be available and provided as needed to address individuals’ health, safety and welfare.
QMB Determinations of Compliance

Compliance with Conditions of Participation
The QMB determination of *Compliance with Conditions of Participation* indicates that a provider is in compliance with all Conditions of Participation, (CoP). The agency has obtained a level of compliance such that there is a minimal potential for harm to individuals’ health and safety. To qualify for a determination of Compliance with Conditions of Participation, the provider must be in compliance with all Conditions of Participation in all relevant Service Domains. The agency may also have Standard level deficiencies (deficiencies which are not at the condition level) out of compliance in any of the Service Domains.

Partial-Compliance with Conditions of Participation
The QMB determination of *Partial-Compliance with Conditions of Participation* indicates that a provider is out of compliance with Conditions of Participation in one (1) to two (2) Service Domains. The agency may have one or more Condition level tags within a Service Domain. This partial-compliance, if not corrected, may result in a serious negative outcome or the potential for more than minimal harm to individuals’ health and safety. The agency may also have Standard level deficiencies (deficiencies which are not at the condition level) in any of the Service Domains.

Providers receiving a repeat determination of Partial-Compliance for repeat deficiencies at the level of a Condition in any Service Domain may be referred by the Quality Management Bureau to the Internal Review Committee (IRC) for consideration of remedies and possible actions or sanctions.

Non-Compliance with Conditions of Participation
The QMB determination of *Non-Compliance with Conditions of Participation* indicates a provider is significantly out of compliance with Conditions of Participation in multiple Service Domains. The agency may have one or more Condition level tags in each of 3 relevant Service Domains. This non-compliance, if not corrected, may result in a serious negative outcome or the potential for more than minimal harm to individuals’ health and safety. The agency may also have Standard level deficiencies (deficiencies which are not at the condition level) in any of the Service Domains.

Providers receiving a repeat determination of Non-Compliance will be referred by Quality Management Bureau to the Internal Review Committee (IRC) for consideration of remedies and possible actions or sanctions.
Attachment C

Guidelines for the Provider
Informal Reconsideration of Finding (IRF) Process

Introduction:
Throughout the QMB Survey process, surveyors are openly communicating with providers. Open communication means surveyors have clarified issues and/or requested missing information before completing the review through the use of the signed/dated “Document Request,” or “administrative Needs,” etc. forms. Regardless, there may still be instances where the provider disagrees with a specific finding. Providers may use the following process to informally dispute a finding.

Instructions:
1. The Informal Reconsideration of the Finding (IRF) request must be received in writing to the QMB Deputy Bureau Chief within 10 business days of receipt of the final Report of Findings.
2. The written request for an IRF must be completed on the QMB Request for Informal Reconsideration of Finding form available on the QMB website: http://dhi.health.state.nm.us/qmb
3. The written request for an IRF must specify in detail the request for reconsideration and why the finding is inaccurate.
4. The IRF request must include all supporting documentation or evidence.
5. If you have questions about the IRC process, email the IRF Chairperson, Scott Good at scott.good@state.nm.us for assistance.

The following limitations apply to the IRF process:
- The written request for an IRF and all supporting evidence must be received within 10 business days.
- Findings based on evidence requested during the survey and not provided may not be subject to reconsideration.
- The supporting documentation must be new evidence not previously reviewed or requested by the survey team.
- Providers must continue to complete their Plan of Correction during the IRF process.
- Providers may not request an IRF to challenge the sampling methodology.
- Providers may not request an IRF based on disagreement with the nature of the standard or regulation.
- Providers may not request an IRF to challenge the team composition.
- Providers may not request an IRF to challenge the DHI/QMB determination of compliance or the length of their DDSD provider contract.

A Provider forfeits the right to an IRF if the request is not received within 10 business days of receiving the report and/or does not include all supporting documentation or evidence to show compliance with the standards and regulations.

The IRF Committee will review the request, the Provider will be notified in writing of the ruling; no face-to-face meeting will be conducted.

When a Provider requests that a finding be reconsidered, it does not stop or delay the Plan of Correction process. **Providers must continue to complete the Plan of Correction, including the finding in dispute regardless of the IRF status.** If a finding is removed or modified, it will be noted and removed or modified from the Report of Findings. It should be noted that in some cases a Plan of Correction may be completed prior to the IRF process being completed. The provider will be notified in writing on the decisions of the IRF committee.
### Agency: Los Lunas Community Program NMDOH - Metro Region
Program: Developmental Disabilities Waiver
Service: Community Living Supports (Supported Living) and Community Inclusion Supports (Adult Habilitation, Supported Employment)
Monitoring Type: Routine Survey
Survey Date: June 3 - 6, 2013

<table>
<thead>
<tr>
<th>Standard of Care</th>
<th>Deficiencies</th>
<th>Agency Plan of Correction, On-going QA/QI and Responsible Party</th>
<th>Date Due</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Service Domain: Service Plans: ISP Implementation</strong> – Services are delivered in accordance with the service plan, including type, scope, amount, duration and frequency specified in the service plan.</td>
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<tr>
<td><strong>Tag # 1A08</strong></td>
<td><strong>Agency Case File</strong></td>
<td><strong>Standard Level Deficiency</strong></td>
<td></td>
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<tr>
<td><strong>Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007</strong></td>
<td>Based on record review, the Agency did not maintain a complete and confidential case file at the administrative office for 4 of 18 individuals. Review of the Agency individual case files revealed the following items were not found, incomplete, and/or not current:</td>
<td><strong>Provider:</strong> State your Plan of Correction for the deficiencies cited in this tag here: →</td>
<td></td>
</tr>
<tr>
<td><strong>CHAPTER 1 II. PROVIDER AGENCY REQUIREMENTS:</strong> The objective of these standards is to establish Provider Agency policy, procedure and reporting requirements for DD Medicaid Waiver program. These requirements apply to all such Provider Agency staff, whether directly employed or subcontracting with the Provider Agency. Additional Provider Agency requirements and personnel qualifications may be applicable for specific service standards.</td>
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<tr>
<td><strong>D. Provider Agency Case File for the Individual:</strong> All Provider Agencies shall maintain at the administrative office a confidential case file for each individual. Case records belong to the individual receiving services and copies shall be provided to the receiving agency whenever an individual changes providers. The record must also be made available for review when requested by DOH, HSD or federal government representatives for oversight purposes. The individual’s case file shall include the following requirements: (1) Emergency contact information, including the</td>
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<td></td>
<td><strong>Provider:</strong> Enter your ongoing Quality Assurance/Quality Improvement processes as it related to this tag number here: →</td>
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</tr>
</tbody>
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individual’s address, telephone number, names and telephone numbers of relatives, or guardian or conservator, physician’s name(s) and telephone number(s), pharmacy name, address and telephone number, and health plan if appropriate;

(2) The individual’s complete and current ISP, with all supplemental plans specific to the individual, and the most current completed Health Assessment Tool (HAT);

(3) Progress notes and other service delivery documentation;

(4) Crisis Prevention/Intervention Plans, if there are any for the individual;

(5) A medical history, which shall include at least demographic data, current and past medical diagnoses including the cause (if known) of the developmental disability, psychiatric diagnoses, allergies (food, environmental, medications), immunizations, and most recent physical exam;

(6) When applicable, transition plans completed for individuals at the time of discharge from Fort Stanton Hospital or Los Lunas Hospital and Training School; and

(7) Case records belong to the individual receiving services and copies shall be provided to the individual upon request.

(8) The receiving Provider Agency shall be provided at a minimum the following records whenever an individual changes provider agencies:

(a) Complete file for the past 12 months;
(b) ISP and quarterly reports from the current and prior ISP year;
(c) Intake information from original admission to services; and
(d) When applicable, the Individual Transition Plan at the time of discharge from Los Lunas Hospital and Training School or Ft. Stanton Hospital.
NMAC 8.302.1.17 RECORD KEEPING AND DOCUMENTATION REQUIREMENTS: A provider must maintain all the records necessary to fully disclose the nature, quality, amount and medical necessity of services furnished to an eligible recipient who is currently receiving or who has received services in the past.

B. Documentation of test results: Results of tests and services must be documented, which includes results of laboratory and radiology procedures or progress following therapy or treatment.
**Tag # 1A32 and 6L14**  
**Individual Service Plan Implementation**

<table>
<thead>
<tr>
<th>Standard Level Deficiency</th>
<th>Provider: State your Plan of Correction for the deficiencies cited in this tag here: →</th>
</tr>
</thead>
<tbody>
<tr>
<td>Based on record review, the Agency did not implement the ISP according to the timelines determined by the IDT and as specified in the ISP for each stated desired outcomes and action plan for 4 of 18 individuals.</td>
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</tr>
<tr>
<td>Per Individuals ISP the following was found with regards to the implementation of ISP Outcomes:</td>
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<tr>
<td><strong>Administrative Files Reviewed:</strong></td>
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<tr>
<td><strong>Supported Living Data Collection/Data Tracking/Progress with regards to ISP Outcomes:</strong></td>
<td></td>
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<tr>
<td>Individual #15</td>
<td></td>
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<tr>
<td>• None found for 3/2013.</td>
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<tr>
<td><strong>Adult Habilitation Data Collection/Data Tracking/Progress with regards to ISP Outcomes:</strong></td>
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<tr>
<td>Individual #4</td>
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<tr>
<td>• None found for 4/2013.</td>
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<tr>
<td>Individual #11</td>
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<tr>
<td>• None found for 2/2013.</td>
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<tr>
<td><strong>Supported Employment Data Collection/Data Tracking/Progress with regards to ISP Outcomes:</strong></td>
<td></td>
</tr>
<tr>
<td>Individual #2</td>
<td></td>
</tr>
<tr>
<td>• None found regarding: “Check candy machines in community sites” for 2/2013 – 4/2013.</td>
<td></td>
</tr>
</tbody>
</table>

C. The IDT shall review and discuss information and recommendations with the individual, with the goal of supporting the individual in attaining desired outcomes. The IDT develops an ISP based upon the individual's personal vision statement, strengths, needs, interests and preferences. The ISP is a dynamic document, revised periodically, as needed, and amended to reflect progress towards personal goals and achievements consistent with the individual's future vision. This regulation is consistent with standards established for individual plan development as set forth by the commission on the accreditation of rehabilitation facilities (CARF) and/or other program accreditation approved and adopted by the developmental disabilities division and the department of health. It is the policy of the developmental disabilities division (DDD), that to the extent permitted by funding, each individual receive supports and services that will assist and encourage independence and productivity in the community and attempt to prevent regression or loss of current capabilities. Services and supports include specialized and/or generic services, training, education and/or treatment as determined by the IDT and documented in the ISP.

D. The intent is to provide choice and obtain...
opportunities for individuals to live, work and play with full participation in their communities. The following principles provide direction and purpose in planning for individuals with developmental disabilities. [05/03/94; 01/15/97; Recompiled 10/31/01]
<table>
<thead>
<tr>
<th>Tag # 6L14 Residential Case File</th>
<th>Standard Level Deficiency</th>
<th>Provider:</th>
</tr>
</thead>
</table>
| Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007 | Based on record review, the Agency did not maintain a complete and confidential case file in the residence for 4 of 13 Individuals receiving Supported Living Services. Review of the residential individual case files revealed the following items were not found, incomplete, and/or not current:  
  - Positive Behavioral Plan (#7, 13)  
  - Positive Behavioral Crisis Plan (#7, 10)  
  - Occupational Therapy Plan (#13)  
  - Health Care Plans  
    ° Gastrointestinal (#16)  
    ° Respiratory (#16)  
    ° Risk for Tube Displacement (#16)  
    ° Seizures (#16)  
    ° Skin Integrity (#16)  
  - Crisis Plan/Medical Emergency Response Plans  
    ° Tube Feeding (#16) | State your Plan of Correction for the deficiencies cited in this tag here: |

A. Residence Case File: For individuals receiving Supported Living or Family Living, the Agency shall maintain in the individual’s home a complete and current confidential case file for each individual. For individuals receiving Independent Living Services, rather than maintaining this file at the individual’s home, the complete and current confidential case file for each individual shall be maintained at the agency’s administrative site. Each file shall include the following:
1. Complete and current ISP and all supplemental plans specific to the individual;
2. Complete and current Health Assessment Tool;
3. Current emergency contact information, which includes the individual’s address, telephone number, names and telephone numbers of residential Community Living Support providers, relatives, or guardian or conservator, primary care physician’s name(s) and telephone number(s), pharmacy name, address and telephone number and dentist name, address and telephone number, and health plan;
4. Up-to-date progress notes, signed and dated by the person making the note for at least the past month (older notes may be transferred to the agency office);
5. Data collected to document ISP Action Plan implementation

Provider: Enter your ongoing Quality Assurance/Quality Improvement processes as it related to this tag number here: →
<p>| | |</p>
<table>
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<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>(6)</td>
<td>Progress notes written by direct care staff and by nurses regarding individual health status and physical conditions including action taken in response to identified changes in condition for at least the past month;</td>
</tr>
<tr>
<td>(7)</td>
<td>Physician’s or qualified health care providers written orders;</td>
</tr>
<tr>
<td>(8)</td>
<td>Progress notes documenting implementation of a physician’s or qualified health care provider’s order(s);</td>
</tr>
<tr>
<td>(9)</td>
<td>Medication Administration Record (MAR) for the past three (3) months which includes:</td>
</tr>
<tr>
<td>(a)</td>
<td>The name of the individual;</td>
</tr>
<tr>
<td>(b)</td>
<td>A transcription of the healthcare practitioners prescription including the brand and generic name of the medication;</td>
</tr>
<tr>
<td>(c)</td>
<td>Diagnosis for which the medication is prescribed;</td>
</tr>
<tr>
<td>(d)</td>
<td>Dosage, frequency and method/route of delivery;</td>
</tr>
<tr>
<td>(e)</td>
<td>Times and dates of delivery;</td>
</tr>
<tr>
<td>(f)</td>
<td>Initials of person administering or assisting with medication; and</td>
</tr>
<tr>
<td>(g)</td>
<td>An explanation of any medication irregularity, allergic reaction or adverse effect.</td>
</tr>
<tr>
<td>(h)</td>
<td>For PRN medication an explanation for the use of the PRN must include:</td>
</tr>
<tr>
<td>(i)</td>
<td>Observable signs/symptoms or circumstances in which the medication is to be used, and</td>
</tr>
<tr>
<td>(ii)</td>
<td>Documentation of the effectiveness/result of the PRN delivered.</td>
</tr>
<tr>
<td>(i)</td>
<td>A MAR is not required for individuals participating in Independent Living Services who self-administer their own medication. However, when medication administration is provided as part of the Independent Living Service a MAR must be maintained at the individual’s home and an updated</td>
</tr>
</tbody>
</table>
copy must be placed in the agency file on a weekly basis.

(10) Record of visits to healthcare practitioners including any treatment provided at the visit and a record of all diagnostic testing for the current ISP year; and

(11) Medical History to include: demographic data, current and past medical diagnoses including the cause (if known) of the developmental disability and any psychiatric diagnosis, allergies (food, environmental, medications), status of routine adult health care screenings, immunizations, hospital discharge summaries for past twelve (12) months, past medical history including hospitalizations, surgeries, injuries, family history and current physical exam.
**Service Domain: Qualified Providers** – The State monitors non-licensed/non-certified providers to assure adherence to waiver requirements. The State implements its policies and procedures for verifying that provider training is conducted in accordance with State requirements and the approved waiver.

<table>
<thead>
<tr>
<th>Tag # 1A20</th>
<th>Standard Level Deficiency</th>
<th>Agency Plan of Correction, On-going QA/QI and Responsible Party</th>
<th>Date Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direct Support Personnel Training</td>
<td>Based on record review, the Agency did not ensure Orientation and Training requirements were met for 3 of 189 Direct Support Personnel. Review of Direct Support Personnel training records found no evidence of the following required DOH/DDSD trainings and certification being completed:</td>
<td>Provider: State your Plan of Correction for the deficiencies cited in this tag here: →</td>
<td></td>
</tr>
</tbody>
</table>
individual under his or her direct care, as described in the individual service plan, prior to working alone with the individual.

Department of Health (DOH) Developmental Disabilities Supports Division (DDSD) Policy
- Policy Title: Training Requirements for Direct Service Agency Staff Policy - Eff. March 1, 2007 - II. POLICY STATEMENTS:
A. Individuals shall receive services from competent and qualified staff.
B. Staff shall complete individual-specific (formerly known as “Addendum B”) training requirements in accordance with the specifications described in the individual service plan (ISP) of each individual served.
C. Staff shall complete training on DOH-approved incident reporting procedures in accordance with 7 NMAC 1.13.
D. Staff providing direct services shall complete training in universal precautions on an annual basis. The training materials shall meet Occupational Safety and Health Administration (OSHA) requirements.
E. Staff providing direct services shall maintain certification in first aid and CPR. The training materials shall meet OSHA requirements/guidelines.
F. Staff who may be exposed to hazardous chemicals shall complete relevant training in accordance with OSHA requirements.
G. Staff shall be certified in a DDSD-approved behavioral intervention system (e.g., Mandt, CPI) before using physical restraint techniques. Staff members providing direct services shall maintain certification in a DDSD-approved behavioral intervention system if an individual they support has a behavioral crisis plan that includes the use of physical restraint techniques.
H. Staff shall complete and maintain certification in a DDSD-approved medication course in
accordance with the DDSD Medication Delivery Policy M-001.
I. Staff providing direct services shall complete safety training within the first thirty (30) days of employment and before working alone with an individual receiving service.
<table>
<thead>
<tr>
<th>Tag # 1A25</th>
<th>Standard Level Deficiency</th>
<th>Provider:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Criminal Caregiver History Screening</td>
<td>Based on record review, the Agency did not maintain documentation indicating no “disqualifying convictions” or documentation of the timely submission of pertinent application information to the Caregiver Criminal History Screening Program was on file for 16 of 189 Agency Personnel. The following Agency Personnel Files contained no evidence of Caregiver Criminal History Screenings: <strong>Direct Support Personnel (DSP):</strong></td>
<td>State your Plan of Correction for the deficiencies cited in this tag here: →</td>
</tr>
<tr>
<td><strong>NMAC 7.1.9.8 CAREGIVER AND HOSPITAL CAREGIVER EMPLOYMENT REQUIREMENTS:</strong></td>
<td></td>
<td>Enter your ongoing Quality Assurance/Quality Improvement processes as it related to this tag number here: →</td>
</tr>
<tr>
<td><strong>F. Timely Submission:</strong> Care providers shall submit all fees and pertinent application information for all individuals who meet the definition of an applicant, caregiver or hospital caregiver as described in Subsections B, D and K of 7.1.9.7 NMAC, no later than twenty (20) calendar days from the first day of employment or effective date of a contractual relationship with the care provider.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>NMAC 7.1.9.9 CAREGIVERS OR HOSPITAL CAREGIVERS AND APPLICANTS WITH DISQUALIFYING CONVICTIONS:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>A. Prohibition on Employment:</strong> A care provider shall not hire or continue the employment or contractual services of any applicant, caregiver or hospital caregiver for whom the care provider has received notice of a disqualifying conviction, except as provided in Subsection B of this section.</td>
<td></td>
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</tr>
<tr>
<td><strong>NMAC 7.1.9.11 DISQUALIFYING CONVICTIONS:</strong> The following felony convictions disqualify an applicant, caregiver or hospital caregiver from employment or contractual services with a care provider: <strong>A. homicide;</strong></td>
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<td><strong>B. trafficking, or trafficking in controlled substances;</strong></td>
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<td><strong>C. kidnapping, false imprisonment, aggravated assault or aggravated battery;</strong></td>
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<td></td>
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<tr>
<td><strong>D. rape, criminal sexual penetration, criminal</strong></td>
<td></td>
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<tr>
<td><strong>Provider:</strong></td>
<td><strong>State your Plan of Correction for the deficiencies cited in this tag here:</strong> →</td>
<td><strong>Provider:</strong></td>
</tr>
<tr>
<td><strong>Enter your ongoing Quality Assurance/Quality Improvement processes as it related to this tag number here:</strong> →</td>
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<td></td>
<td>sexual contact, incest, indecent exposure, or other related felony sexual offenses;</td>
<td></td>
</tr>
<tr>
<td>E.</td>
<td>crimes involving adult abuse, neglect or financial exploitation;</td>
<td></td>
</tr>
<tr>
<td>F.</td>
<td>crimes involving child abuse or neglect;</td>
<td></td>
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<tr>
<td>G.</td>
<td>crimes involving robbery, larceny, extortion, burglary, fraud, forgery, embezzlement, credit card fraud, or receiving stolen property; or</td>
<td></td>
</tr>
<tr>
<td>H.</td>
<td>an attempt, solicitation, or conspiracy involving any of the felonies in this subsection.</td>
<td></td>
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</tbody>
</table>

- #142 – Date of hire 4/27/2013.
- #143 – Date of hire 3/2/2013.
- #149 – Date of hire 2/2/2013.
- #196 – Date of hire 4/27/2013.
<table>
<thead>
<tr>
<th>Tag # 1A26</th>
<th>Standard Level Deficiency</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Consolidated On-line Registry Employee Abuse Registry</strong></td>
<td></td>
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</tbody>
</table>
| **NMAC 7.1.12.8 REGISTRY ESTABLISHED; PROVIDER INQUIRY REQUIRED:** Upon the effective date of this rule, the department has established and maintains an accurate and complete electronic registry that contains the name, date of birth, address, social security number, and other appropriate identifying information of all persons who, while employed by a provider, have been determined by the department, as a result of an investigation of a complaint, to have engaged in a substantiated registry-referred incident of abuse, neglect or exploitation of a person receiving care or services from a provider. Additions and updates to the registry shall be posted no later than two (2) business days following receipt. Only department staff designated by the custodian may access, maintain and update the data in the registry.

A. **Provider requirement to inquire of registry.** A provider, prior to employing or contracting with an employee, shall inquire of the registry whether the individual under consideration for employment or contracting is listed on the registry.

B. **Prohibited employment.** A provider may not employ or contract with an individual to be an employee if the individual is listed on the registry as having a substantiated registry-referred incident of abuse, neglect or exploitation of a person receiving care or services from a provider.

D. **Documentation of inquiry to registry.** The provider shall maintain documentation in the employee’s personnel or employment records that evidences the fact that the provider made an inquiry to the registry concerning that

| Based on record review, the Agency did not maintain documentation in the employee’s personnel records that evidenced inquiry into the Employee Abuse Registry prior to employment for 23 of 196 Agency Personnel. |

The following **Agency personnel records contained no evidence of the Employee Abuse Registry check being completed:**

**Direct Support Personnel (DSP):**
- #68 – Date of hire 8/4/2012.
- #90 – Date of hire 4/27/2013.
- #151 – Date of hire 5/2/2011.
- #222 – Date of hire 4/12/2012.

The following **Agency Personnel records contained evidence that indicated the Employee Abuse Registry check was completed after hire:**

**Direct Support Personnel (DSP):**

Provider:
State your Plan of Correction for the deficiencies cited in this tag here: →

Provider:
Enter your ongoing Quality Assurance/Quality Improvement processes as it related to this tag number here: →
employee prior to employment. Such documentation must include evidence, based on the response to such inquiry received from the custodian by the provider, that the employee was not listed on the registry as having a substantiated registry-referred incident of abuse, neglect or exploitation.

E. **Documentation for other staff.** With respect to all employed or contracted individuals providing direct care who are licensed health care professionals or certified nurse aides, the provider shall maintain documentation reflecting the individual’s current licensure as a health care professional or current certification as a nurse aide.

F. **Consequences of noncompliance.** The department or other governmental agency having regulatory enforcement authority over a provider may sanction a provider in accordance with applicable law if the provider fails to make an appropriate and timely inquiry of the registry, or fails to maintain evidence of such inquiry, in connection with the hiring or contracting of an employee; or for employing or contracting any person to work as an employee who is listed on the registry. Such sanctions may include a directed plan of correction, civil monetary penalty not to exceed five thousand dollars ($5000) per instance, or termination or non-renewal of any contract with the department or other governmental agency.


**Chapter 1.IV. General Provider Requirements.**

**D. Criminal History Screening:** All personnel shall be screened by the Provider Agency in regard to the employee’s qualifications, references, and employment history, prior to employment. All Provider Agencies shall comply with the Criminal Records

<table>
<thead>
<tr>
<th>#</th>
<th>Employee Name</th>
<th>Date of Hire</th>
<th>Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>#103</td>
<td></td>
<td>8/23/2008</td>
<td>10/22/2009</td>
</tr>
<tr>
<td>#189</td>
<td></td>
<td>8/23/2008</td>
<td>5/14/2009</td>
</tr>
<tr>
<td>#193</td>
<td></td>
<td>8/23/2008</td>
<td>5/14/2009</td>
</tr>
<tr>
<td>#197</td>
<td></td>
<td>8/23/2008</td>
<td>5/14/2009</td>
</tr>
<tr>
<td>#200</td>
<td></td>
<td>8/23/2008</td>
<td>5/14/2009</td>
</tr>
<tr>
<td>#211</td>
<td></td>
<td>8/24/2008</td>
<td>5/8/2009</td>
</tr>
<tr>
<td>#221</td>
<td></td>
<td>8/23/2008</td>
<td>5/14/2009</td>
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</tbody>
</table>
Screening for Caregivers 7.1.12 NMAC and Employee Abuse Registry 7.1.12 NMAC as required by the Department of Health, Division of Health Improvement.

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</table>

**Service Coordination Personnel (SC):**

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<tbody>
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<td></td>
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<tr>
<td>Tag # 1 A28.1 Incident Mgt. System - Personnel Training</td>
<td>Standard Level Deficiency</td>
</tr>
<tr>
<td>-------------------------------------------------------</td>
<td>---------------------------</td>
</tr>
<tr>
<td>NMAC 7.1.13.10 INCIDENT MANAGEMENT SYSTEM REQUIREMENTS:</td>
<td>Based on record review, the Agency did not ensure Incident Management Training for 3 of 196 Agency Personnel.</td>
</tr>
<tr>
<td>A. General: All licensed health care facilities and community based service providers shall establish and maintain an incident management system, which emphasizes the principles of prevention and staff involvement. The licensed health care facility or community based service provider shall ensure that the incident management system policies and procedures requires all employees to be competently trained to respond to, report, and document incidents in a timely and accurate manner.</td>
<td></td>
</tr>
<tr>
<td>D. Training Documentation: All licensed health care facilities and community based service providers shall prepare training documentation for each employee to include a signed statement indicating the date, time, and place they received their incident management reporting instruction. The licensed health care facility and community based service provider shall maintain documentation of an employee’s training for a period of at least twelve (12) months, or six (6) months after termination of an employee’s employment. Training curricula shall be kept on the provider premises and made available on request by the department. Training documentation shall be made available immediately upon a division representative’s request. Failure to provide employee training documentation shall subject the licensed health care facility or community based service provider to the penalties provided for in this rule.</td>
<td></td>
</tr>
<tr>
<td>Policy Title: Training Requirements for Direct Service Agency Staff Policy - Eff. March 1, 2007</td>
<td>Policy Title: Training Requirements for Direct Service Agency Staff Policy - Eff. March 1, 2007</td>
</tr>
<tr>
<td>II. POLICY STATEMENTS:</td>
<td></td>
</tr>
<tr>
<td>Service Coordination Personnel (SC):</td>
<td>Incident Management Training (Abuse, Neglect and Misappropriation of Consumers' Property) (SC #235)</td>
</tr>
</tbody>
</table>

Provider: Enter your ongoing Quality Assurance/Quality Improvement processes as it related to this tag number here: →
<p>| A. Individuals shall receive services from competent and qualified staff.  |
| C. Staff shall complete training on DOH-approved incident reporting procedures in accordance with 7 NMAC 1.13. |</p>
<table>
<thead>
<tr>
<th>Tag # 1A36 Service Coordination Requirements</th>
<th>Standard Level Deficiency</th>
<th>Provider</th>
</tr>
</thead>
<tbody>
<tr>
<td>Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007</td>
<td>Based on record review, the Agency did not ensure that Orientation and Training requirements were met for 1 of 7 Service Coordinators.</td>
<td>State your Plan of Correction for the deficiencies cited in this tag here: →</td>
</tr>
<tr>
<td>CHAPTER 1 IV. GENERAL REQUIREMENTS FOR PROVIDER AGENCY SERVICE PERSONNEL: The objective of this section is to establish personnel standards for DD Medicaid Waiver Provider Agencies for the following services: Community Living Supports, Community Inclusion Services, Respite, Substitute Care and Personal Support Companion Services. These standards apply to all personnel who provide services, whether directly employed or subcontracting with the Provider Agency. Additional personnel requirements and qualifications may be applicable for specific service standards.</td>
<td>Review of Service Coordinators training records found no evidence of the following required DOH/DDSD trainings being completed:</td>
<td>→</td>
</tr>
<tr>
<td>C. Orientation and Training Requirements: Orientation and training for direct support staff and his or her supervisors shall comply with the DDSD/DOH Policy Governing the Training Requirements for Direct Support Staff and Internal Service Coordinators Serving Individuals with Developmental Disabilities to include the following:</td>
<td>• Promoting Effective Teamwork (SC #235)</td>
<td>Enter your ongoing Quality Assurance/Quality Improvement processes as it related to this tag number here: →</td>
</tr>
<tr>
<td>(1) Each new employee shall receive appropriate orientation, including but not limited to, all policies relating to fire prevention, accident prevention, incident management and reporting, and emergency procedures; and</td>
<td></td>
<td></td>
</tr>
<tr>
<td>NMAC 7.26.5.7 “service coordinator”: the community provider staff member, sometimes called the program manager or the internal case manager, who supervises, implements and monitors the service plan within the</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
NMAC 7.26.5.11 (b) service coordinator: the service coordinators of the community provider agencies shall assure that appropriate staff develop strategies specific to their responsibilities in the ISP; the service coordinators shall assure the action plans and strategies are implemented consistent with the provisions of the ISP, and shall report to the case manager on ISP implementation and the individual’s progress on action plans within their agencies; for persons funded solely by state general funds, the service coordinator shall assume all the duties of the independent case manager described within these regulations; if there are two or more “key” community service provider agencies with two or more service coordinator staff, the IDT shall designate which service coordinator shall assume the duties of the case manager; the criteria to guide the IDT’s selection are set forth as follows:

(i) the designated service coordinator shall have the skills necessary to carry out the duties and responsibilities of the case manager as defined in these regulations;
(ii) the designated service coordinator shall have the time and interest to fulfill the functions of the case manager as defined in these regulations;
(iii) the designated service coordinator shall be familiar with and understand community service delivery and supports;
(iv) the designated service coordinator shall know the individual or be willing to become familiar and develop a relationship with the individual being served;
<table>
<thead>
<tr>
<th>Tag #1 A37</th>
<th>Standard Level Deficiency</th>
<th>Provider:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individual Specific Training</td>
<td>Based on record review, the Agency did not ensure that Individual Specific Training requirements were met for 4 of 196 Agency Personnel.</td>
<td>State your Plan of Correction for the deficiencies cited in this tag here: →</td>
</tr>
<tr>
<td>Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007</td>
<td>Review of personnel records found no evidence of the following:</td>
<td></td>
</tr>
<tr>
<td>CHAPTER 1 IV. GENERAL REQUIREMENTS FOR PROVIDER AGENCY SERVICE PERSONNEL: The objective of this section is to establish personnel standards for DD Medicaid Waiver Provider Agencies for the following services: Community Living Supports, Community Inclusion Services, Respite, Substitute Care and Personal Support Companion Services. These standards apply to all personnel who provide services, whether directly employed or subcontracting with the Provider Agency. Additional personnel requirements and qualifications may be applicable for specific service standards.</td>
<td>Direct Support Personnel (DSP):</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Individual Specific Training (DSP #74, 125, 181)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Service Coordination Personnel (SC):</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Individual Specific Training (SC #235)</td>
<td></td>
</tr>
<tr>
<td>C. Orientation and Training Requirements:</td>
<td>Department of Health (DOH) Developmental Disabilities Supports Division (DDSD) Policy - Policy Title: Training Requirements for Direct Service Agency Staff Policy - Eff. March 1, 2007 - II. POLICY STATEMENTS:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>A. Individuals shall receive services from competent and qualified staff.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>B. Staff shall complete individual-specific training for each individual under his or her direct care, as described in the individual service plan, prior to working alone with the individual.</td>
<td></td>
</tr>
<tr>
<td>Provider:</td>
<td>Enter your ongoing Quality Assurance/Quality Improvement processes as it related to this tag number here: →</td>
<td></td>
</tr>
</tbody>
</table>


Survey Report #: Q.13.4.DDW.D1977.5.001.RTN.01.204
(formerly known as “Addendum B”) training requirements in accordance with the specifications described in the individual service plan (ISP) of each individual served.
**Service Domain: Health and Welfare** – The state, on an ongoing basis, identifies, addresses and seeks to prevent occurrences of abuse, neglect and exploitation. Individuals shall be afforded their basic human rights. The provider supports individuals to access needed healthcare services in a timely manner.

<table>
<thead>
<tr>
<th>Tag #</th>
<th>Standard of Care</th>
<th>Deficiencies</th>
<th>Agency Plan of Correction, On-going QA/QI and Responsible Party</th>
<th>Date Due</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Medication Delivery</strong></td>
<td>Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007</td>
<td><strong>Routine Medication Administration</strong></td>
<td><strong>Standard Level Deficiency</strong></td>
<td>Provider:</td>
</tr>
<tr>
<td><strong>Tag # 1A09</strong></td>
<td>CHAPTER 1 II. PROVIDER AGENCY REQUIREMENTS</td>
<td>Medication Administration Records (MAR) were reviewed for the months of March, April, and June 2013.</td>
<td></td>
<td>State your Plan of Correction for the deficiencies cited in this tag here: →</td>
</tr>
<tr>
<td><strong>Routine Medication Administration</strong></td>
<td>Based on record review, 6 of 18 individuals had Medication Administration Records (MAR), which contained missing medications entries and/or other errors:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Individual #5</strong></td>
<td>March 2013</td>
<td>Physician’s Orders indicated the following medication were to be given. The following Medications were not documented on the Medication Administration Records:</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>- Ciprofloxacin 500mg (2 times daily for 10 days)</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>- Augmentin 875mg (2 times daily)</td>
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<tr>
<td></td>
<td></td>
<td>- Bacitracin 500/gm (cleanse daily)</td>
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<td></td>
<td>April 2013</td>
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<tr>
<td></td>
<td></td>
<td>Physician’s Orders indicated the following medication were to be given. The following Medications were not documented on the Medication Administration Records:</td>
<td></td>
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</tr>
<tr>
<td></td>
<td></td>
<td>- Ciprofloxacin 500mg (2 times daily for 10 days)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Medication Administration Records contain</td>
<td></td>
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<tr>
<td></td>
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</tr>
</tbody>
</table>
the following medications. No Physician’s Orders were found for the following medications:

- Banzel (Rufinamide) 800mg (2 times daily)
- Banzel (Rufinamide) 400mg (2 times daily)

Individual #6
March 2013
Medication Administration Records contained missing entries. No documentation found indicating reason for missing entries:

- Eucerin Cream (1 time daily) – Blank 3/31 (AM)

Individual #7
March 2013
As indicated by the Medication Administration Records the individual is to take Zyprexa 5mg (at bedtime). According to the Physician’s Orders Zyprexa 5mg is to be taken twice daily. Medication Administration Record and Physician’s Orders do not match.

April 2013
As indicated by the Medication Administration Records the individual is to take Zyprexa 5mg (at bedtime). According to the Physician’s Orders Zyprexa 5mg is to be taken twice daily. Medication Administration Record and Physician’s Orders do not match.

Individual #12
June 2013
Medication Administration Records contained missing entries. No documentation found indicating reason for missing entries:

- Lorazepam .5mg (3 times daily) – Blank 6/1 (7:00 AM)
(d) The facility shall have a Medication Administration Record (MAR) documenting medication administered to residents, **including over-the-counter medications.**

This documentation shall include:

(i) Name of resident;
(ii) Date given;
(iii) Drug product name;
(iv) Dosage and form;
(v) Strength of drug;
(vi) Route of administration;
(vii) How often medication is to be taken;
(viii) Time taken and staff initials;
(ix) Dates when the medication is discontinued or changed;
(x) The name and initials of all staff administering medications.

**Model Custodial Procedure Manual**

**D. Administration of Drugs**

Unless otherwise stated by practitioner, patients will not be allowed to administer their own medications. Document the practitioner’s order authorizing the self-administration of medications.

All PRN (As needed) medications shall have complete detail instructions regarding the administering of the medication. This shall include:

- symptoms that indicate the use of the medication,
- exact dosage to be used, and
- the exact amount to be used in a 24 hour period.

<table>
<thead>
<tr>
<th>Individual #15</th>
<th>Carbamazepine 400mg (3 times daily) – Blank 6/1 (7:00 AM)</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 2013</td>
<td>As indicated by the Medication Administration Records the individual is to take Bentyl (Dicyclomine) 20mg (Friday, Saturday, and Sunday before meals and at bedtime). According to the Physician’s Orders, Bentyl (Dicyclomine) 20mg is to be taken before meals and at bedtime daily. Medication Administration Record and Physician’s Orders do not match.</td>
</tr>
<tr>
<td>April 2013</td>
<td>As indicated by the Medication Administration Records the individual is to take Bentyl (Dicyclomine) 20mg (Friday, Saturday, and Sunday before meals and at bedtime). According to the Physician’s Orders, Bentyl (Dicyclomine) 20mg is to be taken before meals and at bedtime daily. Medication Administration Record and Physician’s Orders do not match.</td>
</tr>
<tr>
<td>Individual #16</td>
<td>Liquid Tears (3 times a day) – Blank 4/14 (7:00 AM)</td>
</tr>
<tr>
<td>April 2013</td>
<td>Medication Administration Records contained missing entries. No documentation found indicating reason for missing entries:</td>
</tr>
<tr>
<td>June 2013</td>
<td>Medication Administration Records contained missing entries. No documentation found indicating reason for missing entries:</td>
</tr>
<tr>
<td>Individual #16</td>
<td>Effexor 75mg (2 tabs per G-tube every morning) – Blank 6/2 (7:00 AM)</td>
</tr>
<tr>
<td>Tag # 1A09.1 Medication Delivery PRN Medication Administration</td>
<td>Standard Level Deficiency</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007 CHAPTER 1 I. PROVIDER AGENCY REQUIREMENTS: The objective of these standards is to establish Provider Agency policy, procedure and reporting requirements for DD Medicaid Waiver program. These requirements apply to all such Provider Agency staff, whether directly employed or subcontracting with the Provider Agency. Additional Provider Agency requirements and personnel qualifications may be applicable for specific service standards. <strong>E. Medication Delivery:</strong> Provider Agencies that provide Community Living, Community Inclusion or Private Duty Nursing services shall have written policies and procedures regarding medication(s) delivery and tracking and reporting of medication errors in accordance with DDSD Medication Assessment and Delivery Policy and Procedures, the Board of Nursing Rules and Board of Pharmacy standards and regulations. (2) When required by the DDSD Medication Assessment and Delivery Policy, Medication Administration Records (MAR) shall be maintained and include: (a) The name of the individual, a transcription of the physician’s written or licensed health care provider’s prescription including the brand and generic name of the medication, diagnosis for which the medication is prescribed; (b) Prescribed dosage, frequency and method/route of administration, times</td>
<td>Medication Administration Records (MAR) were reviewed for the months of March, April, and June 2013 Based on record review, 3 of 18 individuals had PRN Medication Administration Records (MAR), which contained missing elements as required by standard: Individual #3 March 2013 Medication Administration Records contain the following medications. No Physician’s Orders were found for the following medications: • Lidocaine Viscous 2% oral (PRN) Individual #11 March 2013 No evidence of documented Signs/Symptoms were found for the following PRN medication: • Ibuprofen (Motrin) 200mg – PRN – 3/17 (given 1 time) No Effectiveness was noted on the Medication Administration Record for the following PRN medication: • Ibuprofen (Motrin) 200mg – PRN – 3/17 (given 1 time). Individual #16 March 2013 No evidence of documented Signs/Symptoms were found for the following PRN medication: • Lorazepam 1mg – PRN – 3/16 (given 1 time).</td>
</tr>
<tr>
<td>and dates of administration;</td>
<td>• Hydrocodone-APAP 10-325 – PRN – 3/28/ (given 1 time).</td>
</tr>
<tr>
<td>(c) Initials of the individual administering or assisting with the medication;</td>
<td>No Effectiveness was noted on the Medication Administration Record for the following PRN medication:</td>
</tr>
<tr>
<td>(d) Explanation of any medication irregularity;</td>
<td>• Lorazepam 1mg – PRN – 3/16 (given 1 time).</td>
</tr>
<tr>
<td>(e) Documentation of any allergic reaction or adverse medication effect; and</td>
<td>• Hydrocodone-APAP 10-325 – PRN – 3/28 (given 1 time).</td>
</tr>
<tr>
<td>(f) For PRN medication, an explanation for the use of the PRN medication shall include observable signs/symptoms or circumstances in which the medication is to be used, and documentation of effectiveness of PRN medication administered.</td>
<td></td>
</tr>
<tr>
<td>(3) The Provider Agency shall also maintain a signature page that designates the full name that corresponds to each initial used to document administered or assisted delivery of each dose;</td>
<td></td>
</tr>
<tr>
<td>(4) MARs are not required for individuals participating in Independent Living who self-administer their own medications;</td>
<td></td>
</tr>
<tr>
<td>(5) Information from the prescribing pharmacy regarding medications shall be kept in the home and community inclusion service locations and shall include the expected desired outcomes of administering the medication, signs and symptoms of adverse events and interactions with other medications;</td>
<td></td>
</tr>
</tbody>
</table>

**NMAC 16.19.11.8 MINIMUM STANDARDS:**

| A. MINIMUM STANDARDS FOR THE DISTRIBUTION, STORAGE, HANDLING AND RECORD KEEPING OF DRUGS: |
| (d) The facility shall have a Medication Administration Record (MAR) documenting medication administered to residents, including over-the-counter medications. |

April 2013
No evidence of documented Signs/Symptoms were found for the following PRN medication:
• Lorazepam 1mg – PRN – 4/18 (given 1 time).

No Effectiveness was noted on the Medication Administration Record for the following PRN medication:
• Lorazepam 1mg – PRN – 4/18 (given 1 time)
This documentation shall include:

(i) Name of resident;
(ii) Date given;
(iii) Drug product name;
(iv) Dosage and form;
(v) Strength of drug;
(vi) Route of administration;
(vii) How often medication is to be taken;
(viii) Time taken and staff initials;
(ix) Dates when the medication is discontinued or changed;
(x) The name and initials of all staff administering medications.

Model Custodial Procedure Manual
D. Administration of Drugs

Unless otherwise stated by practitioner, patients will not be allowed to administer their own medications. Document the practitioner’s order authorizing the self-administration of medications.

All PRN (As needed) medications shall have complete detail instructions regarding the administering of the medication. This shall include:

- symptoms that indicate the use of the medication,
- exact dosage to be used, and
- the exact amount to be used in a 24 hour period.

Department of Health
Developmental Disabilities Supports Division (DDSD) Medication Assessment and Delivery Policy - Eff. November 1, 2006
F. PRN Medication

3. Prior to self-administration, self-administration with physical assist or assisting with delivery of PRN medications, the direct support staff must contact the agency nurse to
describe observed symptoms and thus assure that the PRN medication is being used according to instructions given by the ordering PCP. In cases of fever, respiratory distress (including coughing), severe pain, vomiting, diarrhea, change in responsiveness/level of consciousness, the nurse must strongly consider the need to conduct a face-to-face assessment to assure that the PRN does not mask a condition better treated by seeking medical attention. This does not apply to home based/family living settings where the provider is related by affinity or by consanguinity to the individual.

4. The agency nurse shall review the utilization of PRN medications routinely. Frequent or escalating use of PRN medications must be reported to the PCP and discussed by the Interdisciplinary for changes to the overall support plan (see Section H of this policy).

**H. Agency Nurse Monitoring**

1. Regardless of the level of assistance with medication delivery that is required by the individual or the route through which the medication is delivered, the agency nurses must monitor the individual’s response to the effects of their routine and PRN medications. The frequency and type of monitoring must be based on the nurse’s assessment of the individual and consideration of the individual’s diagnoses, health status, stability, utilization of PRN medications and level of support required by the individual’s condition and the skill level and needs of the direct care staff. Nursing monitoring should be based on prudent nursing practice and should support the safety and independence of the individual in the community setting. The health care plan shall reflect the planned monitoring of the
individual’s response to medication.

**Department of Health Developmental Disabilities Supports Division (DDSD) - Procedure Title:**
**Medication Assessment and Delivery**
**Procedure Eff Date:** November 1, 2006

C. 3. Prior to delivery of the PRN, direct support staff must contact the agency nurse to describe observed symptoms and thus assure that the PRN is being used according to instructions given by the ordering PCP. In cases of fever, respiratory distress (including coughing), severe pain, vomiting, diarrhea, change in responsiveness/level of consciousness, the nurse must strongly consider the need to conduct a face-to-face assessment to assure that the PRN does not mask a condition better treated by seeking medical attention. (References: Psychotropic Medication Use Policy, Section D, page 5 Use of PRN Psychotropic Medications; and, Human Rights Committee Requirements Policy, Section B, page 4 Interventions Requiring Review and Approval – Use of PRN Medications).

a. Document conversation with nurse including all reported signs and symptoms, advice given and action taken by staff.

4. Document on the MAR each time a PRN medication is used and describe its effect on the individual (e.g., temperature down, vomiting lessened, anxiety increased, the condition is the same, improved, or worsened, etc.).
<table>
<thead>
<tr>
<th>Tag # 1A15.2 and 5I09 HealthCare Documentation</th>
<th>Standard Level Deficiency</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CHAPTER 1. III. PROVIDER AGENCY DOCUMENTATION OF SERVICE DELIVERY AND LOCATION - Healthcare Documentation by Nurses For Community Living Services, Community Inclusion Services and Private Duty Nursing Services:</strong> Nursing services must be available as needed and documented for Provider Agencies delivering Community Living Services, Community Inclusion Services and Private Duty Nursing Services.</td>
<td></td>
</tr>
<tr>
<td><strong>Chapter 1. III. E. (1 - 4) (1) Documentation of nursing assessment activities</strong></td>
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<tr>
<td>(a) The following hierarchy shall be used to determine which provider agency is responsible for completion of the HAT and MAAT and related subsequent planning and training:</td>
<td></td>
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<tr>
<td>(i) Community living services provider agency;</td>
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<td>(ii) Private duty nursing provider agency;</td>
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<tr>
<td>(iii) Adult habilitation provider agency;</td>
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<tr>
<td>(iv) Community access provider agency; and</td>
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<tr>
<td>(v) Supported employment provider agency.</td>
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<tr>
<td>(b) The provider agency must arrange for their nurse to complete the Health Assessment Tool (HAT) and the Medication Administration Assessment Tool (MAAT) on at least an annual basis for each individual receiving community living, community inclusion or private duty nursing services, unless the provider agency arranges for the individual’s Primary Care Practitioner (PCP) to voluntarily complete these assessments in lieu of the agency nurse. Agency nurses may also complete these</td>
<td></td>
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<tr>
<td>Based on record review, the Agency did not maintain the required documentation in the Individuals Agency Record as required per standard for 1 of 18 individual</td>
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<tr>
<td>Review of the administrative individual case files revealed the following items were not found, incomplete, and/or not current:</td>
<td></td>
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<tr>
<td>• <strong>Medical Emergency Response Plans</strong></td>
<td></td>
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<tr>
<td>• <strong>Allergies</strong></td>
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<tr>
<td>◦ Individual #14 - As indicated by the IST section of ISP the individual is required to have a plan. No evidence of a plan found.</td>
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<tr>
<td>Provider:</td>
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<tr>
<td>State your Plan of Correction for the deficiencies cited in this tag here: →</td>
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<tr>
<td>Provider:</td>
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<tr>
<td>Enter your ongoing Quality Assurance/Quality Improvement processes as it related to this tag number here: →</td>
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</tr>
</tbody>
</table>


Survey Report #: Q.13.4.DDW.D1977.5.001.RTN.01.204
assessments in collaboration with the Primary Care Practitioner if they believe such consultation is necessary for an accurate assessment. Family Living Provider Agencies have the option of having the subcontracted caregiver complete the HAT instead of the nurse or PCP, if the caregiver is comfortable doing so. However, the agency nurse must be available to assist the caregiver upon request.

(c) For newly allocated individuals, the HAT and the MAAT must be completed within seventy-two (72) hours of admission into direct services or two weeks following the initial ISP, whichever comes first.

(d) For individuals already in services, the HAT and the MAAT must be completed at least fourteen (14) days prior to the annual ISP meeting and submitted to all members of the interdisciplinary team. The HAT must also be completed at the time of any significant change in clinical condition and upon return from any hospitalizations. In addition to annually, the MAAT must be completed at the time of any significant change in clinical condition, when a medication regime or route change requires delivery by licensed or certified staff, or when an individual has completed additional training designed to improve their skills to support self-administration (see DDSD Medication Assessment and Delivery Policy).

(e) Nursing assessments conducted to determine current health status or to evaluate a change in clinical condition must be documented in a signed progress note that includes time and date as well as subjective information including the individual complaints, signs and symptoms noted by staff, family members or other team members; objective information including vital signs, physical examination, weight, and other pertinent data for the given situation (e.g., seizure frequency,
(2) Health related plans
(a) For individuals with chronic conditions that have the potential to exacerbate into a life-threatening situation, a medical crisis prevention and intervention plan must be written by the nurse or other appropriately designated healthcare professional.
(b) Crisis prevention and intervention plans must be written in user-friendly language that is easily understood by those implementing the plan.
(c) The nurse shall also document training regarding the crisis prevention and intervention plan delivered to agency staff and other team members, clearly indicating competency determination for each trainee.
(d) If the individual receives services from separate agencies for community living and community inclusion services, nurses from each agency shall collaborate in the development of and training delivery for crisis prevention and intervention plans to assure maximum consistency across settings.
(3) For all individuals with a HAT score of 4, 5 or 6, the nurse shall develop a comprehensive healthcare plan that includes health related supports identified in the ISP (The healthcare plan is the equivalent of a nursing care plan; two separate documents are not required nor recommended):
(a) Each healthcare plan must include a statement of the person’s healthcare needs and list measurable goals to be achieved through implementation of the healthcare plan. Needs statements may be based upon supports needed for the individual to maintain...
a current strength, ability or skill related to their health, prevention measures, and/or supports needed to remediate, minimize or manage an existing health condition.

(b) Goals must be measurable and shall be revised when an individual has met the goal and has the potential to attain additional goals or no longer requires supports in order to maintain the goal.

(c) Approaches described in the plan shall be individualized to reflect the individual's unique needs, provide guidance to the caregiver(s) and designed to support successful interactions. Some interventions may be carried out by staff, family members or other team members, and other interventions may be carried out directly by the nurse – persons responsible for each intervention shall be specified in the plan.

(d) Healthcare plans shall be written in language that will be easily understood by the person(s) identified as implementing the interventions.

(e) The nurse shall also document training on the healthcare plan delivered to agency staff and other team members, clearly indicating competency determination for each trainee. If the individual receives services from separate agencies for community living and community inclusion services, nurses from each agency shall collaborate in the development of and training delivery for healthcare plans to assure maximum consistency across settings.

(f) Healthcare plans must be updated to reflect relevant discharge orders whenever an individual returns to services following a hospitalization.

(g) All crisis prevention and intervention plans and healthcare plans shall include the individual's name and date on each page and shall be signed by the author.
(h) Crisis prevention and intervention plans as well as healthcare plans shall be reviewed by the nurse at least quarterly, and updated as needed.

(4) General Nursing Documentation
(a) The nurse shall complete legible and signed progress notes with date and time indicated that describe all interventions or interactions conducted with individuals served as well as all interactions with other healthcare providers serving the individual. All interactions shall be documented whether they occur by phone or in person.

(b) For individuals with a HAT score of 4, 5 or 6, or who have identified health concerns in their ISP, the nurse shall provide the interdisciplinary team with a quarterly report that indicates current health status and progress to date on health related ISP desired outcomes and action plans as well as progress toward goals in the healthcare plan.


CHAPTER 5 IV. COMMUNITY INCLUSION SERVICES PROVIDER AGENCY REQUIREMENTS
B. IDT Coordination
(1) Community Inclusion Services Provider Agencies shall participate on the IDT as specified in the ISP Regulations (7.26.5 NMAC), and shall ensure direct support staff participation as needed to plan effectively for the individual; and

(2) Coordinate with the IDT to ensure that each individual participating in Community Inclusion Services who has a score of 4, 5, or 6 on the HAT has a Health Care Plan developed by a licensed nurse, and if applicable, a Crisis Prevention/Intervention Plan.
Department of Health Developmental Disabilities Supports Division Policy.
Medical Emergency Response Plan Policy
MERP-001 eff.8/1/2010

F. The MERP shall be written in clear, jargon free language and include at a minimum the following information:
1. A brief, simple description of the condition or illness.
2. A brief description of the most likely life threatening complications that might occur and what those complications may look like to an observer.
3. A concise list of the most important measures that may prevent the life threatening complication from occurring (e.g., avoiding allergens that trigger an asthma attack or making sure the person with diabetes has snacks with them to avoid hypoglycemia).
4. Clear, jargon free, step-by-step instructions regarding the actions to be taken by direct support personnel (DSP) and/or others to intervene in the emergency, including criteria for when to call 911.
5. Emergency contacts with phone numbers.
6. Reference to whether the individual has advance directives or not, and if so, where the advance directives are located.
<table>
<thead>
<tr>
<th>Tag # 1A27 Incident Mgt. Late and Failure to Report</th>
<th>Standard Level Deficiency</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>7.1.13.9 INCIDENT MANAGEMENT SYSTEM REPORTING REQUIREMENTS FOR COMMUNITY BASED SERVICE PROVIDERS: A. Duty To Report: (1) All community based service providers shall immediately report abuse, neglect or misappropriation of property to the adult protective services division. (2) All community based service providers shall report to the division within twenty four (24) hours: abuse, neglect, or misappropriation of property, unexpected and natural/expected deaths; and other reportable incidents to include: (a) an environmental hazardous condition, which creates an immediate threat to life or health; or (b) admission to a hospital or psychiatric facility or the provision of emergency services that results in medical care which is unanticipated or unscheduled for the consumer and which would not routinely be provided by a community based service provider. (3) All community based service providers shall ensure that the reporter with direct knowledge of an incident has immediate access to the division incident report form to allow the reporter to respond to, report, and document incidents in a timely and accurate manner. B. Notification: (1) Incident Reporting: Any consumer, employee, family member or legal guardian may report an incident independently or through the community based service provider to the division by telephone call, written correspondence or other forms of communication utilizing the division’s incident report form. The incident report form and</td>
<td>Based on the Incident Management Bureau’s Late and Failure Reports, the Agency did not report suspected abuse, neglect, or misappropriation of property, unexpected and natural/expected deaths; or other reportable incidents to the Division of Health Improvement for 15 of 31 individuals. Individual #6 - Incident date 11/1/2012. Allegation was Abuse/Neglect. Incident report was received 11/6/2012. Failure to Report. IMB Late and Failure Report indicated incident of Abuse/Neglect was “Unconfirmed.” Individual date 2/14/2013. Allegation was Abuse/Emergency Services. Incident report was received 2/15/2013. Failure to Report. IMB Late and Failure Report indicated incident of Abuse was “Unconfirmed.” Individual #8 - Incident date 12/2/2012. Allegation was Neglect. Incident report was received 12/5/2012. Late Reporting. IMB Late and Failure Report indicated incident of Neglect was “Unconfirmed.” Individual #19 - Incident date 1/1/2013. Allegation was Emergency Services. Incident report was received 1/4/2013. IMB issued a Late Reporting for Emergency Services. Individual #20 - Incident date 8/4/2012. Allegation was Neglect. Incident report was received 8/23/2012. Failure to Report. IMB Late and</td>
<td>Provider: State your Plan of Correction for the deficiencies cited in this tag here: →</td>
</tr>
<tr>
<td></td>
<td>Provider: Enter your ongoing Quality Assurance/Quality Improvement processes as it related to this tag number here: →</td>
<td></td>
</tr>
</tbody>
</table>
Failure Report indicated incident of Neglect was “Confirmed.”

Individual #21
- Incident date 4/15/2013. Allegation was Emergency Services. Incident report was received 4/17/2013. IMB issued a Late Reporting for Emergency Services.

Individual #22
- Incident date 10/21/2012. Allegation was Neglect. Incident report was received 10/22/2012. Failure to Report. IMB Late and Failure Report indicated incident of Neglect was “Confirmed.”

Individual #23
- Incident date 12/23/2012. Allegation was Emergency Services. Incident report was received 12/27/2012. IMB issued Late Reporting for Emergency Services.

Individual #24
- Incident date 8/11/2012. Allegation was Exploitation. Incident report was received 8/15/2012. Late Reporting. IMB Late and Failure Report indicated incident of Exploitation was “Confirmed.”

Individual #25
- Incident date 4/6/2012. Allegation was Neglect. Incident report was received 4/12/2012. Late Reporting. IMB Late and Failure Report indicated incident of Neglect was “Unconfirmed.”

Individual #26
- Incident date 6/11/2012. Allegation was Abuse. Incident report was received 6/12/2012. Failure to Report. IMB Late and
<table>
<thead>
<tr>
<th>Individual #</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>#27</strong></td>
</tr>
<tr>
<td>Incident date 6/8/2012. Allegation was Neglect. Incident report was received 6/21/2012. Late Reporting. IMB Late and Failure Report indicated incident of Neglect was “Unconfirmed.”</td>
</tr>
<tr>
<td><strong>#28</strong></td>
</tr>
<tr>
<td>Incident date 6/8/2012. Allegation was Neglect. Incident report was received 6/21/2012. Late Reporting. IMB Late and Failure Report indicated incident of Neglect was “Unconfirmed.”</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Incident date 12/20/2012. Allegation was Abuse. Incident report was received 03/01/2013. Late Reporting. IMB Late and Failure Report indicated incident of Abuse was “Unconfirmed.”</td>
</tr>
<tr>
<td><strong>#29</strong></td>
</tr>
<tr>
<td>Incident date 8/15/2012. Allegation was Abuse/Neglect. Incident report was received 9/4/2012. Late Reporting. IMB Late and Failure Report indicated incident of Abuse/Neglect was “Unconfirmed.”</td>
</tr>
<tr>
<td><strong>#30</strong></td>
</tr>
<tr>
<td>Incident date 1/25/2013. Allegation was Exploitation. Incident report was received 1/30/2013. Late Reporting. IMB Late and Failure Report indicated incident of Exploitation was “Unconfirmed.”</td>
</tr>
<tr>
<td><strong>#31</strong></td>
</tr>
<tr>
<td>Incident date 2/15/2013. Allegation was Exploitation. Incident report was received 2/20/2013. Late Reporting. IMB Late and Failure Report indicated incident of Exploitation was “Unconfirmed.”</td>
</tr>
<tr>
<td>Date</td>
</tr>
<tr>
<td>------------</td>
</tr>
<tr>
<td>2/19/2013</td>
</tr>
<tr>
<td>Tag # 1A33</td>
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<tr>
<td>------------</td>
</tr>
<tr>
<td>Board of Pharmacy – Med. Storage</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Provider:</td>
</tr>
<tr>
<td>Provider:</td>
</tr>
</tbody>
</table>

Survey Report #: Q.13.4.DDW.D1977.5.001.RTN.01.204
indicating the following information:

a. date
b. time administered
c. name of patient
d. dose
e. practitioner’s name
f. signature of person administering or assisting with the administration the dose
g. balance of controlled substance remaining.
<table>
<thead>
<tr>
<th>Tag # 1A33.1</th>
<th>Standard Level Deficiency</th>
<th>Provider:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Board of Pharmacy - License</td>
<td>Based on observation, the Agency did not provide the current Custodial Drug Permit from the New Mexico Board of Pharmacy, the current registration from the Consultant Pharmacist, or the current New Mexico Board of Pharmacy Inspection Report for 1 of 13 residences:</td>
<td>State your Plan of Correction for the deficiencies cited in this tag here: →</td>
</tr>
<tr>
<td>New Mexico Board of Pharmacy Model Custodial Drug Procedures Manual 6. Display of License and Inspection Reports A. The following are required to be publicly displayed:</td>
<td></td>
<td>Enter your ongoing Quality Assurance/Quality Improvement processes as it related to this tag number here: →</td>
</tr>
<tr>
<td>□ Current Custodial Drug Permit from the NM Board of Pharmacy</td>
<td></td>
<td></td>
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<tr>
<td>□ Current registration from the consultant pharmacist</td>
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<tr>
<td>□ Current NM Board of Pharmacy Inspection Report</td>
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<tr>
<td>Individual Residence:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Current Custodial Drug Permit from the NM Board of Pharmacy (#7)</td>
<td></td>
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</tr>
<tr>
<td>Tag # 6L13</td>
<td>Community Living Healthcare Reqs.</td>
<td>Standard Level Deficiency</td>
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<td></td>
<td></td>
<td>Based on record review, the Agency did not provide documentation of annual physical examinations and/or other examinations as specified by a licensed physician for 2 of 18 individuals receiving Community Living Services. Review of the administrative individual case files revealed the following items were not found, incomplete, and/or not current:</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Vision Exam</strong></td>
</tr>
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<td></td>
<td>° Individual #17 - As indicated by collateral documentation reviewed, exam was completed on 7/27/2011. Follow-up was to be completed in 12 months. No evidence of follow-up found.</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Auditory Exam</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td>° Individual #6 - As indicated by collateral documentation reviewed, exam was completed on 4/11/2011. Follow-up was to be completed in 12 months. No evidence of follow-up found.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Based on record review, the Agency did not provide documentation of annual physical examinations and/or other examinations as specified by a licensed physician for 2 of 18 individuals receiving Community Living Services. Review of the administrative individual case files revealed the following items were not found, incomplete, and/or not current:</td>
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<td></td>
<td></td>
<td>° Auditory Exam</td>
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<td></td>
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<td>° Individual #6 - As indicated by collateral documentation reviewed, exam was completed on 4/11/2011. Follow-up was to be completed in 12 months. No evidence of follow-up found.</td>
</tr>
</tbody>
</table>
detailed in Chapter One section III E: Healthcare Documentation by Nurses For Community Living Services, Community Inclusion Services and Private Duty Nursing Services.

b) That each individual with a score of 4, 5, or 6 on the HAT, has a Health Care Plan developed by a licensed nurse.

(c) That an individual with chronic condition(s) with the potential to exacerbate into a life threatening condition, has Crisis Prevention/Intervention Plan(s) developed by a licensed nurse or other appropriate professional for each such condition.

(4) That an average of 3 hours of documented nutritional counseling is available annually, if recommended by the IDT.

(5) That the physical property and grounds are free of hazards to the individual’s health and safety.

(6) In addition, for each individual receiving Supported Living or Family Living Services, the provider shall verify and document the following:

(a) The individual has a primary licensed physician;

(b) The individual receives an annual physical examination and other examinations as specified by a licensed physician;

(c) The individual receives annual dental check-ups and other check-ups as specified by a licensed dentist;

(d) The individual receives eye examinations as specified by a licensed optometrist or ophthalmologist; and

(e) Agency activities that occur as follow-up to medical appointments (e.g. treatment, visits to specialists, changes in medication or daily routine).
**NMAC 8.302.1.17 RECORD KEEPING AND DOCUMENTATION REQUIREMENTS:** A provider must maintain all the records necessary to fully disclose the nature, quality, amount and medical necessity of services furnished to an eligible recipient who is currently receiving or who has received services in the past.

**B. Documentation of test results:** Results of tests and services must be documented, which includes results of laboratory and radiology procedures or progress following therapy or treatment.
<table>
<thead>
<tr>
<th>Tag # 6L25</th>
<th>Standard Level Deficiency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Health and Safety (SL/FL)</td>
<td>Based on observation, the Agency did not ensure that each individuals’ residence met all requirements within the standard for 5 of 13 Supported Living residences.</td>
</tr>
</tbody>
</table>

Review of the residential records and observation of the residence revealed the following items were not found, not functioning or incomplete:

**Supported Living Requirements:**

- General-purpose first aid kit (#7)

- Accessible written procedures for emergency evacuation e.g. fire and weather-related threats;

- Accessible telephone numbers of poison control centers located within the line of sight of the telephone;

- Accessible written documentation of actual evacuation drills occurring at least three (3) times a year. For Supported Living evacuation drills shall occur at least once a year during each shift;

- Accessible written procedures for the safe storage of all medications with dispensing instructions for each individual that are consistent with the Assisting with Medication Administration training or each individual’s ISP; and

- Accessible written procedures for emergency placement and relocation of individuals in the event of an emergency evacuation that makes the residence unsuitable for occupancy. The emergency evacuation procedures shall address, but are not limited to, fire, chemical and/or hazardous waste spills, and flooding (#4, 5, 12, 17)

**Provider:**

State your Plan of Correction for the deficiencies cited in this tag here: →

Provider: Enter your ongoing Quality Assurance/Quality Improvement processes as it related to this tag number here: →

Provider:
unsuitable for occupancy. The emergency evacuation procedures shall address, but are not limited to, fire, chemical and/or hazardous waste spills, and flooding.
## CMS Assurance – Medicaid Billing/Reimbursement/Financial Accountability

State financial oversight exists to assure that claims are coded and paid for in accordance with the reimbursement methodology specified in the approved waiver.

### TAG #1A12

**All Services Reimbursement (No Deficiencies)**

Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007 Chapter 1. III. PROVIDER AGENCY DOCUMENTATION OF SERVICE DELIVERY AND LOCATION

#### B. Billable Units:

The documentation of the billable time spent with an individual shall be kept on the written or electronic record that is prepared prior to a request for reimbursement from the HSD. For each unit billed, the record shall contain the following:

1. Date, start and end time of each service encounter or other billable service interval;
2. A description of what occurred during the encounter or service interval; and
3. The signature or authenticated name of staff providing the service.

Billing for Community Living (Supported Living) and Community Inclusion (Adult Habilitation and Supported Employment) services was reviewed for 18 of 18 individuals. *Progress notes and billing records supported billing activities for the months of February, March, and April 2013*
Date: September 30, 2013

To: Jon Hellebust, Administrator
Provider: Los Lunas Community Program NMDOH
Address: 445 Camino Del Ray Ste., A
State/Zip: Los Lunas, New Mexico 87031

E-mail Address: jon.hellebust@state.nm.us

CC: Jill Marshall, Program Director
E-mail Address: jill.marshall@state.nm.us

Region: Metro
Survey Date: June 3 - 6, 2013
Program Surveyed: Developmental Disabilities Waiver
Service Surveyed: Community Living Supports (Supported Living) and Community Inclusion Supports (Adult Habilitation, Supported Employment)
Survey Type: Routine

Dear Mr. Hellebust;

The Division of Health Improvement/Quality Management Bureau has received, reviewed and approved the supporting documents you submitted for your Plan of Correction. The documents you provided verified that all previously cited survey Deficiencies have been corrected.

**The Plan of Correction process is now complete.**

**Furthermore, your agency is now determined to be in Compliance with all Conditions of Participation.**

To maintain ongoing compliance with standards and regulations, continue to use the Quality Assurance (self-auditing) processes you described in your Plan of Correction.

Consistent use of these Quality Assurance processes will enable you to identify and promptly respond to problems, enhance your service delivery, and result in fewer deficiencies cited in future QMB surveys.

Thank you for your cooperation with the Plan of Correction process, for striving to come into compliance with standards and regulations, and for helping to provide for the health, safety and personal growth of the people you serve.

Sincerely,

Crystal Lopez-Beck
Plan of Correction Coordinator
Quality Management Bureau/DHI

Q.14.1.DDW.D1977.5.001.RTN.09.273