



**Alfredo Vigil, MD**  
Secretary

DEPARTMENT OF

*Building a Healthy New Mexico!*

**Bill Richardson, Governor**

**Katrina Hotrum**  
Deputy Secretary

**Jessica Sutin**  
Deputy Secretary

**Michael Mulligan**  
Acting Deputy Secretary

**Karen Armitage, MD**  
Chief Medical Officer

Date: June 23, 2010

To: Joanna Smith, Executive Director  
Provider: Mosaic, Inc.  
Address: 620 Deklab  
State/Zip: Farmington, New Mexico 87401

E-mail Address: [joanna.chavez@mosaicinfo.org](mailto:joanna.chavez@mosaicinfo.org)

CC: Linda Timmons, President and Chief Executive Officer, Board Chair  
Address: Lind Center 4980 118<sup>th</sup> Street  
State/Zip: Omaha, Nebraska 68137-2220

Region: Northwest – Farmington, New Mexico

Original Survey Date: August 17 - 20, 2009

Verif. Survey Date: May 17 - 19, 2010

Program Surveyed: Developmental Disabilities Waiver

Service Surveyed: Community Living (Supported Living & Family Living) & Community Inclusion (Adult Habilitation & Community Access)

Survey Type: Verification

Team Leader: Tony Fragua, BFA, Healthcare Surveyor, Division of Health Improvement/Quality Management Bureau

Team Members: Dan Maxwell, MS, Bureau Chief, Division of Health Improvement/Quality Management Bureau; Valerie Valdez, MS, Program Manager, Division of Health Improvement/Quality Management Bureau; Cynthia Nielsen, MSN, RN, ONC, CCM, Healthcare Surveyor, Division Of Health Improvement/Quality Management Bureau; Stephanie Martinez De Berenger, MPA, GCDF, Healthcare Surveyor, Division of Health Improvement/Quality Management Bureau & Maurice Gonzales, BS Health Ed. Healthcare Surveyor, Division of Health Improvement/Quality Management Bureau

Dear Ms. Smith,

The Division of Health Improvement/Quality Management Bureau has completed a verification survey of the services identified above. The purpose of the survey was to determine compliance with you Plan of Correction submitted to DHI/DDSD regarding the Routine Survey on August 17 - 20, 2009.

These findings will be reviewed by the DOH – Internal Review Committee during an upcoming review meeting. You will be contacted by the Department for further instructions regarding your plan of correction requirements.

Please call the Team Leader at 505-231-7436, if you have questions about the survey or the report. Thank you for your cooperation and for the work you perform.

*“Assuring safety and quality of care in New Mexico’s health facilities and community-based programs.”*

**David Rodriguez, Division Director • Division of Health Improvement**

Division of Health Improvement • Quality Management Bureau • 5301 Central Ave NE • Suite 400 • Albuquerque, New Mexico 87108  
(505) 222-8633 • FAX: (505) 222-8661

DHI Quality Review Survey Report – Mosaic Inc. (Farmington) - NW Region – May 17 - 19, 2010

Survey Report # Q10.04.95338233.NW- Farmington.001.VS.01

Sincerely,

*Tony Fragua, BFA*

Tony Fragua, BFA

Team Lead/Healthcare Surveyor

Division of Health Improvement/Quality Management Bureau

## Survey Process Employed:

Entrance Conference Date: May 17, 2010

Present: **Mosaic Inc.**  
Joanna Smith, Executive Director

**DOH/DHI/QMB**

Tony Fragua, BFA, Team Lead/Healthcare Surveyor  
Dan Maxwell, MS, Bureau Chief, Quality Management  
Bureau/Healthcare Surveyor  
Valerie V. Valdez, MS, Healthcare Program Manager/Healthcare  
Surveyor  
Stephanie Martinez De Berenger, MPA, GCDF, Healthcare Surveyor  
Cynthia Nielsen, MSN, RN, ONC, CCM, Healthcare Surveyor  
Maurice Gonzales, BS Health Ed., Healthcare Surveyor

Exit Conference Date: May 19, 2010

Present: **Mosaic Inc.**  
Joanna Smith, Executive Director  
Molly Kennis, Regional Vice President  
David Brock, Management Support Coordinator

**DOH/DHI/QMB**

Tony Fragua, BFA, Team Lead/Healthcare Surveyor  
Dan Maxwell, MS, Bureau Chief, Quality Management  
Bureau/Healthcare Surveyor  
Valerie V. Valdez, MS, Healthcare Program Manager/Healthcare  
Surveyor  
Stephanie Martinez De Berenger, MPA, GCDF, Healthcare Surveyor  
Cynthia Nielsen, MSN, RN, ONC, CCM, Healthcare Surveyor  
Maurice Gonzales, BS Health Ed., Healthcare Surveyor

**DDSD - NW Regional Office**

Crystal Wright, Northwest Regional Director, via phone  
Cathy Saxton, Regional Case Management Coordinator  
Tammy Peterson, Northwest Regional Nurse, via phone

Homes Visited Number: 9

Administrative Locations Visited Number: 1

Total Sample Size Number: 14  
6 - Jackson Class Members  
8 - Non-Jackson Class Members  
11 - Supported Living  
3 - Family Living  
11 - Adult Habilitation  
11 - Community Access

Records Reviewed (Persons Served) Number: 14

Administrative Files Reviewed

- Billing Records
- Medical Records
- Incident Management Records
- Personnel Files
- Training Records
- Agency Policy and Procedure
- Caregiver Criminal History Screening Records

- Employee Abuse Registry
- Human Rights Notes and/or Meeting Minutes
- Nursing personnel files
- Evacuation Drills
- Quality Improvement/Quality Assurance Plan

CC: Distribution List: DOH - Division of Health Improvement  
DOH - Developmental Disabilities Supports Division  
DOH - Office of Internal Audit  
HSD - Medical Assistance Division

## QMB Scope and Severity Matrix of survey results

Each deficiency in your Report of Findings is scored on a Scope and Severity Scale. The culmination of each deficiency's Scope and Severity is used to determine degree of compliance to standards and regulations and level of QMB Certification.

			SCOPE		
			Isolated 01% - 15%	Pattern 16% - 79%	Widespread 80% - 100%
SEVERITY	High Impact	Immediate Jeopardy to individual health and or safety	J.	K.	L.
		Actual harm	G.	H.	I.
	Medium Impact	No Actual Harm Potential for more than minimal harm	D.	E.	F. (3 or more)
			D. (2 or less)		
	Low Impact	No Actual Harm Minimal potential for harm.	A.	B.	C.

### Scope and Severity Definitions:

#### Key to Scope scale:

Isolated:

A deficiency that is limited to 1% to 15% of the sample, usually impacting no more than one or two individuals in the sample.

Pattern:

A deficiency that impacts a number or group of individuals from 16% to 79% of the sample is defined as a pattern finding. Pattern findings suggest the need for system wide corrective actions.

Widespread:

A deficiency that impacts most or all (80% to 100%) of the individuals in the sample is defined as widespread or pervasive. Widespread findings suggest the need for system wide corrective actions as well as the need to implement a Continuous Quality Improvement process to improve or build infrastructure. Widespread findings must be referred to the Internal Review Committee for review and possible actions or sanctions.

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

### **Introduction:**

Throughout the process, surveyors are openly communicating with providers. Open communication means that surveyors have clarified issues and/or requested missing information before completing the review. Regardless, there may still be instances where the provider disagrees with a specific finding.

To informally dispute a finding the provider must request in writing an Informal Reconsideration of the Finding (IRF) to the QMB Deputy Bureau Chief **within 10 working days** of receipt of the final report.

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>) and must specify in detail the request for reconsideration and why the finding is inaccurate. The **IRF request must include all supporting documentation or evidence that was not previously reviewed during the survey process.**

### **The following limitations apply to the IRF process:**

- The request for an IRF and all supporting evidence must be received in 10 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 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 Scope and Severity of a finding.
- 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 QMB Quality Approval Rating and the length of their DDSD provider contract.

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

QMB has 30 working days to complete the review and notify the provider of the decision. The request will be reviewed by the IRF committee. 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 successfully reconsidered, it will be noted and will be removed or modified from the report. 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.

### **Administrative Review Process:**

If a Provider desires to challenge the decision of the IRF committee they may request an Administrative Review by the DHI and DDSD Director. The Request must be made in writing to the QMB Bureau Chief and received within 5 days of notification from the IRF decision.

### **Regarding IRC Sanctions:**

The Informal Reconsideration of the Finding process is a separate process specific to QMB Survey Findings and should not be confused with any process associated with IRC Sanctions.

If a Provider desires to Dispute or Appeal an IRC Sanction that is a separate and different process. Providers may choose the Informal Dispute Resolution Process or the Formal Medicaid Fair Hearing Process to dispute or appeal IRC sanctions, please refer to the DOH Sanction policy and section 39 of the provider contract agreement.

**Agency:** Mosaic Inc. (Farmington) - Northwest Region  
**Program:** Developmental Disabilities Waiver  
**Service:** Community Living (Supported Living & Family Living) & Community Inclusion (Adult Habilitation & Community Access)  
**Monitoring Type:** Verification Survey  
**Original Survey Date:** August 17 - 20, 2009  
**Verification Survey Date:** May 17 - 19, 2010

Statute	August 17 - 20, 2009 Deficiencies	May 17 - 19, 2010 Verification Survey - New and Repeat Deficiencies
<b>Tag # 1A03 CQI System</b>	<b>Scope and Severity Rating: C</b>	<b>Scope and Severity Rating: N/A</b>
Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007 <b>CHAPTER 1 I. PROVIDER AGENCY ENROLLMENT PROCESS</b> <b>I. Continuous Quality Management System:</b> Prior to approval or renewal of a DD Waiver Provider Agreement, the Provider Agency is required to submit in writing the current Continuous Quality Improvement Plan to the DOH for approval. In addition, on an annual basis DD Waiver Provider Agencies shall develop or update and implement the Continuous Quality Improvement Plan. The CQI Plan shall be used to 1) discover strengths and challenges of the provider agency, as well as strengths, and barriers individuals experience in receiving the quality, quantity, and meaningfulness of services that he or she desires; 2) build on strengths and remediate individual and provider level issues to improve the provider's service provision over time. At a minimum the CQI Plan shall address how the agency will collect, analyze, act on data and evaluate results related to: (1) Individual access to needed services and supports; (2) Effectiveness and timeliness of implementation of Individualized Service Plans; (3) Trends in achievement of individual outcomes	The Agency's Continuous Quality Improvement Plan provided during the on-site survey (August 17 - 20, 2009) was not dated. No evidence was found indicating when the document had been created or updated.	Complete

in the Individual Service Plans;

- (4) Trends in medication and medical incidents leading to adverse health events;
- (5) Trends in the adequacy of planning and coordination of healthcare supports at both supervisory and direct support levels;
- (6) Quality and completeness documentation; and
- (7) Trends in individual and guardian satisfaction.

**7.1.13.9 INCIDENT MANAGEMENT SYSTEM REPORTING REQUIREMENTS FOR COMMUNITY BASED SERVICE PROVIDERS:**

**E. Quality Improvement System for Community Based Service Providers:** The community based service provider shall establish and implement a quality improvement system for reviewing alleged complaints and incidents. The incident management system shall include written documentation of corrective actions taken. The community based service provider shall maintain documented evidence that all alleged violations are thoroughly investigated, and shall take all reasonable steps to prevent further incidents. The community based service provider shall provide the following internal monitoring and facilitating quality improvement system:

- (1) community based service providers funded through the long-term services division to provide waiver services shall have current incident management policy and procedures in place, which comply with the department's current requirements;
- (2) community based service providers providing developmental disabilities services must have a designated incident management coordinator in place;
- (4) community based service providers providing developmental disabilities services must have an incident management committee to address internal and external incident reports for the purpose of looking at internal root causes and to take action on identified trends or issues.



Tag # 1A05 (CoP) General Requirements	Scope and Severity Rating: F	Scope and Severity Rating: N/A
<p>Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007</p> <p><b>CHAPTER 1 II. PROVIDER AGENCY REQUIREMENTS:</b> 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.</p> <p><b>A. General Requirements:</b></p> <p>(2) The Provider Agency is required to develop and implement written policies and procedures that maintain and protect the physical and mental health of individuals and which comply with all DDS policies and procedures and all relevant New Mexico State statutes, rules and standards. These policies and procedures shall be reviewed at least every three years and updated as needed.</p>	<p>Based on record review, the Agency failed to review and update its written policies and procedures every three years or as needed.</p> <p>The following policies and procedures provided during the on-site survey (August 17 - 20, 2009) showed no evidence of being reviewed every three years or being updated as needed:</p> <ul style="list-style-type: none"> <li>• “Addendum to Quality Improvement Enhancement Process” - Last reviewed and/or revised date unknown.</li> <li>• “Emergency Evacuation Plan” - Last reviewed and/or revised date unknown.</li> <li>• “Nursing Manual Addendum” - Last reviewed and/or revised date unknown.</li> <li>• “Internal Staff Positions Providing Oversight of the MARs” - Last reviewed and/or revised date unknown.</li> <li>• “Who Assists with Medication Protocol” - Last reviewed and/or revised date unknown.</li> <li>• “Medication Error Standard Scale” - Last reviewed and/or revised date unknown.</li> <li>• “Medication Policies and Procedures” - Last reviewed and/or revised date unknown.</li> <li>• “Contact Flow Sheet for Medical Concerns” - Last reviewed and/or revised date unknown.</li> <li>• “Incident Management Reporting Orientation and Training” - Last reviewed and/or revised date unknown.</li> <li>• “Preservation of Human Rights” - Last reviewed</li> </ul>	<p>Complete</p>

and/or revised date 2/10/2005.

- “Transportation Policy” - Last reviewed and/or revised date unknown.
- “Grievance Procedure and Appeals Process” - Last reviewed and/or revised date unknown.

Tag # 1A08 Agency Case File	Scope and Severity Rating: B	Scope and Severity Rating: B
<p>Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007</p> <p><b>CHAPTER 1 II. PROVIDER AGENCY REQUIREMENTS:</b> 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.</p> <p><b>D. Provider Agency Case File for the Individual:</b> 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:</p> <ol style="list-style-type: none"> <li>(1) Emergency contact information, including the 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;</li> <li>(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);</li> <li>(3) Progress notes and other service delivery documentation;</li> <li>(4) Crisis Prevention/Intervention Plans, if there are any for the individual;</li> <li>(5) A medical history...</li> </ol>	<p>Based on record review, the Agency failed to maintain at the administrative office a confidential case file for 11 of 14 individuals.</p> <p>Review of the Agency individual case files revealed the following items were not found, incomplete, and/or not current:</p> <ul style="list-style-type: none"> <li>• Current Emergency &amp; Personal Identification Information <ul style="list-style-type: none"> <li>◦ Did not contain Pharmacy Information (#5, 10, 12, 13 &amp; 14)</li> <li>◦ Did not contain Physician Information (#10, 12 &amp; 13)</li> </ul> </li> <li>• Annual ISP (#10)</li> <li>• ISP Teaching &amp; Support Strategies (#2, 4, 10 &amp; 14)</li> <li>• ISP Signature Page (#3 &amp; 13)</li> <li>• Addendum A (#8 &amp; 13)</li> <li>• Individual Specific Training Section (ISP) (#10)</li> <li>• Positive Behavioral Crisis Plan (#13)</li> <li>• Occupational Therapy Plan (#4, 5, 6 &amp; 7)</li> <li>• Physical Therapy Plan (#2, 4 &amp; 6)</li> </ul>	<p><b>Repeat Findings:</b></p> <p>Based on record review, the Agency failed to maintain at the administrative office a confidential case file for 3 of 14 individuals.</p> <p>Review of the Agency individual case files revealed the following items were not found, incomplete, and/or not current:</p> <ul style="list-style-type: none"> <li>• Occupational Therapy Plan (#5)</li> <li>• Physical Therapy Plan (#2 &amp; 4)</li> </ul>

Tag # 1A09 Medication Delivery (MAR) - Routine Medication	Scope and Severity Rating: E	Scope and Severity Rating: E
<p>Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007</p> <p><b>CHAPTER 1 II. PROVIDER AGENCY REQUIREMENTS:</b> 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.</p> <p><b>E. Medication Delivery:</b> 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.</p> <p>(2) When required by the DDSD Medication Assessment and Delivery Policy, Medication Administration Records (MAR) shall be maintained and include:</p> <ol style="list-style-type: none"> <li>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;</li> <li>Prescribed dosage, frequency and method/route of administration, times and dates of administration;</li> <li>Initials of the individual administering or assisting with the medication;</li> <li>Explanation of any medication irregularity;</li> <li>Documentation of any allergic reaction or</li> </ol>	<p>Medication Administration Records (MAR) were reviewed for the months of April, May &amp; June 2009.</p> <p>Based on record review, 9 of 14 individuals had Medication Administration Records, which contained missing medications entries and/or other errors:</p> <p>Individual #2 April 2009 As indicated by the Medication Administration Records the individual is to take Zoloft 50mg 1 tab (1 time daily). According to the Physician's Orders, Zoloft 50mg ½ tab is to be taken 1 time daily Medication Administration Record &amp; Physician's Orders do not match.</p> <p>June 2009 As indicated by the Medication Administration Records the individual is to take Zoloft 50mg 1 tab (1 time daily). According to the Physician's Orders, Zoloft 50mg ½ tab is to be taken 1 time daily Medication Administration Record &amp; Physician's Orders do not match.</p> <p>Individual #4 June 2009 During on-site survey Medication Administration Records were requested for months of April, May, and June, 2009. As of August 20, 2009 Medication Administration Records for June 2009 had not been provided.</p> <p>Individual #5 June 2009 During on-site survey Medication Administration Records were requested for months of April, May, and June, 2009. As of August 20, 2009, Medication Administration Records for June 2009 had not been provided.</p>	<p><b>New &amp; Repeat Findings:</b></p> <p>Medication Administration Records (MAR) were reviewed for the months of February, March &amp; May 2010.</p> <p>Based on record review, 3 of 14 individuals had Medication Administration Records, which contained missing medications entries and/or other errors:</p> <p>Individual #6 February 2010 Medication Administration Records contained missing entries. No documentation found indicating reason for missing entries:</p> <ul style="list-style-type: none"> <li>Lipitor 40mg/Atorvastatin Calcium 400mg (1 time daily) – Blank 2/28 (8AM)</li> </ul> <p>Individual #13 May 2010 During on site visit to home on 5/17/2010, 6:50PM Medication Administration Records contained missing entries. No documentation found indicating reason for missing entries:</p> <ul style="list-style-type: none"> <li>Caltrate w/Vitamin D (1 time daily) – Blank 5/6 (8 AM)</li> <li>Zocor 40mg (1 time daily) – Blank 5/14 (8 PM)</li> <li>Prilosec (1 time daily) – Blank 5/14 (8 PM)</li> <li>Depakote 500mg (2 times daily) – Blank 5/14 (8 PM)</li> <li>Lamictal 150mg (2 times daily) – Blank 5/14 (8 PM)</li> <li>Keppra (2 times daily) – Blank 5/14 (8 PM)</li> </ul>

<p>adverse medication effect; and</p> <p>(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.</p> <p>(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;</p> <p>(4) MARs are not required for individuals participating in Independent Living who self-administer their own medications;</p> <p>(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;</p> <p><b>NMAC 16.19.11.8 MINIMUM STANDARDS:</b>  <b>A. MINIMUM STANDARDS FOR THE DISTRIBUTION, STORAGE, HANDLING AND RECORD KEEPING OF DRUGS:</b></p> <p>(d) The facility shall have a Medication Administration Record (MAR) documenting medication administered to residents, <b>including over-the-counter medications.</b> This documentation shall include:</p> <ul style="list-style-type: none"> <li>(i) Name of resident;</li> <li>(ii) Date given;</li> <li>(iii) Drug product name;</li> <li>(iv) Dosage and form;</li> <li>(v) Strength of drug;</li> <li>(vi) Route of administration;</li> <li>(vii) How often medication is to be taken;</li> <li>(viii) Time taken and staff initials;</li> <li>(ix) Dates when the medication is discontinued</li> </ul>	<p>Individual #8</p> <p>April 2009</p> <p>Medication Administration Records contained missing entries. No documentation found indicating reason for missing entries:</p> <ul style="list-style-type: none"> <li>• Akwa Tear Eye Drops (1 time daily) – Blank 4/6 (8PM)</li> <li>• Fortical Nasal Spray (1 time daily) – Blank 4/6 (8AM)</li> <li>• J peg tube cleaning (2 times daily) – Blank 4/6 (8AM) &amp; Blank 4/24 (8PM)</li> <li>• Calcium 600mg (2 times daily) – Blank 4/6 (8AM) &amp; Blank 4/24 (8PM)</li> <li>• Vitamin D 400IU (2 times daily) – Blank 4/6 (8AM) &amp; Blank 4/24 (8PM)</li> <li>• Lactulose 10mg/15ml (2 times daily) – Blank 4/6 (8AM)</li> <li>• Jevity 1.2 formula 237ml (4 times daily) – Blank 4/6 (8AM) &amp; Blank 4/24 (8PM)</li> <li>• Baclofen 10mg (4 times daily) – Blank 4/6 (8AM)</li> <li>• Keppra 500mg (2 times daily) – Blank 4/6 (8AM)</li> </ul> <p>June 2009</p> <p>Medication Administration Records contained missing entries. No documentation found indicating reason for missing entries:</p> <ul style="list-style-type: none"> <li>• Jevity 1.2 formula 237ml (4 times daily) – Blank 6/27 (8PM) &amp; Blank 6/30 (4PM &amp; 8PM)</li> <li>• Baclofen 10mg (4 times daily) – Blank 6/30 (4PM &amp; 8PM)</li> </ul>	<p>Individual #14</p> <p>February 2010</p> <p>Medication Administration Records did not contain the strength of the medication which is to be given:</p> <ul style="list-style-type: none"> <li>• Depakene (Valproic Acid) give 4mls (1 time daily)</li> <li>• Depakene (Valproic Acid) give 7mls (1 time daily)</li> </ul> <p>March 2010</p> <p>Medication Administration Records did not contain the strength of the medication which is to be given:</p> <ul style="list-style-type: none"> <li>• Depakene (Valproic Acid) give 4mls (1 time daily)</li> <li>• Depakene (Valproic Acid) give 7mls (1 time daily)</li> </ul>
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<p>or changed;</p> <p>(x) The name and initials of all staff administering medications.</p> <p><b>Model Custodial Procedure Manual</b>  <b>D. Administration of Drugs</b>  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.</p> <p>All PRN (As needed) medications shall have complete detail instructions regarding the administering of the medication. This shall include:</p> <ul style="list-style-type: none"> <li>➤ symptoms that indicate the use of the medication,</li> <li>➤ exact dosage to be used, and</li> <li>➤ the exact amount to be used in a 24 hour period.</li> </ul>	<ul style="list-style-type: none"> <li>• Keppra 500mg (2 times daily) – Blank 6/30 (8PM)</li> </ul> <p>Individual #9  May 2009  Medication Administration Records contained missing entries. No documentation found indicating reason for missing entries:</p> <ul style="list-style-type: none"> <li>• Zantac 150mg (2 times daily) – Blank 5/15 (8PM)</li> <li>• Benefiber 3mg/12% (3 times daily) – Blank 5/11 (Breakfast) &amp; 5/15 (Dinner)</li> <li>• Peridex 0.12% - Blank 5/1 (9PM)</li> </ul> <p>June 2009  During on-site survey Medication Administration Records were requested for months of April, May, and June, 2009. As of August 20, 2009, Medication Administration Records for June 2009 had not been provided.</p> <p>Individual #10  June 2009  Medication Administration Records contained missing entries. No documentation found indicating reason for missing entries:</p> <ul style="list-style-type: none"> <li>• Calcium w/Vitamin D 600mg (2 times daily) – Blank 6/14 (5PM)</li> <li>• Metrogel 0.75% (2 times daily) – Blank 6/14 (8PM)</li> </ul> <p>Individual #12  April 2009  Medication Administration Record document did not contain a signature page that designates the full name that corresponds to each initial used to document administered or assisted delivery of each dose for the following medications:</p> <ul style="list-style-type: none"> <li>• Prozac 20mg (1 time daily)</li> </ul>	
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	<ul style="list-style-type: none"> <li>• Tegretol 200mg (2 times daily)</li> <li>• Zyprexa 10mg (1 time daily)</li> </ul> <p>May 2009 Medication Administration Record document did not contain a signature page that designates the full name that corresponds to each initial used to document administered or assisted delivery of each dose for the following medications:</p> <ul style="list-style-type: none"> <li>• Prozac 20mg (1 time daily)</li> <li>• Tegretol 200mg (2 times daily)</li> <li>• Zyprexa 10mg (1 time daily)</li> </ul> <p>June 2009 Medication Administration Record document did not contain a signature page that designates the full name that corresponds to each initial used to document administered or assisted delivery of each dose for the following medications:</p> <ul style="list-style-type: none"> <li>• Prozac 20mg (1 time daily)</li> <li>• Tegretol 200mg (2 times daily)</li> <li>• Zyprexa 10mg (1 time daily)</li> </ul> <p>Individual #13 April 2009 Medication Administration Records contained missing entries. No documentation found indicating reason for missing entries:</p> <ul style="list-style-type: none"> <li>• Zolof 50mg (1 time daily) – Blank 4/22 (8AM)</li> <li>• Depakote 500mg (2 times daily) – Blank 4/24 (8PM)</li> </ul> <p>May 2009 Medication Administration Records contained missing entries. No documentation found indicating reason for missing entries:</p> <ul style="list-style-type: none"> <li>• Synthroid 25mcg (1 time daily) – Blank 5/19 (6AM)</li> <li>• Depakote 500mg (2 times daily) – Blank 5/18</li> </ul>	
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	<p>(8PM)</p> <p>June 2009 Medication Administration Records contained missing entries. No documentation found indicating reason for missing entries:</p> <ul style="list-style-type: none"> <li>• Depakote 500mg (2 times daily) – Blank 6/19 (8PM)</li> </ul> <p>Individual #14</p> <p>April 2009 During on-site survey Medication Administration Records were requested for months of April, May, and June, 2009. As of August 20, 2009, Medication Administration Records for April 2009 had not been provided.</p> <p>May 2009 During on-site survey Medication Administration Records were requested for months of April, May, and June, 2009. As of August 20, 2009, Medication Administration Records for May 2009 had not been provided.</p> <p>June 2009 During on-site survey Medication Administration Records were requested for months of April, May, and June, 2009. As of August 20, 2009, Medication Administration Records for June 2009 had not been provided.</p>	
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Tag # 1A09 Medication Delivery - PRN Medication	Scope and Severity Rating: E	Scope and Severity Rating: E
<p>Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007</p> <p><b>CHAPTER 1 II. PROVIDER AGENCY REQUIREMENTS:</b> 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.</p> <p><b>E. Medication Delivery:</b> 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.</p> <p>(2) When required by the DDSD Medication Assessment and Delivery Policy, Medication Administration Records (MAR) shall be maintained and include:</p> <ol style="list-style-type: none"> <li>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;</li> <li>Prescribed dosage, frequency and method/route of administration, times and dates of administration;</li> <li>Initials of the individual administering or assisting with the medication;</li> <li>Explanation of any medication irregularity;</li> <li>Documentation of any allergic reaction or adverse medication effect; and</li> </ol>	<p>Based on record review, the Agency failed to maintain PRN Medication Administration Records which contained all elements required by standard for 5 of 14 Individuals.</p> <p>Individual #1 April 2009 No Effectiveness was noted on the Medication Administration Record for the following PRN medication:</p> <ul style="list-style-type: none"> <li>Acetaminophen (Tylenol) – PRN – 4/4 (given 1 time daily), 4/6 (given 1 time daily) &amp; 4/7 (given 1 time daily)</li> </ul> <p>Individual #5 April 2009 Medication Administration Records did not contain the exact amount to be used in a 24 hour period:</p> <ul style="list-style-type: none"> <li>Bactroban 2% cream (PRN)</li> <li>Erythromycin Ophthalmic Ointment (PRN)</li> </ul> <p>Medication Administration Records did not contain the circumstance for which the medication is to be used:</p> <ul style="list-style-type: none"> <li>Bactroban 2% cream (PRN)</li> </ul> <p>Medication Administration Records did not contain the strength of liquid for which the medication is to be used:</p> <ul style="list-style-type: none"> <li>Acetaminophen (Tylenol) 325mg liquid (PRN)</li> <li>Ibuprofen 200mg Liquid (PRN)</li> </ul> <p>May 2009 Medication Administration Records did not contain the exact amount to be used in a 24 hour period:</p> <ul style="list-style-type: none"> <li>Bactroban 2% cream (PRN)</li> </ul>	<p><b>New &amp; Repeat Findings:</b></p> <p>Based on record review, the Agency failed to maintain PRN Medication Administration Records which contained all elements required by standard for 4 of 14 Individuals.</p> <p>Individual #3 February 2010 No Effectiveness was noted on the Medication Administration Record for the following PRN medication:</p> <ul style="list-style-type: none"> <li>Robitussin 100mg – PRN – 2/26 &amp; 27 (given 1 time)</li> </ul> <p>Individual #4 February 2010 No Effectiveness was noted on the Medication Administration Record for the following PRN medication:</p> <ul style="list-style-type: none"> <li>Ibuprofen 200mg – PRN – 2/1 (given 1 time)</li> </ul> <p>Individual #5 February 2010 Medication Administration Records did not contain the strength of the medication which is to be given:</p> <ul style="list-style-type: none"> <li>Tylenol 325mg liquid (PRN)</li> <li>Ibuprofen 200mg liquid (PRN)</li> <li>Albuterol Nebulizer Treatment (PRN).</li> </ul> <p>Medication Administration Records did not contain the exact amount to be used in a 24 hour period:</p> <ul style="list-style-type: none"> <li>Erythromycin Ophthalmic Ointment (PRN)</li> </ul> <p>March 2010 Medication Administration Records did not contain the strength of the medication which is to be given:</p>

<p>(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.</p> <p>(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;</p> <p>(4) MARs are not required for individuals participating in Independent Living who self-administer their own medications;</p> <p>(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;</p> <p><b>NMAC 16.19.11.8 MINIMUM STANDARDS: A. MINIMUM STANDARDS FOR THE DISTRIBUTION, STORAGE, HANDLING AND RECORD KEEPING OF DRUGS:</b></p> <p>(d) The facility shall have a Medication Administration Record (MAR) documenting medication administered to residents, <b>including over-the-counter medications</b>. This documentation shall include:</p> <ul style="list-style-type: none"> <li>(i) Name of resident;</li> <li>(ii) Date given;</li> <li>(iii) Drug product name;</li> <li>(iv) Dosage and form;</li> <li>(v) Strength of drug;</li> <li>(vi) Route of administration;</li> <li>(vii) How often medication is to be taken;</li> <li>(viii) Time taken and staff initials;</li> <li>(ix) Dates when the medication is discontinued or changed;</li> <li>(x) The name and initials of all staff</li> </ul>	<ul style="list-style-type: none"> <li>• Erythromycin Ophthalmic Ointment (PRN)</li> </ul> <p>No Effectiveness was noted on the Medication Administration Record for the following PRN medication:</p> <ul style="list-style-type: none"> <li>• Levsin 0.125mg – PRN – 5/14 (given 1 time daily)</li> </ul> <p>June 2009 Medication Administration Records did not contain the exact amount to be used in a 24 hour period:</p> <ul style="list-style-type: none"> <li>• Bactroban 2% cream (PRN)</li> </ul> <ul style="list-style-type: none"> <li>• Erythromycin Ophthalmic Ointment (PRN)</li> </ul> <p>Individual #6 April 2009 No Effectiveness was noted on the Medication Administration Record for the following PRN medication:</p> <ul style="list-style-type: none"> <li>• Dulcolax 10mg – PRN – 4/26 (given 1 time daily)</li> </ul> <p>Individual #7 April 2009 Medication Administration Records did not contain the dosage for the following medications:</p> <ul style="list-style-type: none"> <li>• Lactulose – PRN</li> <li>• Senna Lax – PRN</li> </ul> <p>Individual #8 April 2009 No Effectiveness was noted on the Medication Administration Record for the following PRN medication:</p> <ul style="list-style-type: none"> <li>• Lotrisone Cream – PRN – 4/14 (given 1 time daily)</li> <li>• Acetaminophen (Tylenol) 160mg/5ml – PRN – 4/18 (given 1 time daily) &amp; 4/22 (given 2 times daily)</li> </ul>	<ul style="list-style-type: none"> <li>• Tylenol 325mg liquid (PRN)</li> <li>• Ibuprofen 200mg liquid (PRN)</li> <li>• Albuterol Nebulizer Treatment (PRN)</li> </ul> <p>Medication Administration Records did not contain the exact amount to be used in a 24 hour period:</p> <ul style="list-style-type: none"> <li>• Erythromycin Ophthalmic Ointment (PRN)</li> </ul> <p>Individual #6 February 2010 No Effectiveness was noted on the Medication Administration Record for the following PRN medication:</p> <ul style="list-style-type: none"> <li>• Tylenol EX-STR 500mg – PRN – 2/9 (given 1 time daily)</li> <li>• Robitussin 100mg – PRN – 2/26 (given 2 times daily)</li> </ul>
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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

- Robitussin – PRN – 4/22 (given 2 times daily); 4/24 (given 1 time daily) & 4/26 (given 1 time daily)

- Dulcolax 10mg – PRN – 4/2 (given 1 time daily); 4/3 (given 1 time daily); 4/5 (given 1 time daily); 4/7 (given 1 time daily); 4/8(given 1 time daily); 4/10 (given 1 time daily); 4/11 (given 1 time daily); 4/13 (given 1 time daily); 4/15 (given 1 time daily); 4/16 (given 1 time daily); 4/18 (given 1 time daily); 4/24 (given 1 time daily); 4/25 (given 1 time daily) & 2/27 (given 1 time daily)

- Milk of Magnesia 30mls – PRN – 4/4 (given 1 time daily) & 4/18 (given 1 time daily)

May 2009

No Effectiveness was noted on the Medication Administration Record for the following PRN medication:

- Dulcolax 10mg – PRN – 5/3 (given 1 time daily); 5/7 (given 1 time daily); 5/9 (given 1 time daily); 5/16 (given 1 time daily); 5/18 (given 1 time daily); 5/21 (given 1 time daily); 5/24 (given 1 time daily) & 5/30 (given 1 time daily)

- Milk of Magnesia – PRN – 5/9 (given 1 time daily)

- C – Phen DM Syrup – PRN – 5/1 (given 1 time daily)

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.).

Tag # 1A11 (CoP) Transportation P&P	Scope and Severity Rating: F	Scope and Severity Rating: N/A
<p>Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007</p> <p><b>CHAPTER 1 II. PROVIDER AGENCY REQUIREMENTS:</b> 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.</p> <p><b>G. Transportation:</b> Provider agencies that provide Community Living, Community Inclusion or Non-Medical Transportation services shall have a written policy and procedures regarding the safe transportation of individuals in the community, which comply with New Mexico regulations governing the operation of motor vehicles to transport individuals, and which are consistent with DDSD guidelines issued July 1, 1999 titled "Client Transportation Safety". The policy and procedures must address at least the following topics:</p> <ol style="list-style-type: none"> <li>(1) Drivers' requirements,</li> <li>(2) Individual safety, including safe locations for boarding and disembarking passengers, appropriate responses to hazardous weather and other adverse driving conditions,</li> <li>(3) Vehicle maintenance and safety inspections,</li> <li>(4) Staff training regarding the safe operation of the vehicle, assisting passengers and safe lifting procedures,</li> <li>(5) Emergency Plans, including vehicle evacuation techniques,</li> <li>(6) Documentation, and</li> <li>(7) Accident Procedures.</li> </ol> <p><b>Department of Health (DOH) Developmental Disabilities Supports Division (DDSD) Policy - Training Requirements for Direct Service Agency Staff Policy...</b></p>	<p>Based on record review, the Agency failed to have a written policies and procedures regarding the safe transportation of individuals in the community, which comply with New Mexico regulations governing the operation of motor vehicles to transport individuals.</p> <p>Review of Agency's policies and procedures indicated the following elements were not found:</p> <ol style="list-style-type: none"> <li>(2) Individual safety, including safe locations for boarding and disembarking passengers, appropriate responses to hazardous weather and other adverse driving conditions,</li> <li>(3) Vehicle maintenance and safety inspections,</li> </ol>	<p>Complete</p>

Tag # 1A11 (CoP) Transportation Training	Scope and Severity Rating: E	Scope and Severity Rating: D
<p><b>CHAPTER 1 II. PROVIDER AGENCY REQUIREMENTS:</b> ...Additional Provider Agency requirements and personnel qualifications may be applicable for specific service standards.</p> <p><b>G. Transportation:</b> Provider agencies that provide Community Living, Community Inclusion or Non-Medical Transportation services shall have a written policy and procedures regarding the safe transportation of individuals in the community, which comply with New Mexico regulations governing the operation of motor vehicles to transport individuals, and which are consistent with DDS guidelines issued July 1, 1999 titled "Client Transportation Safety"...</p> <p><b>Department of Health (DOH) DDS Policy - Training Requirements for Direct Service Agency Staff Policy Eff Date:</b> March 1, 2007 - <b>II. POLICY STATEMENTS:</b></p> <p>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 services. The training shall address at least the following:</p> <ol style="list-style-type: none"> <li>1. Operating a fire extinguisher</li> <li>2. Proper lifting procedures</li> <li>3. General vehicle safety precautions (e.g., pre-trip inspection, removing keys from the ignition when not in the driver's seat)</li> <li>4. Assisting passengers with cognitive and/or physical impairments (e.g., general guidelines for supporting individuals who may be unaware of safety issues involving traffic or those who require physical assistance to enter/exit a vehicle)</li> <li>5. Operating wheelchair lifts (if applicable to the staff's role)</li> <li>6. Wheelchair tie-down procedures (if applicable to the staff's role)</li> <li>7. Emergency and evacuation procedures (e.g., roadside emergency, fire emergency)</li> </ol>	<p>Based on record review the Agency failed to provide staff training regarding the safe operation of the vehicle, assisting passengers and safe lifting procedures for 55 of 111 Direct Service Personnel.</p> <p>No documented evidence was found of the following required training:</p> <ul style="list-style-type: none"> <li>• Transportation (DSP #40, 41, 43, 44, 45, 47, 50, 51, 56, 57, 58, 61, 70, 72, 73, 75, 76, 77, 78, 81, 84, 86, 87, 88, 89, 96, 97, 98, 101, 104, 106, 109, 110, 112, 113, 114, 115, 116, 121, 122, 123, 124, 128, 130, 131, 133, 134, 137, 138, 139, 143, 144, 145, 146 &amp; 148)</li> </ul>	<p><b>New &amp; Repeat Findings:</b></p> <p>Based on record review the Agency failed to provide staff training regarding the safe operation of the vehicle, assisting passengers and safe lifting procedures for 5 of 90 Direct Service Personnel. No documented evidence was found of the following required training:</p> <ul style="list-style-type: none"> <li>• Transportation (DSP #115, 161, 166, 168 &amp; 171)</li> </ul>

Tag # 1A15 Healthcare Documentation	Scope and Severity Rating: E	Scope and Severity Rating: D
<p>Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007  <b>Chapter 1. III. E. (1 - 4) CHAPTER 1. III. PROVIDER AGENCY DOCUMENTATION OF SERVICE DELIVERY AND LOCATION</b></p> <p><b>E. Healthcare Documentation by Nurses For Community Living Services, Community Inclusion Services and Private Duty Nursing Services:</b> Nursing services must be available as needed and documented for Provider Agencies delivering Community Living Services, Community Inclusion Services and Private Duty Nursing Services.</p> <p><b>(1) Documentation of nursing assessment activities</b>  (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:  (i) Community living services provider agency;  (ii) Private duty nursing provider agency;  (iii) Adult habilitation provider agency;  (iv) Community access provider agency; and  (v) Supported employment provider agency.  (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 assessments in collaboration with the Primary Care Practitioner if they believe such consultation is necessary for an accurate assessment. Family Living Provider Agencies have</p>	<p>Based on record review, the Agency failed to maintain the required documentation in the Individuals Agency Record as required per standard for 7 of 14 individual</p> <p>The following were not found, incomplete and/or not current:</p> <ul style="list-style-type: none"> <li>• <b>Quarterly Nursing Review of HCP/Crisis Plans:</b> <ul style="list-style-type: none"> <li>◦ None found for 3/2009 - 5/2009 (#2)</li> <li>◦ None found for 2/2009 - 7/2009 (#3)</li> <li>◦ None found for 8/2008 - 7/2009 (#5)</li> <li>◦ None found for 4/2009 - 6/2009 (#8)</li> <li>◦ None found for 8/2008 - 7/2009 (#13)</li> </ul> </li> <li>• <b>Health Care Plans</b> <ul style="list-style-type: none"> <li>• Cholesterol <ul style="list-style-type: none"> <li>◦ Individual #5 - According to Agency Case file the individual is required to have a plan.</li> </ul> </li> </ul> </li> <li>• <b>Crisis Plans</b> <ul style="list-style-type: none"> <li>• Gastrointestinal <ul style="list-style-type: none"> <li>◦ Individual #6 - As indicated by the IST section of ISP the individual is required to have a plan.</li> </ul> </li> <li>• Sleep Apnea <ul style="list-style-type: none"> <li>◦ Individual #6 - As indicated by the IST section of ISP the individual is required to have a plan.</li> </ul> </li> <li>• Allergies <ul style="list-style-type: none"> <li>◦ Individual #6 &amp; 11 - As indicated by the IST section of ISP the individual is required to have a plan.</li> </ul> </li> </ul> </li> </ul>	<p><b>Repeat Findings:</b>  Based on record review, the Agency failed to maintain the required documentation in the Individuals Agency Record as required per standard for 2 of 14 individual</p> <p>The following were not found, incomplete and/or not current:</p> <ul style="list-style-type: none"> <li>• <b>Quarterly Nursing Review of HCP/Crisis Plans:</b> <ul style="list-style-type: none"> <li>◦ None found for 12/2009 - 2/2010 (#2)</li> <li>◦ None found for 2/2010 - 4/2010 (#3)</li> </ul> </li> </ul>



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, method in which temperature taken); *assessment* of the clinical status, and *plan* of action addressing relevant aspects of all active health problems and follow up on any recommendations of medical consultants.

**(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

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status and progress to date on health related ISP  
desired outcomes and action plans as well as  
progress toward goals in the healthcare plan.

Tag # 1A20 DSP Training Documents	Scope and Severity Rating: E	Scope and Severity Rating: D
<p>Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007</p> <p><b>CHAPTER 1 IV. GENERAL REQUIREMENTS FOR PROVIDER AGENCY SERVICE</b></p> <p><b>PERSONNEL:</b> 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.</p> <p><b>C. Orientation and Training Requirements:</b> Orientation and training for direct support staff and his or her supervisors shall comply with the DDS/DOH Policy Governing the Training Requirements for Direct Support Staff and Internal Service Coordinators Serving Individuals with Developmental Disabilities to include the following:</p> <ol style="list-style-type: none"> <li>(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</li> <li>(2) 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.</li> </ol> <p><b>Department of Health (DOH) Developmental Disabilities Supports Division (DDSD) Policy - Policy Title: Training Requirements for Direct Service Agency Staff Policy - Eff. March 1, 2007</b></p> <p><b>II. POLICY STATEMENTS:</b></p> <p>A. Individuals shall receive services from competent and qualified staff...</p>	<p>Based on record review, the Agency failed to ensure that Orientation and Training requirements were met for 49 of 111 Direct Service Personnel.</p> <p>Review of Direct Service Personnel training records found no evidence of the following required DOH/DDSD trainings and certification being completed:</p> <ul style="list-style-type: none"> <li>• Pre- Service (DSP #50, 56, 66, 89, 93, 94, 109, 112, 113, 127, 129, 137 &amp; 146)</li> <li>• Basic Health/Orientation (DSP #50, 56, 66, 89, 93, 94, 109, 113, 127, 129, 137 &amp; 146)</li> <li>• Person-Centered Planning (1-Day) (DSP #50, 56, 65, 85, 93, 94, 96, 113, 127, 129, 135, 136, 144 &amp; 146)</li> <li>• First Aid (DSP #41, 42, 46, 59, 60, 75, 80, 97, 102, 120, 131, 139, 145, 146 &amp; 148)</li> <li>• CPR (DSP #41, 42, 46, 59, 60, 75, 80, 97, 102, 120, 131, 139, 145, 146 &amp; 148)</li> <li>• Assisting With Medications (DSP #46, 58, 70, 71, 75, 82, 93, 100, 110, 111, 113, 119, 120, 123, 126, 131, 133, 134, 135, 136, 139, 143, 144, 145, 146 &amp; 148)</li> <li>• Rights &amp; Advocacy (DSP #48, 92, 143 &amp; 145)</li> <li>• Level 1 Health (DSP #46 &amp; 59)</li> <li>• Teaching &amp; Support Strategies (DSP #48 &amp; 59)</li> <li>• Positive Behavior Supports Strategies (DSP #48 &amp; 145)</li> <li>• Participatory Communication &amp; Choice Making (DSP #114)</li> </ul>	<p><b>New &amp; Repeat Findings:</b></p> <p>Based on record review, the Agency failed to ensure that Orientation and Training requirements were met for 5 of 90 Direct Service Personnel.</p> <p>Review of Direct Service Personnel training records found no evidence of the following required DOH/DDSD trainings and certification being completed:</p> <ul style="list-style-type: none"> <li>• Pre- Service (DSP #166 &amp; 171)</li> <li>• Basic Health/Orientation (DSP #171)</li> <li>• First Aid (DSP #70, 75 &amp; 82)</li> <li>• CPR (DSP #70, 75 &amp; 82)</li> </ul>

Tag # 1A22 Staff Competence	Scope and Severity Rating: E	Scope and Severity Rating: N/A
<p>Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007</p> <p><b>CHAPTER 1 IV. GENERAL REQUIREMENTS FOR PROVIDER AGENCY SERVICE</b></p> <p><b>PERSONNEL:</b> 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.</p> <p><b>F. Qualifications for Direct Service Personnel:</b> The following employment qualifications and competency requirements are applicable to all Direct Service Personnel employed by a Provider Agency:</p> <p>(1) Direct service personnel shall be eighteen (18) years or older. Exception: Adult Habilitation can employ direct care personnel under the age of eighteen 18 years, but the employee shall work directly under a supervisor, who is physically present at all times;</p> <p>(2) Direct service personnel shall have the ability to read and carry out the requirements in an ISP;</p> <p>(3) Direct service personnel shall be available to communicate in the language that is functionally required by the individual or in the use of any specific augmentative communication system utilized by the individual;</p> <p>(4) Direct service personnel shall meet the</p>	<p>Based on interview, the Agency failed to ensure that training competencies were met for 7 of 20 Direct Service Personnel.</p> <p><b>When DSP were asked if they received training on the Individual's ISP and what the plan covered, the following was reported:</b></p> <ul style="list-style-type: none"> <li>DSP #132 stated, "No, and I haven't been to any meetings either." (Individual #2)</li> </ul> <p><b>When DSP were asked if they received training on the Individual's Speech Therapy Plan and what the plan covered, the following was reported:</b></p> <ul style="list-style-type: none"> <li>DSP #132 stated, "No, she doesn't have one." According to the Individual Specific Training Section of the ISP the Individual requires a Speech Therapy Plan. (Individual #2)</li> <li>DSP #124 stated, "I haven't seen the SLP in a long time so I'm not sure what they are working on." According to the Individual Specific Training Section of the ISP the Individual requires a Speech Therapy Plan. (Individual #4)</li> </ul> <p><b>When DSP were asked if they received training on the Individual's Occupational Therapy Plan and what the plan covered, the following was reported:</b></p> <ul style="list-style-type: none"> <li>DSP #58 stated, "I'm not sure." According to the Individual Specific Training Section of the ISP, the Individual requires an Occupational Therapy Plan. (Individual #2)</li> <li>DSP #132 stated, "I don't believe so." According to the Individual Specific Training Section of the ISP, the Individual requires an Occupational Therapy Plan. (Individual #2)</li> </ul>	<p>Complete</p>

<p>qualifications specified by DDS in the Policy Governing the Training Requirements for Direct Support Staff and Internal Service Coordinators, Serving Individuals with Developmental Disabilities; and</p> <p>(5) Direct service Provider Agencies of Respite Services, Substitute Care, Personal Support Services, Nutritional Counseling, Therapists and Nursing shall demonstrate basic knowledge of developmental disabilities and have training or demonstrable qualifications related to the role he or she is performing and complete individual specific training as required in the ISP for each individual he or she support.</p> <p>(6) Report required personnel training status to the DDS Statewide Training Database as specified in DDS policies as related to training requirements as follows:</p> <p>(a) Initial comprehensive personnel status report (name, date of hire, Social Security number category) on all required personnel to be submitted to DDS Statewide Training Database within the first ninety (90) calendar days of providing services;</p> <p>(b) Staff who do not wish to use his or her Social Security Number may request an alternative tracking number; and</p> <p>(c) Quarterly personnel update reports sent to DDS Statewide Training Database to reflect new hires, terminations, inter-provider Agency position changes, and name changes.</p>	<p><b>When DSP were asked if they received training on the Individual's Physical Therapy Plan and what the plan covered, the following was reported:</b></p> <ul style="list-style-type: none"> <li>DSP #58 stated, "Not that I know of." According to the Individual Specific Training Section of the ISP, the Individual requires a Physical Therapy Plan. (Individual #2)</li> </ul> <p><b>When DSP were asked if they received training on the Individual's Health Care Plans and what the plan covered, the following was reported:</b></p> <ul style="list-style-type: none"> <li>DSP #102 stated, "Just how to give medications." According to ISP the individual has a HAT score of 5 and the Individual Specific Training section of the ISP indicates there are HCPs for: Aspiration, Seizure, GERD, Osteoporosis, Mobility &amp; Skin Breakdown. (Individual #3)</li> </ul> <p><b>When DSP were asked if they received training on the Individual's Crisis Plans and what the plan covered, the following was reported:</b></p> <ul style="list-style-type: none"> <li>DSP #102 stated, "If seizure activity last longer than 24 hours call 911." As indicated by the Agency file, the Individual has Crisis Plans for seizures ("staff is to call 911 if seizure last longer than 5 minutes or if individual has two seizures in 10 minutes"). (Individual #3)</li> <li>DSP #47 stated, "She has plans for Aspiration." As indicated by the agency file, the individual also has Crisis Plans for Seizures and Allergies. (Individual #4)</li> <li>DSP #124 stated, "I thought she may have seizures but I haven't seen them in the book." As indicated by the agency file, the individual has Crisis Plans for Seizures. (Individual #4)</li> </ul>	
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- DSP #119 stated, "Make sure she is safe. Nothing in mouth, I would call the nurse; I'm not sure how long I would wait before I called 911." As indicated by the Agency file, the Individual has Crisis Plans for seizures. (Individual #5)

**When DSP were asked if they had received training regarding the individual's Person-Specific Seizure Plan/Crisis Plan the following was reported:**

- DSP #124 stated, "I don't know, I'm not sure what her Crisis Plan says." According to the agency case file, the individual has a person-specific seizure plan/crisis plan. (Individual #4)
- DSP #134 stated, "There is no person-specific seizure plan/crisis plan." According to the agency case file, the individual has a person-specific seizure crisis plan. (Individual #14)



Tag # 1A25 (CoP) CCHS	Scope and Severity Rating: E	Scope and Severity Rating: N/A
<p><b>NMAC 7.1.9.8 CAREGIVER AND HOSPITAL CAREGIVER EMPLOYMENT REQUIREMENTS:</b>  <b>F. Timely Submission:</b> 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.</p> <p><b>NMAC 7.1.9.9 CAREGIVERS OR HOSPITAL CAREGIVERS AND APPLICANTS WITH DISQUALIFYING CONVICTIONS:</b>  <b>A. Prohibition on Employment:</b> 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.</p> <p><b>NMAC 7.1.9.11 DISQUALIFYING CONVICTIONS.</b>  The following felony convictions disqualify an applicant, caregiver or hospital caregiver from employment or contractual services with a care provider:  <b>A.</b> homicide;  <b>B.</b> trafficking, or trafficking in controlled substances;  <b>C.</b> kidnapping, false imprisonment, aggravated assault or aggravated battery;  <b>D.</b> rape, criminal sexual penetration, criminal sexual contact, incest, indecent exposure, or other related felony sexual offenses;  <b>E.</b> crimes involving adult abuse, neglect or financial exploitation;  <b>F.</b> crimes involving child abuse or neglect;  <b>G.</b> crimes involving robbery, larceny, extortion, burglary, fraud, forgery, embezzlement, credit card fraud, or receiving stolen property; or  <b>H.</b> an attempt, solicitation, or conspiracy involving any of the felonies in this subsection.</p>	<p>Based on record review, the Agency failed to 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 18 of 118 Agency Personnel.</p> <p>The following Agency Personnel Files contained no evidence of Caregiver Criminal History Screenings:</p> <ul style="list-style-type: none"> <li>• #42 – Date of hire 10/17/2007</li> <li>• #48 – Date of hire 1/05/2008</li> <li>• #52 – Date of hire 8/30/2006</li> <li>• #53 – Date of hire 11/28/2006</li> <li>• #54 – Date of hire 3/10/2009</li> <li>• #57 – Date of hire 1/09/2006</li> <li>• #58 – Date of hire 6/20/2006</li> <li>• #60 – Date of hire 8/30/2006</li> <li>• #63 – Date of hire 3/17/2009</li> <li>• #114 – Date of hire 2/26/2008</li> <li>• #124 – Date of hire 11/13/2007</li> <li>• #141 – Date of hire 5/07/2009</li> <li>• #142 – Date of hire 4/20/2009</li> <li>• #144 – Date of hire 1/18/2007</li> <li>• #145 – Date of hire 1/05/2007</li> <li>• #146 – Date of hire 4/10/2009</li> <li>• #155 – Date of hire 8/14/2006</li> <li>• #156 – Date of hire 8/14/2006</li> </ul>	<p>Complete</p>

Tag # 1A26 (CoP) COR / EAR	Scope and Severity Rating: F	Scope and Severity Rating: N/A
<p><b>NMAC 7.1.12.8</b>  <b>REGISTRY ESTABLISHED; PROVIDER INQUIRY REQUIRED:</b> 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.</p> <p>A. <b>Provider requirement to inquire of registry.</b> 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.</p> <p>B. <b>Prohibited employment.</b> 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.</p> <p>D. <b>Documentation of inquiry to registry.</b> 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 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,</p>	<p>Based on record review, the Agency failed to maintain documentation in the employee's personnel records that evidenced inquiry to the Employee Abuse Registry prior to employment for 112 of 118 Agency Personnel.</p> <p>The following Agency personnel records contained NO evidence of the Employee Abuse Registry being completed:</p> <ul style="list-style-type: none"> <li>• #45 – Date of hire 6/09/2009</li> <li>• #49 – Date of hire 8/04/2009</li> <li>• #141 – Date of hire 5/07/2009</li> <li>• #142 – Date of hire 4/20/2009</li> <li>• #143 – Date of hire 12/17/2007</li> <li>• #144 – Date of hire 1/18/2007</li> <li>• #145 – Date of hire 1/05/2007</li> <li>• #146 – Date of hire 4/10/2009</li> <li>• #147 – Date of hire 8/11/2009</li> <li>• #148 – Date of hire 1/29/2007</li> <li>• #149 – Date of hire 8/18/2009</li> <li>• #150 – Date of hire 8/18/2009</li> <li>• #153 – Date of hire 8/05/2009</li> </ul> <p>The following Agency Personnel records contained evidence that indicated the Employee Abuse Registry was completed after hire:</p> <ul style="list-style-type: none"> <li>• #40 – Date of hire 2/11/2008</li> <li>• #41 – Date of hire 10/17/2007</li> <li>• #42 – Date of hire 10/15/2007</li> <li>• #43 – Date of hire 9/22/2008</li> <li>• #44 – Date of hire 6/29/2008</li> <li>• #47 – Date of hire 2/19/2008</li> <li>• #48 – Date of hire 1/05/2008</li> <li>• #50 – Date of hire 4/27/2009</li> <li>• #51 – Date of hire 9/29/2006</li> <li>• #52 – Date of hire 8/30/2006</li> </ul>	<p>Complete</p>

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.

Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007

**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 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.

- #53 – Date of hire 11/28/2006
- #54 – Date of hire 3/10/2009
- #55 – Date of hire 2/11/2007
- #56 – Date of hire 3/26/2009
- #57 – Date of hire 1/09/2006
- #58 – Date of hire 6/20/2006
- #59 – Date of hire 6/22/2008
- #60 – Date of hire 8/30/2006
- #61 – Date of hire 9/27/2006
- #62 – Date of hire 8/4/2009
- #63 – Date of hire 3/17/2009
- #64 – Date of hire 6/25/2009
- #65 – Date of hire 4/27/2009
- #66 – Date of hire 5/21/2009
- #67 – Date of hire 4/21/2009
- #68 – Date of hire 7/17/2009
- #69 – Date of hire 8/31/2006
- #70 – Date of hire 4/29/2009
- #72 – Date of hire 3/06/2009
- #74 – Date of hire 8/13/2009
- #75 – Date of hire 5/03/2007
- #76 – Date of hire 4/27/2009
- #77 – Date of hire 1/29/2009
- #78 – Date of hire 12/26/2008
- #79 – Date of hire 8/03/2009
- #80 – Date of hire 9/27/2008
- #81 – Date of hire 7/06/2009
- #82 – Date of hire 3/05/2009
- #83 – Date of hire 7/06/2009
- #84 – Date of hire 9/30/2008
- #85 – Date of hire 1/13/2009
- #86 – Date of hire 1/29/2009
- #87 – Date of hire 5/03/2007
- #88 – Date of hire 10/08/2008
- #89 – Date of hire 7/17/2009
- #90 – Date of hire 9/10/2006
- #91 – Date of hire 3/11/2008
- #92 – Date of hire 1/03/2008
- #93 – Date of hire 3/23/2009

- #94 – Date of hire 1/29/2009
- #95 – Date of hire 8/31/2006
- #96 – Date of hire 1/29/2009
- #97 – Date of hire 6/11/2007
- #98 – Date of hire 6/17/2007
- #99 – Date of hire 11/19/2008
- #100 – Date of hire 8/31/2006
- #101 – Date of hire 6/03/2007
- #102 – Date of hire 3/04/2007
- #103 – Date of hire 6/13/2006
- #104 – Date of hire 2/07/2008
- #105 – Date of hire 7/06/2009
- #106 – Date of hire 4/21/2009
- #107 – Date of hire 5/31/2009
- #108 – Date of hire 4/07/2008
- #109 – Date of hire 7/14/2009
- #110 – Date of hire 9/01/2006
- #111 – Date of hire 6/20/2008
- #112 – Date of hire 5/31/2009
- #113 – Date of hire 5/01/2009
- #114 – Date of hire 2/26/2008
- #115 – Date of hire 7/10/2009
- #116 – Date of hire 6/14/2006
- #117 – Date of hire 7/06/2009
- #118 – Date of hire 8/04/2009
- #119 – Date of hire 9/29/2006
- #122 – Date of hire 11/26/2007
- #123 – Date of hire 4/03/2009
- #124 – Date of hire 11/13/2007
- #125 – Date of hire 10/28/2008
- #127 – Date of hire 3/09/2009
- #128 – Date of hire 8/12/2007
- #129 – Date of hire 12/03/2008
- #130 – Date of hire 3/01/2006
- #131 – Date of hire 8/30/2006
- #132 – Date of hire 11/14/2008
- #133 – Date of hire 9/23/2006
- #134 – Date of hire 2/03/2009
- #135 – Date of hire 4/29/2009

- #136 – Date of hire 3/19/2009
- #137 – Date of hire 7/14/2009
- #138 – Date of hire 5/01/2007
- #139 – Date of hire 8/30/2006
- #140 – Date of hire 2/18/2009
- #151 – Date of hire 12/18/2006
- #152 – Date of hire 6/12/2007
- #154 – Date of hire 8/31/2006
- #155 – Date of hire 8/06/2006
- #156 – Date of hire 8/14/2006
- #157 – Date of hire 12/21/2007

Tag # 1A27 (CoP) Late & Failure to Report	Scope and Severity Rating: D	Scope and Severity Rating: E
<p><b>7.1.13.9 INCIDENT MANAGEMENT SYSTEM REPORTING REQUIREMENTS FOR COMMUNITY BASED SERVICE PROVIDERS:</b></p> <p><b>A. Duty To Report:</b></p> <p>(1) All community based service providers shall immediately report abuse, neglect or misappropriation of property to the adult protective services division.</p> <p>(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:</p> <p>(a) an environmental hazardous condition, which creates an immediate threat to life or health; or</p> <p>(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.</p> <p>(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.</p> <p><b>B. Notification: (1) Incident Reporting:</b> 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 instructions for the completion and filing are available at the division's website, <a href="http://dhi.health.state.nm.us/elibrary/ironline/ir.php">http://dhi.health.state.nm.us/elibrary/ironline/ir.php</a> or may be obtained from the department by calling the toll free number.</p>	<p>Based on the Incident Management Bureau's Late and Failure Reports, the Agency failed to report suspected abuse, neglect, or misappropriation of property, unexpected and natural/expected deaths; or other reportable incidents to the Division of Health Improvement for 1 of 14 individuals.</p> <p>Individual #3</p> <ul style="list-style-type: none"> <li>Incident date 6/08/2009. Allegation was Neglect. Incident report was received 6/08/2009. Failure to Report. IMB Late &amp; Failure Report indicated incident was "Confirmed."</li> </ul>	<p><b>New &amp; Repeat Findings:</b></p> <p>Based on the Incident Management Bureau's Late and Failure Reports, the Agency failed to report suspected abuse, neglect, or misappropriation of property, unexpected and natural/expected deaths; or other reportable incidents to the Division of Health Improvement for 8 of 22 individuals.</p> <p>Individual #5</p> <ul style="list-style-type: none"> <li>Incident date 10/02/2009. Allegation was Neglect. Incident report was received 10/07/2009. Late to Report. IMB Late &amp; Failure Report indicated incident of Neglect was "Confirmed."</li> <li>Incident date 11/04/2009. Allegation was Neglect. Incident report was received 11/05/2009. Late to Report. IMB Late &amp; Failure Report indicated incident of Neglect was "Confirmed."</li> </ul> <p>Individual #6</p> <ul style="list-style-type: none"> <li>Incident date 3/21/2010. Allegation was Exploitation. Incident report was received 4/01/2010. Late to Report. IMB Late &amp; Failure Report indicated incident of Exploitation was "Confirmed."</li> <li>Incident date 4/06/2010. Allegation was Neglect. Incident report was received 4/06/2010. Failure to Report. IMB Late &amp; Failure Report indicated incident of Neglect was "Confirmed."</li> </ul> <p>Individual #7</p> <ul style="list-style-type: none"> <li>Incident date 1/21/2010. Allegation was Neglect. Incident report was received 1/29/2010. Late to Report. IMB Late &amp; Failure Report indicated incident of Neglect was "Confirmed."</li> <li>Incident date 4/06/2010. Allegation was Neglect. Incident report was received 4/06/2010. Failure to</li> </ul>

		<p>Report. IMB Late &amp; Failure Report indicated incident of Neglect was “Confirmed.”</p> <p>Individual #15</p> <ul style="list-style-type: none"> <li>• Incident date 10/05/2009. Allegation was Neglect. Incident report was received 10/06/2009. Failure to Report. IMB Late &amp; Failure Report indicated incident of Neglect was “Confirmed.”</li> </ul> <p>Individual #16</p> <ul style="list-style-type: none"> <li>• Incident date 3/18/2010. Allegation was Emergency Services. Incident report was received 3/22/2010. Late to Report. IMB Late &amp; Failure Report indicated incident of Neglect was “Confirmed.”</li> </ul> <p>Individual #20</p> <ul style="list-style-type: none"> <li>• Incident date 6/12/2009. Allegation was Neglect. Incident report was received 8/05/2009. Failure to Report. IMB Late &amp; Failure Report indicated incident of Neglect was “Confirmed.”</li> </ul> <p>Individual #21</p> <ul style="list-style-type: none"> <li>• Incident date 10/27/2009. Allegation was Neglect. Incident report was received 10/27/2009. Failure to Report. IMB Late &amp; Failure Report indicated incident of Neglect was “Confirmed.”</li> </ul> <p>Individual #22</p> <ul style="list-style-type: none"> <li>• Incident date 2/10/2010. Allegation was Abuse, Neglect &amp; Environmental. Incident report was received 2/16/2010. Late to Report. IMB Late &amp; Failure Report indicated incident of Neglect was “Confirmed.”</li> </ul>
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Tag # 1A28 (CoP) Incident Mgt. System - Policy & Procedure	Scope & Severity Rating: F	Scope and Severity Rating: N/A
<p><b>7.1.13.9 INCIDENT MANAGEMENT SYSTEM REPORTING REQUIREMENTS FOR COMMUNITY BASED SERVICE PROVIDERS:</b></p> <p><b>C. Incident Policies:</b> All community based service providers shall maintain policies and procedures, which describe the community based service provider's immediate response to all reported allegations of incidents involving abuse, neglect, or misappropriation of property; all unexpected deaths or natural/expected deaths, and other reportable incidents required as required in Paragraph (2) of Subsection A of 7.1.13.9 NMAC.</p> <p><b>NMAC 7.1.13.10 INCIDENT MANAGEMENT SYSTEM REQUIREMENTS:</b></p> <p><b>A. General:</b> 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.</p> <p><b>B. Training Curriculum:</b> The licensed health care facility and community based service provider shall provide all employees and volunteers with a written training curriculum on incident policies and procedures for identification, and timely reporting of abuse, neglect, misappropriation of consumers' property, and where applicable to community based service providers, unexpected deaths or other reportable incidents, within thirty (30) days of the employees' initial employment, and by annual review not to exceed twelve (12) month intervals...</p>	<p>Based on record review and interview, the Agency failed to establish and maintain an incident management system, which emphasizes the principles of prevention and staff involvement.</p> <p>When #158 was asked to explain the Agency's P&amp;P regarding incident management the following was reported, #158 stated, "Staff are trained in the first two week training, and we follow-up with two Coordinators that train. Retraining is done quarterly during house meetings. No tracking system to track when training needs to be done, which is part of annual recertification so Human Resources track."</p> <p>As indicated by the Mosaic's Incident Management Reporting Orientation and Training; Procedure: 2. "Orientation and Training will be provided within the first 30 days of employment and bi-annually (every two years)" Per NMAC regulation "community based service provider shall provide all employees and volunteers with a written training ... within thirty (30) days of the employees' initial employment, and by annual review not to exceed twelve (12) month intervals."</p>	<p>Complete</p>



Tag # 1A28 (CoP) Incident Mgt. System - Personnel Training	Scope & Severity Rating: F	Scope and Severity Rating: D
<p><b>NMAC 7.1.13.10 INCIDENT MANAGEMENT SYSTEM REQUIREMENTS:</b></p> <p><b>A. General:</b> 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.</p> <p><b>D. Training Documentation:</b> 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.</p> <p><b>Policy Title: Training Requirements for Direct Service Agency Staff Policy - Eff. March 1, 2007</b></p> <p><b>II. POLICY STATEMENTS:</b></p> <p>A. Individuals shall receive services from competent and qualified staff.</p>	<p>Based on record review and interview, the Agency failed to provide documentation verifying completion of Incident Management Training for 98 of 118 Agency Personnel.</p> <ul style="list-style-type: none"> <li>• Incident Management Training (Abuse, Neglect &amp; Misappropriation of Consumers' Property) (#41, 42, 43, 44, 45, 46, 47, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 63, 65, 66, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 84, 85, 86, 88, 89, 90, 91, 92, 93, 94, 95, 96, 98, 99, 100, 101, 102, 103, 106, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 119, 120, 121, 122, 124, 123, 124, 125, 126, 128, 129, 130, 131, 135, 136, 137, 138, 139, 141, 142, 143, 144, 145, 146, 147, 148, 152, 154, 155, 156 &amp; 157)</li> </ul> <p>When DSP were asked what two State Agencies must be contacted when there is suspected Abuse, Neglect &amp; Misappropriation of Consumers' Property, the following was reported:</p> <ul style="list-style-type: none"> <li>• DSP #132 stated, "I don't remember."</li> <li>• DSP #102 stated, "I can't remember."</li> <li>• DSP #124 stated, "Adult Protection Service and I can't remember the other one."</li> <li>• DSP #73 stated, "Adult Protection Service, Nurse, State and I don't know the other one."</li> <li>• DSP #41 stated, "Adult Protection Service, but I don't know the other one."</li> <li>• DSP #43 stated, "I don't know."</li> <li>• DSP #145 stated, "Incident Management Bureau, I don't know the other one."</li> </ul>	<p><b>New &amp; Repeat Findings:</b></p> <p>Based on record review and interview, the Agency failed to provide documentation verifying completion of Incident Management Training for 4 of 95 Agency Personnel.</p> <ul style="list-style-type: none"> <li>• Incident Management Training (Abuse, Neglect &amp; Misappropriation of Consumers' Property) (#155, 161, 166 &amp; 180)</li> </ul>

C. Staff shall complete training on DOH-approved incident reporting procedures in accordance with 7 NMAC 1.13.

When DSP was asked if you have ever submitted an Incident report or verbally reported an Incident report to your supervisor that did not get reported?

- DSP # 132 stated, "I have no clue what happens to them after I fill them out. I turn them in to Mosaic."

When DSP was asked if you need to report an Incident, do you feel there are consequences for reporting or not reporting any type of Abuse, Neglect, or Exploitation?

- DSP # 102 stated, "People don't report because they are scared of losing their jobs."
- DSP # 132 stated, "I feel there would be retaliation for reporting."

When DSP were asked to give examples of Abuse, Neglect & Misappropriation of Consumers' Property, the following was reported:

- DSP #43 stated, "Exploitation, I'm not sure about that."

Tag # 1A28 (CoP) Incident Mgt. System - Parent/Guardian Training	Scope & Severity Rating: D	Scope and Severity Rating: N/A
<p><b>NMAC 7.1.13.10 INCIDENT MANAGEMENT SYSTEM REQUIREMENTS:</b></p> <p><b>A. General:</b> 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.</p> <p><b>E. Consumer and Guardian Orientation Packet:</b> Consumers, family members and legal guardians shall be made aware of and have available immediate accessibility to the licensed health care facility and community based service provider incident reporting processes. The licensed health care facility and community based service provider shall provide consumers, family members or legal guardians an orientation packet to include incident management systems policies and procedural information concerning the reporting of abuse, neglect or misappropriation. The licensed health care facility and community based service provider shall include a signed statement indicating the date, time, and place they received their orientation packet to be contained in the consumer's file. The appropriate consumer, family member or legal guardian shall sign this at the time of orientation.</p>	<p>Based on record review, the Agency failed to provide documentation indicating consumer, family members, or legal guardians had received an orientation packet including incident management system policies and procedural information concerning the reporting of Abuse, Neglect and Misappropriation of Consumers' Property, for 1 of 14 individuals.</p> <ul style="list-style-type: none"> <li>• Parent/Guardian Incident Management Training (Abuse, Neglect &amp; Misappropriation of Consumers' Property) (#13)</li> </ul>	<p>Complete</p>

Tag # 1A28 (CoP) Incident Mgt. System - Posters	Scope & Severity Rating: D	Scope and Severity Rating: N/A
<p><b>NMAC 7.1.13.10 INCIDENT MANAGEMENT SYSTEM REQUIREMENTS:</b></p> <p><b>A. General:</b> 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.</p> <p><b>F. Posting of Incident Management Information Poster:</b> All licensed health care facilities and community based service providers shall post two (2) or more posters, to be furnished by the division, in a prominent public location which states all incident management reporting procedures, including contact numbers and Internet addresses. All licensed health care facilities and community based service providers operating sixty (60) or more beds shall post three (3) or more posters, to be furnished by the division, in a prominent public location which states all incident management reporting procedures, including contact numbers and Internet addresses. The posters shall be posted where employees report each day and from which the employees operate to carry out their activities. Each licensed health care facility or community based service provider shall take steps to insure that the notices are not altered, defaced, removed, or covered by other material. [7.1.13.10 NMAC - N, 02/28/06]</p>	<p>Based on observation, the Agency failed to post two (2) or more Incident Management Information posters in a prominent public location for the following locations for 1 of 9 residences:</p> <p>The following locations were identified:</p> <p>Residence of :</p> <ul style="list-style-type: none"> <li>• Individual #14</li> </ul>	<p>Complete</p>

Tag # 1A29 Complaints / Grievances - Acknowledgement	Scope and Severity Rating: A	Scope and Severity Rating: N/A
<p><b>NMAC 7.26.3.6</b>  A. These regulations set out rights that the department expects all providers of services to individuals with developmental disabilities to respect. These regulations are intended to complement the department's Client Complaint Procedures (7 NMAC 26.4) [now 7.26.4 NMAC].</p> <p><b>NMAC 7.26.3.13 Client Complaint Procedure Available.</b> A complainant may initiate a complaint as provided in the client complaint procedure to resolve complaints alleging that a service provider has violated a client's rights as described in Section 10 [now 7.26.3.10 NMAC]. The department will enforce remedies for substantiated complaints of violation of a client's rights as provided in client complaint procedure. [09/12/94; 01/15/97; Recompiled 10/31/01]</p> <p><b>NMAC 7.26.4.13 Complaint Process:</b>  <b>A. (2).</b> The service provider's complaint or grievance procedure shall provide, at a minimum, that: <b>(a)</b> the client is notified of the service provider's complaint or grievance procedure</p>	<p>Based on record review, the Agency failed to provide documentation, the complaint procedure had been made available to individuals or their legal guardians for 1 of 14 individuals.</p> <ul style="list-style-type: none"> <li>• Grievance/Complaint Procedure Acknowledgement (#8)</li> </ul>	<p>Complete</p>

Tag # 1A31 (CoP) Client Rights/Human Rights	Scope and Severity Rating: D	Scope and Severity Rating: N/A
<p><b>7.26.3.11 RESTRICTIONS OR LIMITATION OF CLIENT'S RIGHTS:</b></p> <p>A. A service provider shall not restrict or limit a client's rights except:</p> <p>(1) where the restriction or limitation is allowed in an emergency and is necessary to prevent imminent risk of physical harm to the client or another person; or</p> <p>(2) where the interdisciplinary team has determined that the client's limited capacity to exercise the right threatens his or her physical safety; or</p> <p>(3) as provided for in Section 10.1.14 [now Subsection N of 7.26.3.10 NMAC].</p> <p>B. Any emergency intervention to prevent physical harm shall be reasonable to prevent harm, shall be the least restrictive intervention necessary to meet the emergency, shall be allowed no longer than necessary and shall be subject to interdisciplinary team (IDT) review. The IDT upon completion of its review may refer its findings to the office of quality assurance. The emergency intervention may be subject to review by the service provider's behavioral support committee or human rights committee in accordance with the behavioral support policies or other department regulation or policy.</p> <p>C. The service provider may adopt reasonable program policies of general applicability to clients served by that service provider that do not violate client rights. [09/12/94; 01/15/97; Recompiled 10/31/01]</p> <p><b>Long Term Services Division Policy Title: Human Rights Committee Requirements Eff Date: March 1, 2003IV. POLICY STATEMENT -</b> Human Rights Committees are required for residential service provider agencies...</p>	<p>A review of Agency Individual files indicated 1 of 7 Individuals required Human Rights Committee Approval for restrictions.</p> <p>No documentation was found regarding Human Rights Approval for the following:</p> <ul style="list-style-type: none"> <li>• Physical Restraint (Restraint using heavy blanket or weighted pillow, according to Positive Behavior Support Plan) - (Individual #3)</li> </ul> <p>Based on record review, the Agency failed to follow DDS Policy regarding Human Rights Committee Requirements.</p> <p>Review of the Agency Policy &amp; Procedure found the policy did not address the frequency and purpose of meetings and did not address Behavior Support Plans approved by the Human Rights Committee are to be reviewed at least quarterly.</p>	<p>Complete</p>

Tag # 1A32 (CoP) ISP Implementation	Scope and Severity Rating: D	Scope and Severity Rating: N/A
<p><b>NMAC 7.26.5.16.C and D</b>  <b>Development of the ISP. Implementation of the ISP.</b> The ISP shall be implemented according to the timelines determined by the IDT and as specified in the ISP for each stated desired outcomes and action plan.</p> <p>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.</p> <p>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]</p>	<p>Based on record review, the Agency failed to 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 1 of 14 individuals.</p> <p>Per Individuals ISP the following was found with regards to the implementation of ISP Outcomes:</p> <p><b>Adult Habilitation Data Collection/Data Tracking/Progress with regards to ISP Outcomes:</b></p> <p>Individual #2</p> <ul style="list-style-type: none"> <li>• None found for 4/2009 - 6/2009</li> </ul>	<p>Complete</p>

Tag # 1A33 Board of Pharmacy - Med Storage	Scope and Severity Rating: A	Scope and Severity Rating: N/A
<p><b>New Mexico Board of Pharmacy Model Custodial Drug Procedures Manual</b></p> <p><b>E. Medication Storage:</b></p> <ol style="list-style-type: none"> <li>1. Prescription drugs will be stored in a locked cabinet and the key will be in the care of the administrator or designee.</li> <li>2. Drugs to be taken by mouth will be separate from all other dosage forms.</li> <li>3. A locked compartment will be available in the refrigerator for those items labeled "Keep in Refrigerator." The temperature will be kept in the 36°F - 46°F range. An accurate thermometer will be kept in the refrigerator to verify temperature.</li> <li>4. Separate compartments are required for each resident's medication.</li> <li>5. All medication will be stored according to their individual requirement or in the absence of temperature and humidity requirements, controlled room temperature (68-77°F) and protected from light. Storage requirements are in effect 24 hours a day.</li> <li>6. Medication no longer in use, unwanted, outdated, or adulterated will be placed in a quarantine area in the locked medication cabinet and held for destruction by the consultant pharmacist.</li> </ol> <p><b>8. References</b></p> <p>A. Adequate drug references shall be available for facility staff</p>	<p>Based on observation, the Agency failed to ensure proper storage of medication for 2 of 14 individuals.</p> <p>Observation included:</p> <p>Individual #2</p> <ul style="list-style-type: none"> <li>• Clotrimazole 1% is used externally and not kept separate from all other dosage forms.</li> </ul> <p>Individual #10</p> <ul style="list-style-type: none"> <li>• Metrogel 0,75% medication was not stored in locked cabinet as required by Board of Pharmacy Procedures and Agencies Medication Policies and Procedures.</li> <li>• Berefiber medication was not stored in locked cabinet as required by Board of Pharmacy Procedures and Agencies Medication Policies and Procedures.</li> <li>• Lortab 5/500mg medication was not stored in locked cabinet as required by Board of Pharmacy Procedures and Agencies Medication Policies and Procedures.</li> </ul>	<p>Complete</p>



Tag # 1A33 Board of Pharmacy - Lic	Scope and Severity Rating: A	Scope and Severity Rating: N/A
<p><b>New Mexico Board of Pharmacy Model Custodial Drug Procedures Manual</b></p> <p><b>6. Display of License and Inspection Reports</b></p> <p>A. The following are required to be publicly displayed:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Current Custodial Drug Permit from the NM Board of Pharmacy</li> <li><input type="checkbox"/> Current registration from the consultant pharmacist</li> <li><input type="checkbox"/> Current NM Board of Pharmacy Inspection Report</li> </ul>	<p>Based on observation, the Agency failed to 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 2 of 7 Supported Living residences:</p> <p>Individual Residence:</p> <ul style="list-style-type: none"> <li>• Current NM Board of Pharmacy Inspection report (#4 &amp; 10)</li> </ul>	<p>Complete</p>

Tag # 1A36 SC Training	Scope and Severity Rating: B	Scope and Severity Rating: B
<p>Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007</p> <p><b>CHAPTER 1 IV. GENERAL REQUIREMENTS FOR PROVIDER AGENCY SERVICE</b></p> <p><b>PERSONNEL:</b> 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.</p> <p><b>C. Orientation and Training Requirements:</b> 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:</p> <p>(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</p>	<p>Based on record review, the Agency failed to ensure that Orientation and Training requirements were met for 2 of 7 Service Coordinators.</p> <p>Review of Service Coordinators training records found no evidence of the following required DOH/DDSD trainings being completed:</p> <ul style="list-style-type: none"> <li>• Pre-Service Manual (SC #152 &amp; 154)</li> <li>• Person Centered Planning (2-Day) (SC #154)</li> </ul>	<p><b>New &amp; Repeat Findings:</b></p> <p>Based on record review, the Agency failed to ensure that Orientation and Training requirements were met for 2 of 5 Service Coordinators.</p> <p>Review of Service Coordinators training records found no evidence of the following required DOH/DDSD trainings being completed:</p> <ul style="list-style-type: none"> <li>• Pre-Service Manual (SC #179 &amp; 180)</li> <li>• Promoting Effective Teamwork (SC #179)</li> </ul>

Tag # 1A37 Individual Specific Training	Scope and Severity Rating: D	Scope and Severity Rating: D
<p>Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007</p> <p><b>CHAPTER 1 IV. GENERAL REQUIREMENTS FOR PROVIDER AGENCY SERVICE</b></p> <p><b>PERSONNEL:</b> 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.</p> <p><b>C. Orientation and Training Requirements:</b> Orientation and training for direct support staff and his or her supervisors shall comply with the DDS/DOH Policy Governing the Training Requirements for Direct Support Staff and Internal Service Coordinators Serving Individuals with Developmental Disabilities to include the following:</p> <p>(2) <b>Individual-specific training</b> for each individual under his or her direct care, as described in the individual service plan, prior to working alone with the individual.</p> <p>Department of Health (DOH) Developmental Disabilities Supports Division (DDS/DOH) Policy - <b>Policy Title: Training Requirements for Direct Service Agency Staff Policy - Eff. March 1, 2007 -</b></p> <p><b>II. POLICY STATEMENTS:</b></p> <p><b>A.</b> Individuals shall receive services from competent and qualified staff.</p> <p><b>B.</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.</p>	<p>Based on record review, the Agency failed to ensure that Individual Specific Training requirements were met for 18 of 118 Agency Personnel.</p> <p>Review of personnel records found no evidence of the following:</p> <ul style="list-style-type: none"> <li>Individual Specific Training (#45, 50, 56, 64, 67, 89, 107, 109, 112, 113, 115, 117, 136, 142, 143, 145, 146 &amp; 148)</li> </ul>	<p><b>New &amp; Repeat Findings:</b></p> <p>Based on record review, the Agency failed to ensure that Individual Specific Training requirements were met for 2 of 95 Agency Personnel.</p> <p>Review of personnel records found no evidence of the following:</p> <ul style="list-style-type: none"> <li>Individual Specific Training (#166 &amp; 180)</li> </ul>

Tag # 5I36 CA Reimbursement	Scope and Severity Rating: B	Scope and Severity Rating: N/A
<p>Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007</p> <p><b>CHAPTER 5 XI. COMMUNITY ACCESS SERVICES REQUIREMENTS</b></p> <p><b>G. Reimbursement</b></p> <p>(1) Billable Unit: A billable unit is defined as one-quarter hour of service.</p> <p>(2) Billable Activities: The Community Access Provider Agency can bill for those activities listed in the Community Access Scope of Service. Billable units are typically provided face-to-face but time spent in non face-to-face activity may be claimed under the following conditions:</p> <p>(a) Time that is non face-to-face is documented separately and clearly identified as to the nature of the activity, and is tied directly to the individual's ISP, Action Plan;</p> <p>(b) Time that is non face-to-face involves outreach and identification and training of community connections and natural supports; and</p> <p>(c) Non face-to-face hours do not exceed 10% of the monthly billable hours.</p> <p>(3) Non-Billable Activities: Activities that the service Provider Agency may need to conduct, but which are not separately billable activities, may include:</p> <p>(a) Time and expense for training service personnel;</p> <p>(b) Supervision of agency staff;</p> <p>(c) Service documentation and billing activities; or</p> <p>(d) Time the individual spends in segregated facility-based settings activities.</p>	<p>Based on record review, the Agency failed to provide written or electronic documentation as evidence for each unit billed for Community Access Services for 6 of 11 individuals.</p> <p>Individual #1 April 2009</p> <ul style="list-style-type: none"> <li>The Agency billed 82 units of Community Access from 4/01/2009 through 4/30/2009. Documentation received accounted for 78 units.</li> </ul> <p>June 2009</p> <ul style="list-style-type: none"> <li>The Agency billed 136 units of Community Access from 6/01/2009 through 6/30/2009. Billing units were unable to be verified, as remittance forms were not provided.</li> </ul> <p>Individual #2 June 2009</p> <ul style="list-style-type: none"> <li>The Agency billed 82 units of Community Access from 6/01/2009 through 6/30/2009. Billing units were unable to be verified, as remittance forms were not provided.</li> </ul> <p>Individual #4 June 2009</p> <ul style="list-style-type: none"> <li>The Agency billed 228 units of Community Access from 6/01/2009 through 6/30/2009. Billing units were unable to be verified, as remittance forms were not provided.</li> </ul> <p>Individual #6 May 2009</p> <ul style="list-style-type: none"> <li>The Agency billed 104 units of Community Access from 5/01/2009 through 5/31/2009. Documentation received accounted for 100 units.</li> </ul> <p>June 2009</p> <ul style="list-style-type: none"> <li>The Agency billed 106 units of Community Access from 6/01/2009 through 6/30/2009. Billing units</li> </ul>	<p>Complete</p>

	<p>were unable to be verified, as remittance forms were not provided.</p> <p>Individual #11 June 2009</p> <ul style="list-style-type: none"><li>• The Agency billed 240 units of Community Access from 6/01/2009 through 6/30/2009. Billing units were unable to be verified, as remittance forms were not provided.</li></ul> <p>Individual #12 June 2009</p> <ul style="list-style-type: none"><li>• The Agency billed 148 units of Community Access from 6/01/2009 through 6/30/2009. Billing units were unable to be verified, as remittance forms were not provided.</li></ul>	
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Tag # 5144 AH Reimbursement	Scope and Severity Rating: C	Scope and Severity Rating: B
<p>Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007</p> <p><b>CHAPTER 1 III. PROVIDER AGENCY DOCUMENTATION OF SERVICE DELIVERY AND LOCATION</b></p> <p><b>A. General:</b> All Provider Agencies shall maintain all records necessary to fully disclose the service, quality, quantity and clinical necessity furnished to individuals who are currently receiving services. The Provider Agency records shall be sufficiently detailed to substantiate the date, time, individual name, servicing Provider Agency, level of services, and length of a session of service billed.</p> <p><b>B. Billable Units:</b> 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:</p> <ol style="list-style-type: none"> <li>(1) Date, start and end time of each service encounter or other billable service interval;</li> <li>(2) A description of what occurred during the encounter or service interval; and</li> <li>(3) The signature or authenticated name of staff providing the service.</li> </ol> <p><b>MAD-MR: 03-59 Eff 1/1/2004</b></p> <p><b>8.314.1 BI RECORD KEEPING AND DOCUMENTATION REQUIREMENTS:</b></p> <p>Providers must maintain all records necessary to fully disclose the extent of the services provided to the Medicaid recipient. Services that have been billed to Medicaid, but are not substantiated in a treatment plan and/or patient records for the recipient are subject to recoupment.</p> <p>Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007</p> <p><b>CHAPTER 5 XVI. REIMBURSEMENT</b></p>	<p>Based on record review, the Agency failed to provide written or electronic documentation as evidence for each unit billed for Adult Habilitation Services for 10 of 11 individuals.</p> <p>Individual #1 April 2009</p> <ul style="list-style-type: none"> <li>• The Agency billed 433 units of Adult Habilitation from 4/1/2009 through 4/30/2009. Documentation received accounted for 424 units.</li> </ul> <p>May 2009</p> <ul style="list-style-type: none"> <li>• The Agency billed 426 units of Adult Habilitation from 5/1/2009 through 5/31/2009. Documentation received accounted for 402 units.</li> </ul> <p>June 2009</p> <ul style="list-style-type: none"> <li>• The Agency billed 360 units of Adult Habilitation from 6/01/2009 through 6/30/2009. Billing units were unable to be verified, as remittance forms were not provided.</li> </ul> <p>Individual #2 April 2009</p> <ul style="list-style-type: none"> <li>• The Agency billed 99 units of Adult Habilitation from 4/1/2009 through 4/30/2009. Documentation received accounted for 1 unit.</li> </ul> <p>June 2009</p> <ul style="list-style-type: none"> <li>• The Agency billed 110 units of Adult Habilitation from 6/01/2009 through 6/30/2009. Billing units were unable to be verified, as remittance forms were not provided.</li> </ul> <p>Individual #3 May 2009</p> <ul style="list-style-type: none"> <li>• The Agency billed 504 units of Adult Habilitation from 5/1/2009 through 5/31/2009. Documentation received accounted for 502 units.</li> </ul>	<p><b>New &amp; Repeat Findings:</b></p> <p>Based on record review, the Agency failed to provide written or electronic documentation as evidence for each unit billed for Adult Habilitation Services for 4 of 11 individuals.</p> <p>Individual #1 March 2010</p> <ul style="list-style-type: none"> <li>• The Agency billed 535 units of Adult Habilitation from 3/1/2010 through 3/31/2010. Documentation received accounted for 414 units.</li> </ul> <p>Individual #5 March 2010</p> <ul style="list-style-type: none"> <li>• The Agency billed 526 units of Adult Habilitation from 3/1/2009 through 3/31/2009. Documentation received accounted for 496 units.</li> <li>• The Agency billed a total of 132 units of Adult Habilitation on 3/24, 25, 26, 29, 30 &amp; 31. Documentation did not contain a signature/authenticated name of the staff providing the service to justify billing.</li> </ul> <p>Individual #6 March 2010</p> <ul style="list-style-type: none"> <li>• The Agency billed 525 units of Adult Habilitation from 3/1/2010 through 3/31/2010. Documentation received accounted for 497 units.</li> </ul> <p>Individual #7 March 2010</p> <ul style="list-style-type: none"> <li>• The Agency billed 537 units of Adult Habilitation from 3/1/2010 through 3/31/2010. Documentation received accounted for 420 units.</li> </ul>

**A. Billable Unit.** A billable unit for Adult Habilitation Services is in 15-minute increments hour. The rate is based on the individual's level of care.

**B. Billable Activities**

(1) The Community Inclusion Provider Agency can bill for those activities listed and described on the ISP and within the Scope of Service. Partial units are allowable. Billable units are face-to-face, except that Adult Habilitation services may be non- face-to-face under the following conditions: (a) Time that is non face-to-face is documented separately and clearly identified as to the nature of the activity; and(b) Non face-to-face hours do not exceed 5% of the monthly billable hours.

(2) Adult Habilitation Services can be provided with any other services, insofar as the services are not reported for the same hours on the same day, except that Therapy Services and Case Management may be provided and billed for the same hours

June 2009

- The Agency billed 474 units of Adult Habilitation from 6/01/2009 through 6/30/2009. Billing units were unable to be verified, as remittance forms were not provided.

Individual #4

June 2009

- The Agency billed 298 units of Adult Habilitation from 6/01/2009 through 6/30/2009. Billing units were unable to be verified, as remittance forms were not provided.

Individual #5

April 2009

- The Agency billed 456 units of Adult Habilitation from 4/1/2009 through 4/30/2009. Documentation received accounted for 432 units.

June 2009

- The Agency billed 524 units of Adult Habilitation from 6/01/2009 through 6/30/2009. Billing units were unable to be verified, as remittance forms were not provided.

Individual #6

April 2009

- The Agency billed 423 units of Adult Habilitation from 4/1/2009 through 4/30/2009. Documentation received accounted for 421 units.

May 2009

- The Agency billed 400 units of Adult Habilitation from 5/1/2009 through 5/31/2009. Documentation received accounted for 388 units.

June 2009

- The Agency billed 355 units of Adult Habilitation from 6/01/2009 through 6/30/2009. Billing units were unable to be verified, as remittance forms were not provided.

	<p>Individual #7 June 2009</p> <ul style="list-style-type: none"> <li>• The Agency billed 498 units of Adult Habilitation from 6/01/2009 through 6/30/2009. Billing units were unable to be verified, as remittance forms were not provided.</li> </ul> <p>Individual #11 June 2009</p> <ul style="list-style-type: none"> <li>• The Agency billed 40 units of Adult Habilitation from 6/01/2009 through 6/30/2009. Billing units were unable to be verified, as remittance forms were not provided.</li> </ul> <p>Individual #12 May 2009</p> <ul style="list-style-type: none"> <li>• The Agency billed 300 units of Adult Habilitation from 5/1/2009 through 5/31/2009. Documentation received accounted for 280 units.</li> </ul> <p>June 2009</p> <ul style="list-style-type: none"> <li>• The Agency billed 140 units of Adult Habilitation from 6/01/2009 through 6/30/2009. Billing units were unable to be verified, as remittance forms were not provided.</li> </ul> <p>Individual #13 May 2009</p> <ul style="list-style-type: none"> <li>• The Agency billed 466 units of Adult Habilitation from 5/1/2009 through 5/31/2009. Documentation received accounted for 448 units.</li> </ul> <p>June 2009</p> <ul style="list-style-type: none"> <li>• The Agency billed 365 units of Adult Habilitation from 6/01/2009 through 6/30/2009. Billing units were unable to be verified, as remittance forms were not provided.</li> </ul>	
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Tag # 6L06 (CoP) - FL Requirements	Scope and Severity Rating: E	Scope and Severity Rating: N/A
<p>Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007 - <b>CHAPTER 6. III. REQUIREMENTS UNIQUE TO FAMILY LIVING SERVICES</b></p> <p><b>B. Home Studies.</b> The Family Living Services Provider Agency shall complete all DDS requirements for approval of each direct support provider, including completion of an approved home study and training prior to placement. After the initial home study, an updated home study shall be completed annually. The home study must also be updated each time there is a change in family composition or when the family moves to a new home...</p> <p>Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007 - <b>CHAPTER 1. I. PROVIDER AGENCY ENROLLMENT PROCESS</b></p> <p><b>D. Scope of DDS Agreement</b></p> <p>(4) Provider Agencies must have prior written approval of the Department of Health to subcontract any service other than Respite;</p> <p><b>NMAC 8.314.5.10 - DEVELOPMENTAL DISABILITIES HOME AND COMMUNITY-BASED SERVICES WAIVER - ELIGIBLE PROVIDERS:</b></p> <p><b>I. Qualifications for community living service providers:</b> ...Community living providers must meet all qualifications set forth by the DOH/DDS, DDW definitions and service standards.</p> <p>(1) Family living service providers for adults must meet the qualifications for staff required by the DOH/DDS, DDW service definitions and standards. The direct care provider employed by or subcontracting with the provider agency must be approved through a home study completed prior to provision of services and conducted at subsequent intervals required of the provider agency. All family living sub-contracts must be approved by the DOH/DDS.</p>	<p>Based on record review, the Agency failed complete all DDS requirements for approval of each direct support provider for 2 of 3 individuals.</p> <p>The following was not found, not current and/or incomplete:</p> <ul style="list-style-type: none"> <li>• Family Living Home Study (Annual Update) (#11 &amp; 12)</li> </ul>	<p>Complete</p>

Tag # 6L13 (CoP) - CL Healthcare Reqts.	Scope and Severity Rating: D	Scope and Severity Rating: N/A
<p>Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007</p> <p><b>CHAPTER 6. VI. GENERAL REQUIREMENTS FOR COMMUNITY LIVING</b></p> <p><b>G. Health Care Requirements for Community Living Services.</b></p> <p>(1) The Community Living Service providers shall ensure completion of a HAT for each individual receiving this service. The HAT shall be completed 2 weeks prior to the annual ISP meeting and submitted to the Case Manager and all other IDT Members. A revised HAT is required to also be submitted whenever the individual's health status changes significantly. For individuals who are newly allocated to the DD Waiver program, the HAT may be completed within 2 weeks following the initial ISP meeting and submitted with any strategies and support plans indicated in the ISP, or within 72 hours following admission into direct services, which ever comes first.</p> <p>(2) Each individual will have a Health Care Coordinator, designated by the IDT. When the individual's HAT score is 4, 5 or 6 the Health Care Coordinator shall be an IDT member, other than the individual. The Health Care Coordinator shall oversee and monitor health care services for the individual in accordance with these standards. In circumstances where no IDT member voluntarily accepts designation as the health care coordinator, the community living provider shall assign a staff member to this role.</p> <p>(3) For each individual receiving Community Living Services, the provider agency shall ensure and document the following:</p> <p>(a) Provision of health care oversight consistent with these Standards as detailed in Chapter One section III E: Healthcare Documentation by Nurses For Community Living Services, Community Inclusion Services and Private Duty Nursing Services.</p>	<p>Based on record review, the Agency failed to provide documentation of annual physical examinations and/or other examinations as specified by a licensed physician for 2 of 14 individuals receiving Community Living Services.</p> <ul style="list-style-type: none"> <li>• <b>Dental Exam</b> <ul style="list-style-type: none"> <li>◦ Individual #11 - As indicated by the documentation reviewed, exam was completed on 1/13/2009. Follow-up was to be completed in 6 months. No evidence of follow-up found.</li> </ul> </li> <li>• <b>Cholesterol &amp; Blood Glucose</b> <ul style="list-style-type: none"> <li>◦ Individual #11 - As indicated by the documentation reviewed, exam was completed on 3/2009. Follow-up was to be completed in 6 months. No evidence of follow-up found.</li> </ul> </li> <li>• <b>Blood Levels</b> <ul style="list-style-type: none"> <li>◦ Individual #11 - As indicated by the documentation reviewed, exam was completed on 3/2009. Follow-up was to be completed in 6 months. No evidence of follow-up found.</li> </ul> </li> <li>• <b>Nutritional</b> <ul style="list-style-type: none"> <li>◦ Individual #1 - According to Agency case file the individual is required to have a follow-up from 3/13/09 nutritional plan no evidence that a follow-up was completed.</li> </ul> </li> </ul>	<p>Complete</p>

<p>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.</p> <p>(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.</p> <p>(4) That an average of 3 hours of documented nutritional counseling is available annually, if recommended by the IDT.</p> <p>(5) That the physical property and grounds are free of hazards to the individual's health and safety.</p> <p>(6) In addition, for each individual receiving Supported Living or Family Living Services, the provider shall verify and document the following:</p> <ul style="list-style-type: none"> <li>(a) The individual has a primary licensed physician;</li> <li>(b) The individual receives an annual physical examination and other examinations as specified by a licensed physician;</li> <li>(c) The individual receives annual dental check-ups and other check-ups as specified by a licensed dentist;</li> <li>(d) The individual receives eye examinations as specified by a licensed optometrist or ophthalmologist; and</li> <li>(e) Agency activities that occur as follow-up to medical appointments (e.g. treatment, visits to specialists, changes in medication or daily routine).</li> </ul>		
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Tag # 6L14 Residential Case File	Scope and Severity Rating: F	Scope and Severity Rating: N/A
<p>Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007</p> <p><b>CHAPTER 6. VIII. COMMUNITY LIVING SERVICE PROVIDER AGENCY REQUIREMENTS</b></p> <p><b>A. Residence Case File:</b> 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:</p> <p>(1) Complete and current ISP and all supplemental plans specific to the individual;</p> <p>(2) Complete and current Health Assessment Tool;</p> <p>(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;</p> <p>(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);</p> <p>(5) Data collected to document ISP Action Plan implementation</p> <p>(6) 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;</p> <p>(7) Physician's or qualified health care providers written orders;</p>	<p>Based on record review, the Agency failed to maintain a complete and confidential case file in the residence for 14 of 14 Individuals receiving Family Living Services or Supported Living Services.</p> <p>The following was not found, incomplete and/or not current:</p> <ul style="list-style-type: none"> <li>• <b>Current Emergency &amp; Personal Identification Information</b> <ul style="list-style-type: none"> <li>◦ Did not contain Pharmacy Information (#3, 5, 10, 12, 13 &amp; 14)</li> <li>◦ Did not contain Physician Information (#10, 12 &amp; 13)</li> </ul> </li> <li>• Annual ISP (#3 &amp; 10)</li> <li>• ISP Signature Page (#3)</li> <li>• Teaching and Support Strategies (#1, 2, 4, 10, 12, 13 &amp; 14)</li> <li>• Addendum A (#3, 8 &amp; 13)</li> <li>• Individual Specific Training (Addendum B) (#10)</li> <li>• Positive Behavioral Crisis Plan (#13)</li> <li>• Speech Therapy Plan (#1, 3 &amp; 5)</li> <li>• Occupational Therapy Plan (#1, 4 &amp; 6)</li> <li>• Physical Therapy Plan (#1, 2, 3, 4 &amp; 6)</li> <li>• Health Assessment Tool (#6 &amp; 11)</li> <li>• <b>Special Health Care Needs</b> <ul style="list-style-type: none"> <li>◦ Nutritional Plan (#1)</li> </ul> </li> </ul>	<p>Complete</p>

- (8) Progress notes documenting implementation of a physician's or qualified health care provider's order(s);
- (9) Medication Administration Record (MAR) for the past three (3) months which includes:
  - (a) The name of the individual;
  - (b) A transcription of the healthcare practitioners prescription including the brand and generic name of the medication;
  - (c) Diagnosis for which the medication is prescribed;
  - (d) Dosage, frequency and method/route of delivery;
  - (e) Times and dates of delivery;
  - (f) Initials of person administering or assisting with medication; and
  - (g) An explanation of any medication irregularity, allergic reaction or adverse effect.
  - (h) For PRN medication an explanation for the use of the PRN must include:
    - (i) Observable signs/symptoms or circumstances in which the medication is to be used, and
    - (ii) Documentation of the effectiveness/result of the PRN delivered.
  - (i) 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 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,

- **Health Care Plans**

- High Cholesterol (#5)
- Hyperlipdemia (#13)
- Hypothyroid (#13)
- Day Supports Attendance (#1)
- Seizures (#11)
- Self abuse (#1 & 11)
- Skin Breakdown (#1)
- Nutrition/Meal consumption (#1 & 11)
- Medication administration (#1 & 11)
- Osteoporosis (#1)
- Risk of Aspiration (#1)
- Toileting/Bowel Function (#1 & 11)
- Sexuality and Relationships (#1 & 11)
- Neglect (#1 & 11)
- Health Status (#1 & 11)

- **Crisis Plan**

- Allergies (#6 & 11)
- Seizures (#11 & 13)
- Gastrointestinal (#6)
- Sleep Apnea (#6)

- **Progress Notes/Daily Contacts Logs:**

- Individual #4 - None found for July 2009
- Individual #5 - None found for July 2009
- Individual #10 - None found for July 2009
- Individual #11 - None found for July 2009
- Individual #12 - None found for July 2009
- Individual #13 - None found for July 2009
- Individual #14 - None found for July 2009

- **Progress Notes written by DSP and/or Nurses regarding Health Status:**

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.

- Individual #7 - None found for August 2009
- Individual #13 - None found for August 2009
- **Health Care Providers Written Orders (#4 & 10)**
- **Medication Administration Record (MAR)**
  - Individual #4 - None found for June and July 2009.
  - Individual #5 - None found for June and July 2009.
  - Individual #8 - None found for June and July 2009.
  - Individual #9 - None found for June and July 2009.
  - Individual #10 - None found for June and July 2009.
  - Individual #11 - None found for June and July 2009.
  - Individual #12 - None found for June and July 2009.
  - Individual #13 - None found for June and July 2009.
  - Individual #14 - None found for June and July 2009.

<b>Tag # 6L17 Reporting Requirements (Community Living Quarterly Reports)</b>	<b>Scope and Severity Rating: B</b>	<b>Scope and Severity Rating: A</b>
<p>Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007</p> <p><b>CHAPTER 6. VIII. COMMUNITY LIVING SERVICE PROVIDER AGENCY REQUIREMENTS</b></p> <p><b>D. Community Living Service Provider Agency Reporting Requirements:</b> All Community Living Support providers shall submit written quarterly status reports to the individual's Case Manager and other IDT Members no later than fourteen (14) days following the end of each ISP quarter. The quarterly reports shall contain the following written documentation:</p> <ol style="list-style-type: none"> <li>(1) Timely completion of relevant activities from ISP Action Plans</li> <li>(2) Progress towards desired outcomes in the ISP accomplished during the quarter;</li> <li>(3) Significant changes in routine or staffing;</li> <li>(4) Unusual or significant life events;</li> <li>(5) Updates on health status, including medication and durable medical equipment needs identified during the quarter; and</li> <li>(6) Data reports as determined by IDT members.</li> </ol>	<p>Based on record review, the Agency failed to complete written quarterly status reports for 10 of 14 individuals receiving Community Living Services.</p> <p><b>Supported Living Quarterly Reports:</b></p> <ul style="list-style-type: none"> <li>• Individual #2 - None found for 3/2009 - 5/2009</li> <li>• Individual #3 - None found for 2/2009 – 7/2009</li> <li>• Individual #4 - None found for 4/2009 – 6/2009</li> <li>• Individual #7 - None found for 4/2009 – 6/2009</li> <li>• Individual #8 - None found for 4/2009 – 6/2009</li> <li>• Individual #9 - None found for 7/2008 – 11/2008 &amp; 3/2009 – 5/2009</li> <li>• Individual #10 - None found for 8/2008 – 7/2009</li> <li>• Individual #13 - None found for 7/2008 – 7/2009</li> </ul> <p><b>Family Living Quarterly Reports:</b></p> <ul style="list-style-type: none"> <li>• Individual #12 - None found for 7/2008 – 7/2009</li> <li>• Individual #14 - None found for 7/2008 – 7/2009</li> </ul>	<p><b>Repeat Findings:</b></p> <p>Based on record review, the Agency failed to complete written quarterly status reports for 1 of 14 individuals receiving Community Living Services.</p> <p><b>Supported Living Quarterly Reports:</b></p> <ul style="list-style-type: none"> <li>• Individual #3 - None found for 2/2010 – 4/2010</li> </ul>

Tag # 6L25 (CoP) Residential Health & Safety (Supported Living)	Scope and Severity Rating: E	Scope and Severity Rating: N/A
<p>Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007</p> <p><b>CHAPTER 6. VIII. COMMUNITY LIVING SERVICE PROVIDER AGENCY REQUIREMENTS</b></p> <p><b>L. Residence Requirements for Family Living Services and Supported Living Services</b></p> <p>(1) Supported Living Services and Family Living Services providers shall assure that each individual's residence has:</p> <ul style="list-style-type: none"> <li>(a) Battery operated or electric smoke detectors, heat sensors, or a sprinkler system installed in the residence;</li> <li>(b) General-purpose first aid kit;</li> <li>(c) When applicable due to an individual's health status, a blood borne pathogens kit;</li> <li>(d) Accessible written procedures for emergency evacuation e.g. fire and weather-related threats;</li> <li>(e) Accessible telephone numbers of poison control centers located within the line of sight of the telephone;</li> <li>(f) 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;</li> <li>(g) 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</li> <li>(h) 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.</li> </ul>	<p>Based on observation, the Agency failed to ensure that each individual's residence met all requirements within the standard for 6 of 7 Supported Living residences.</p> <p>The following items were not found, not functioning or incomplete:</p> <ul style="list-style-type: none"> <li>• Accessible written procedures for emergency evacuation e.g. fire and weather-related threats (#1, 8 &amp; 9) (Individuals #8 &amp; 9 live in same residence)</li> <li>• Accessible telephone numbers of poison control centers located within the line of sight of the telephone (#13)</li> <li>• 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 (#4 &amp; 10)</li> <li>• 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 (#1)</li> </ul>	<p>Complete</p>



Tag # 6L25 (CoP) Residential Health & Safety (Family Living)	Scope and Severity Rating: F	Scope and Severity Rating: N/A
<p>Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007</p> <p><b>CHAPTER 6. VIII. COMMUNITY LIVING SERVICE PROVIDER AGENCY REQUIREMENTS</b></p> <p><b>L. Residence Requirements for Family Living Services and Supported Living Services</b></p> <p>(1) Supported Living Services and Family Living Services providers shall assure that each individual's residence has:</p> <ul style="list-style-type: none"> <li>(a) Battery operated or electric smoke detectors, heat sensors, or a sprinkler system installed in the residence;</li> <li>(b) General-purpose first aid kit;</li> <li>(c) When applicable due to an individual's health status, a blood borne pathogens kit;</li> <li>(d) Accessible written procedures for emergency evacuation e.g. fire and weather-related threats;</li> <li>(e) Accessible telephone numbers of poison control centers located within the line of sight of the telephone;</li> <li>(f) 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;</li> <li>(g) 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</li> <li>(h) 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.</li> </ul>	<p>Based on observation, the Agency failed to ensure that each individual's residence met all requirements within the standard for 3 of 3 Family Living residences.</p> <p>The following items were not found, not functioning or incomplete:</p> <ul style="list-style-type: none"> <li>• Accessible telephone numbers of poison control centers located within the line of sight of the telephone (#11 &amp; 12)</li> <li>• 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 (#14)</li> </ul>	<p>Complete</p>

Tag # 6L25 (CoP) Residential Reqts. (Physical Environment - Supported Living & Family Living)	Scope and Severity Rating: N/A	Scope and Severity Rating: D
<p>Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007</p> <p><b>CHAPTER 6. VIII. COMMUNITY LIVING SERVICE PROVIDER AGENCY REQUIREMENTS</b></p> <p><b>L. Residence Requirements for Family Living Services and Supported Living Services</b></p> <p>(2) Overall each residence shall maintain basic utilities, i.e., gas, power, water, telephone at the residence and shall maintain the physical environment in a safe and comfortable manner for the individuals.</p> <p>(3) Each individual shall have access to all household equipment and cleaning supplies unless precluded by his or her ISP.</p> <p>(4) Living and Dining Areas shall</p> <ul style="list-style-type: none"> <li>(a) Provide individuals free use of all space with due regard for privacy, personal possessions and individual interests;</li> <li>(b) Maintain areas for the usual functions of daily living, social, and leisure activities in a clean and sanitary condition; and</li> <li>(c) Provide environmental accommodations based on the unique needs of the individual.</li> </ul> <p>(5) Kitchen area shall:</p> <ul style="list-style-type: none"> <li>(a) Possess equipment, utensils, and supplies to properly store, prepare, and serve at least three (3) meals a day;</li> <li>(b) Arrangements will be made, in consultation with the IDT for environmental accommodations and assistive technology devices specific to the needs of the individual(s); and</li> <li>(c) Water temperature is required to be</li> </ul>		<p><b>New Findings:</b></p> <p>Based on observation, the Agency failed to ensure that each individual's residence met all requirements within the standard, which maintains a physical environment which is safe and comfortable for 1 of 11 Supported Living residences.</p> <p><b>Supported Living Requirements:</b></p> <p>During the on-site visit 5:00PM (5/17/2010), Surveyors were informed of an electrical problem in the home of Individual #1. During the residential observation and the Direct Service Personnel interview, it was noted that a hospital bed for Individual #1 was not working due to electrical failure of the unit. It was reported that in order to have proper operation of the bed a separate power circuit was needed. Because of this malfunction the hospital bed was not properly utilized. DSP#178 reported they had to modify positioning of the Individual by using pillows. It was additionally reported, that each time DSP would try to attempt functions on the bed it would turn off electricity to portions of the home, mainly to individual's bed room and DSP would then have to reset the main circuit.</p>

maintained at a safe level to both prevent injury and ensure comfort.

(6) Bedroom area shall:

- (a) At a maximum of two (2) individuals share, with mutual consent, a bedroom and each individual has the right to have his or her own bed;
- (b) All bedrooms shall have doors, which may be closed for privacy
- (c) Physical arrangement of bedrooms compatible with the physical needs of the individual; and
- (d) Allow individuals the right to decorate his or her bedroom in a style of his or her choice consistent with a safe and sanitary living conditions.

(7) Bathroom area shall provide:

- (a) For Supported Living, a minimum of one toilet and lavatory facility for every two (2) individuals with Developmental Disabilities living in the home;
- (b) Reasonable modifications or accommodations, based on the physical needs of the individual (i.e., shower chairs, grab bars, walk in shower, raised toilets, etc.):
  - (i) Toilets, tubs, showers used by the individual(s) provide for privacy; designed or adapted for the safe provision of personal care; and
  - (ii) Water temperature maintained at a safe level to prevent injury and ensure comfort.

Tag # 6L26 SL Reimbursement	Scope and Severity Rating: C	Scope and Severity Rating: N/A
<p>Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007</p> <p><b>CHAPTER 6. IX. REIMBURSEMENT FOR COMMUNITY LIVING SERVICES</b></p> <p>A. <b>Reimbursement</b> for Supported Living Services</p> <p>(1) Billable Unit. The billable Unit for Supported Living Services is based on a daily rate. The daily rate cannot exceed 340 billable days a year.</p> <p>(2) <b>Billable Activities</b></p> <p>(a) Direct care provided to an individual in the residence any portion of the day.</p> <p>(b) Direct support provided to an individual by community living direct service staff away from the residence, e.g., in the community.</p> <p>(c) Any activities in which direct support staff provides in accordance with the Scope of Services.</p> <p>(3) Non-Billable Activities</p> <p>(a) The Supported Living Services provider shall not bill DD Waiver for Room and Board.</p> <p>(b) Personal care, respite, nutritional counseling and nursing supports shall not be billed as separate services for an individual receiving Supported Living Services.</p> <p>(c) The provider shall not bill when an individual is hospitalized or in an institutional care setting.</p>	<p>Based on record review, the Agency failed to provide written or electronic documentation as evidence for each unit billed for Supported Living Services for 11 of 11 individuals.</p> <p>Individual #1 June 2009</p> <ul style="list-style-type: none"> <li>The Agency billed 30 units of Supported Living from 6/01/2009 through 6/30/2009. Billing units were unable to be verified, as remittance forms were not provided.</li> </ul> <p>Individual #2 June 2009</p> <ul style="list-style-type: none"> <li>The Agency billed 30 units of Supported Living from 6/01/2009 through 6/30/2009. Billing units were unable to be verified, as remittance forms were not provided.</li> </ul> <p>Individual #3 May 2009</p> <ul style="list-style-type: none"> <li>The Agency billed 31 units of Supported Living from 5/1/2009 through 5/31/2009. Documentation received accounted for 30 units.</li> </ul> <p>June 2009</p> <ul style="list-style-type: none"> <li>The Agency billed 30 units of Supported Living from 6/01/2009 through 6/30/2009. Billing units were unable to be verified, as remittance forms were not provided.</li> </ul> <p>Individual #4 June 2009</p> <ul style="list-style-type: none"> <li>The Agency billed 23 units of Supported Living from 6/01/2009 through 6/30/2009. Billing units were unable to be verified, as remittance forms were not provided.</li> </ul> <p>Individual #5 June 2009</p>	<p>Complete</p>

	<ul style="list-style-type: none"> <li>• The Agency billed 30 units of Supported Living from 6/01/2009 through 6/30/2009. Billing units were unable to be verified, as remittance forms were not provided.</li> </ul> <p>Individual #6 June 2009</p> <ul style="list-style-type: none"> <li>• The Agency billed 30 units of Supported Living from 6/01/2009 through 6/30/2009. Billing units were unable to be verified, as remittance forms were not provided.</li> </ul> <p>Individual #7 June 2009</p> <ul style="list-style-type: none"> <li>• The Agency billed 30 units of Supported Living from 6/01/2009 through 6/30/2009. Billing units were unable to be verified, as remittance forms were not provided.</li> </ul> <p>Individual #8 June 2009</p> <ul style="list-style-type: none"> <li>• The Agency billed 30 units of Supported Living from 6/01/2009 through 6/30/2009. Billing units were unable to be verified, as remittance forms were not provided.</li> </ul> <p>Individual #9 June 2009</p> <ul style="list-style-type: none"> <li>• The Agency billed 30 units of Supported Living from 6/01/2009 through 6/30/2009. Billing units were unable to be verified, as remittance forms were not provided.</li> </ul> <p>Individual #10 June 2009</p> <ul style="list-style-type: none"> <li>• The Agency billed 30 units of Supported Living from 6/01/2009 through 6/30/2009. Billing units were unable to be verified, as remittance forms were not provided.</li> </ul> <p>Individual #13</p>	
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	<p>April 2009</p> <ul style="list-style-type: none"><li>• The Agency billed 30 units of Supported Living from 4/1/2009 through 4/30/2009. Documentation received accounted for 28 units.</li></ul> <p>June 2009</p> <ul style="list-style-type: none"><li>• The Agency billed 30 units of Supported Living from 6/01/2009 through 6/30/2009. Billing units were unable to be verified, as remittance forms were not provided.</li></ul>	
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Tag # 6L27 FL Reimbursement	Scope and Severity Rating: C	Scope and Severity Rating: N/A
<p>Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007</p> <p><b>CHAPTER 6. IX. REIMBURSEMENT FOR COMMUNITY LIVING SERVICES</b></p> <p>B. Reimbursement for Family Living Services</p> <p>(1) Billable Unit: The billable unit for Family Living Services is a daily rate for each individual in the residence. A maximum of 340 days (billable units) are allowed per ISP year.</p> <p>(2) Billable Activities shall include:</p> <p>(a) Direct support provided to an individual in the residence any portion of the day;</p> <p>(b) Direct support provided to an individual by the Family Living Services direct support or substitute care provider away from the residence (e.g., in the community); and</p> <p>(c) Any other activities provided in accordance with the Scope of Services.</p> <p>(3) Non-Billable Activities shall include:</p> <p>(a) The Family Living Services Provider Agency may not bill the for room and board;</p> <p>(b) Personal care, nutritional counseling and nursing supports may not be billed as separate services for an individual receiving Family Living Services; and</p> <p>(c) Family Living services may not be billed for the same time period as Respite.</p> <p>(d) The Family Living Services Provider Agency may not bill on days when an individual is hospitalized or in an institutional care setting. For this purpose a day is counted from one midnight to the following midnight.</p> <p>Developmental Disabilities (DD) Waiver Service Standards effective 4/1/2007 - <b>Chapter 6 - COMMUNITY LIVING SERVICES</b></p> <p><b>III. REQUIREMENTS UNIQUE TO FAMILY LIVING SERVICES...</b></p>	<p>Based on record review, the Agency failed to provide written or electronic documentation as evidence for each unit billed for Family Living Services for 3 of 3 individuals.</p> <p>Individual #11 April 2009</p> <ul style="list-style-type: none"> <li>The Agency billed 30 units of Family Living from 4/1/2009 through 4/30/2009. Documentation received accounted for 28 units.</li> </ul> <p>May 2009</p> <ul style="list-style-type: none"> <li>The Agency billed 31 units of Family Living from 5/1/2009 through 5/31/2009. Documentation received accounted for 28 units.</li> </ul> <p>June 2009</p> <ul style="list-style-type: none"> <li>The Agency billed 30 units of Family Living from 6/01/2009 through 6/30/2009. Billing units were unable to be verified, as remittance forms were not provided.</li> </ul> <p>Individual #12 May 2009</p> <ul style="list-style-type: none"> <li>The Agency billed 31 units of Family Living from 5/1/2009 through 5/31/2009. Documentation received accounted for 29 units.</li> </ul> <p>June 2009</p> <ul style="list-style-type: none"> <li>The Agency billed 30 units of Family Living from 6/01/2009 through 6/30/2009. Billing units were unable to be verified, as remittance forms were not provided.</li> </ul> <p>Individual #14 June 2009</p> <ul style="list-style-type: none"> <li>The Agency billed 30 units of Family Living from 6/01/2009 through 6/30/2009. Billing units were unable to be verified, as remittance forms were not provided.</li> </ul>	<p>Complete</p>

