



*Maintaining and Improving the Health of Minnesotans*

Certified Mail # 7003 2260 0000 9988 1207

Date: November 3, 2004

Annabelle Frazier, Administrator  
Broadway Assisted Living  
512 South Broadway  
Albert Lea, MN 56007

Re: Licensing Follow Up Revisit

Dear Ms. Frazier:

This is to inform you of the results of a facility visit conducted by staff of the Minnesota Department of Health, Licensing and Certification Program, on October 15, 2004.

The documents checked below are enclosed.

- Informational Memorandum  
Items noted and discussed at the facility visit including status of outstanding licensing correction orders.
- MDH Correction Order  
Correction order(s) issued pursuant to visit of your facility.
- Notices Of Assessment For Noncompliance With Correction Orders For Assisted Living Home Care Providers

Feel free to call our office if you have any questions at (651) 215-8703.

Sincerely,

Jean Johnston, Program Manager  
Case Mix Review Program

Enclosure(s)

Cc Annabelle Frazier, President Governing Board  
Case Mix Review File

10/04 FPC1000CMR

CMR 3199 6/04



**Health Policy, Information and Compliance Monitoring Division**  
*Case Mix Review Section*

INFORMATIONAL MEMORANDUM

**PROVIDER:** BROADWAY ASSISTED LIVING

**DATE OF SURVEY:** 10/15/2004

**BEDS LICENSED:**

HOSP: \_\_\_\_\_ NH: \_\_\_\_\_ BCH: \_\_\_\_\_ SLFA: \_\_\_\_\_ SLFB: \_\_\_\_\_

**CENSUS:**

HOSP: \_\_\_\_\_ NH: \_\_\_\_\_ BCH: \_\_\_\_\_ SLF: \_\_\_\_\_

**BEDS CERTIFIED:**

SNF/18: \_\_\_\_\_ SNF 18/19: \_\_\_\_\_ NFI: \_\_\_\_\_ NFII: \_\_\_\_\_ ICF/MR: \_\_\_\_\_ OTHER:  
ALHCP

**NAME(S) AND TITLE(S) OF PERSONS INTERVIEWED:**

**SUBJECT:** Licensing Order Follow Up X

**ITEMS NOTED AND DISCUSSED:**

- 1) An unannounced visit was made to followup on the status of state licensing orders issued as a result of a visit made on June 08, 09, 10 and 11, 2004. The results of the survey were delineated during the exit conference. Refer to Exit Conference Attendance Sheet for the names of individuals attending the exit conference. The status of the Correction orders is as follows:

**MN Rule 4668.0805, Subp. 1 Corrected**

- 2) The exit conference was not tape recorded.

*Protecting, Maintaining and Improving the Health of Minnesotans*

Certified Mail # 7003 2260 0000 9986 7287

July 14, 2004

Ms. Annabelle Frazier, Administrator  
Broadway Care Home  
512 South Broadway  
Albert Lea, MN 56007

Re: Results of State Licensing Survey

Dear Ms. Frazier:

The above agency was surveyed on June 08, 10 and 11, 2004 for the purpose of assessing compliance with state licensing regulations. State licensing deficiencies, if found, are delineated on the attached Minnesota Department of Health (MDH) correction order form. The correction order form should be signed and returned to this office when all orders are corrected. We urge you to review these orders carefully, item by item, and if you find that any of the orders are not in accordance with your understanding at the time of the exit conference following the survey, you should immediately contact me, or the RN Program Coordinator. If further clarification is necessary, I can arrange for an informal conference at which time your questions relating to the order(s) can be discussed.

A final version of the Licensing Survey Form is enclosed. This document will be posted on the MDH website.

Also attached is an optional Provider questionnaire, which is a self-mailer, which affords the provider with an opportunity to give feedback on the survey experience.

Please feel free to call our office with any questions at (651) 215-8703.

Sincerely,

Jean Johnston, Program Manager  
Case Mix Review Program

Enclosures

cc: Annabelle Frazier, President Governing Board  
Case Mix Review File

CMR 3199 6/04



Assisted Living Home Care Provider  
**LICENSING SURVEY FORM**

Registered nurses from the Minnesota Department of Health (MDH) use the Licensing Survey Form during an on-site visit to evaluate the care provided by Assisted Living home care providers (ALHCP). The ALHCP licensee may also use the form to monitor the quality of services provided to clients at any time. Licensees may use their completed Licensing Survey Form to help communicate to MDH nurses during an on-site regulatory visit.

During an on-site visit, MDH nurses will interview ALHCP staff, make observations, and review some of the agency's documentation. The nurses may also talk to clients and/or their representatives. This is an opportunity for the licensee to explain to the MDH nurse what systems are in place to provide Assisted Living services. Completing the Licensing Survey Form in advance may expedite the survey process.

Licensing requirements listed below are reviewed during a survey. A determination is made whether the requirements are met or not met for each Indicator of Compliance box. This form must be used in conjunction with a copy of the ALHCP home care regulations. Any violations of ALHCP licensing requirements are noted at the end of the survey form.

Name of ALHCP: BROADWAY CARE HOME  
 HFID # (MDH internal use): 00132  
 Date(s) of Survey: June 08, 10 and 11, 2004  
 Project # (MDH internal use): QL00132012

| Indicators of Compliance  | Outcomes Observed  | Comments  |
|---|--|---|
| 1. The agency only accepts and retains clients for whom it can meet the needs as agreed to in the service plan.<br>(MN Rules 4668.0050, 4668.0800, Subp. 3, 4668.0815, 4668.0825, 4668.0845, 4668.0865) | Each client has an assessment and service plan developed by a registered nurse within 2 weeks and prior to initiation of delegated nursing services, reviewed at least annually, and as needed. The service plan accurately describes the client's needs. Care is provided as stated in the service plan. The client and/or representative understands what care will be provided and what it costs. | <input checked="" type="checkbox"/> Met<br><input type="checkbox"/> Correction<br><input type="checkbox"/> Order(s) issued<br><input type="checkbox"/> Education<br><input type="checkbox"/> Provided |

| Indicators of Compliance   | Outcomes Observed  | Comments  |
|--|--|---|
| <p>2. Agency staff promote the clients' rights as stated in the Minnesota Home Care Bill of Rights.<br/>(MN Statute 144A.44; MN Rule 4668.0030)</p>                                  | <p>No violations of the MN Home Care Bill of Rights (BOR) are noted during observations, interviews, or review of the agency's documentation. Clients and/or their representatives receive a copy of the BOR when (or before) services are initiated. There is written acknowledgement in the client's clinical record to show that the BOR was received (or why acknowledgement could not be obtained).</p> | <p><input checked="" type="checkbox"/> Met<br/> <input type="checkbox"/> Correction<br/> <input type="checkbox"/> Order(s) issued<br/> <input type="checkbox"/> Education<br/> <input type="checkbox"/> Provided</p>            |
| <p>3. The health, safety, and well being of clients are protected and promoted.<br/>(MN Statutes 144A.44; 144A.46, Subd. 5 (b), 144D.07, 626.557; MN Rules 4668.0065, 4668.0805)</p> | <p>Clients are free from abuse or neglect. Clients are free from restraints imposed for purposes of discipline or convenience. Agency staff observe infection control requirements. There is a system for reporting and investigating any incidents of maltreatment. There is adequate training and supervision for all staff. Criminal background checks are performed as required.</p>                     | <p><input checked="" type="checkbox"/> Met<br/> <input type="checkbox"/> Correction<br/> <input type="checkbox"/> Order(s) issued<br/> <input type="checkbox"/> Education<br/> <input type="checkbox"/> Provided</p>            |
| <p>4. The agency has a system to receive, investigate, and resolve complaints from its clients and/or their representatives.<br/>(MN Rule 4668.0040)</p>                             | <p>There is a formal system for complaints. Clients and/or their representatives are aware of the complaint system. Complaints are investigated and resolved by agency staff.</p>  | <p><input checked="" type="checkbox"/> Met<br/> <input type="checkbox"/> Correction<br/> <input type="checkbox"/> Order(s) issued<br/> <input checked="" type="checkbox"/> Education<br/> <input type="checkbox"/> provided</p> |
| <p>5. The clients' confidentiality is maintained.<br/>(MN Statute 144A.44; MN Rule 4668.0810)</p>  | <p>Client personal information and records are secure. Any information about clients is released only to appropriate parties. Permission to release information is obtained, as required, from clients and/or their representatives.</p>   | <p><input checked="" type="checkbox"/> Met<br/> <input type="checkbox"/> Correction<br/> <input type="checkbox"/> Order(s) issued<br/> <input type="checkbox"/> Education<br/> <input type="checkbox"/> Provided</p>            |

| Indicators of Compliance  | Outcomes Observed  | Comments  |
|---|--|---|
| 6. Changes in a client's condition are recognized and acted upon. (MN Rules 4668.0815, 4668.0820, 4668.0825)  | A registered nurse is contacted when there is a change in a client's condition that requires a nursing assessment or reevaluation, a change in the services and/or there is a problem with providing services as stated in the service plan.<br>Emergency and medical services are contacted, as needed. The client and/or representative is informed when changes occur.                            | <input checked="" type="checkbox"/> Met<br><input type="checkbox"/> Correction<br><input type="checkbox"/> Order(s) issued<br><input checked="" type="checkbox"/> Education<br><input type="checkbox"/> Provided                      |
| 7. The agency employs (or contracts with) qualified staff. (MN Statute 144D.065; MN Rules 4668.0070, 4668.0820, 4668.0825, 4668.0030, 4668.0835, 4668.0840) | Staff have received training and/or competency evaluations as required, including training in dementia care, if applicable. Nurse licenses are current. The registered nurse(s) delegates nursing tasks only to staff who are competent to perform the procedures that have been delegated. The process of delegation and supervision is clear to all staff and reflected in their job descriptions. | <input type="checkbox"/> Met<br><input checked="" type="checkbox"/> Correction<br><input type="checkbox"/> Order(s) issued<br><input checked="" type="checkbox"/> Education<br><input type="checkbox"/> provided                      |
| 8. Medications are stored and administered safely. (MN Rules 4668.0800, Subp. 3, 4668.0855, 4668.0860)  | The agency has a system for the control of medications. Staff are trained by a registered nurse prior to administering medications. Medications and treatments administered are ordered by a prescriber. Medications are properly labeled. Medications and treatments are administered as prescribed. Medications and treatments administered are documented.  | <input checked="" type="checkbox"/> Met<br><input type="checkbox"/> Correction<br><input type="checkbox"/> Order(s) issued<br><input type="checkbox"/> Education<br><input type="checkbox"/> provided<br><input type="checkbox"/> N/A |

| Indicators of Compliance   | Outcomes Observed   | Comments   |
|--|---|--|
| <p>9. Continuity of care is promoted for clients who are discharged from the agency. (MN Statute 144A.44, 144D.04; MN Rules 4668.0050, 4668.0170, 4668.0800,4668.0870)</p>   | <p>Clients are given information about other home care services available, if needed. Agency staff follow any Health Care Declarations of the client. Clients are given advance notice when services are terminated by the ALHCP. Medications are returned to the client or properly disposed of at discharge from a HWS.</p> | <p><input checked="" type="checkbox"/> Met<br/> <input type="checkbox"/> Correction<br/> <input type="checkbox"/> Order(s) issued<br/> <input type="checkbox"/> Education provided<br/> <input type="checkbox"/> N/A</p> |
| <p>10. The agency has a current license. (MN Statutes 144D.02, 144D.04, 144D.05, 144A.46; MN Rule 4668.0012, Subd.17)</p> <p><u>Note:</u> MDH will make referrals to the Attorney General’s office for violations of MN Statutes 144D or 325F.72; and make other referrals, as needed.</p> | <p>The ALHCP license (and other licenses or registrations as required) are posted in a place that communicates to the public what services may be provided.<br/> The agency operates within its license(s).</p>   | <p><input checked="" type="checkbox"/> Met<br/> <input type="checkbox"/> Correction<br/> <input type="checkbox"/> Order(s) issued<br/> <input type="checkbox"/> Education provided</p>                                   |

***Please note: Although the focus of the licensing survey is the regulations listed in the Indicators of Compliance boxes above, other violations may be cited depending on what systems a provider has or fails to have in place and/or the severity of a violation. Also, the results of the focused licensing survey may result in an expanded survey where additional interviews, observations, and documentation reviews are conducted.***

Survey Results:

           All Indicators of Compliance listed above were met.

For Indicators of Compliance not met and/or education provided, list the number, regulation number, and example(s) of deficient practice noted:

|   |   |  |
|---|---|--|
| <p>Indicator of Compliance:<br/># <u>  4  </u></p>              | <p>Regulation:<br/>MN Rule 4668.0040, Subp. 2<br/>Complaint Procedure</p>   | <p><u>      </u> Correction Order Issued<br/><u>  X  </u> Education provided</p> |
| <p>Education:<br/>#4</p>  | <p>On June 10, 2004 client #1 complained to this surveyor that he does not get to watch his preferred television (TV) shows in the common are because the other clients ignore his requests to watch a variation from their favorite programming. He stated he has repeatedly complained to staff “ they don’t do anything.” During an interview with staff June 10, 2004, the staff confirmed he does complain of the programming but they did not respond to his complaints because they though his complaint were a behavior rather than a true concern.<br/>Education was provided regarding the complaint procedure to include “a system for receiving, investigating, and resolving complaints from its clients”.</p>   |  |
| <p>Indicator of Compliance:<br/>#6</p> <p>Education:<br/>#6</p> | <p>Regulation:<br/>MN Statute 144A.4605 Subd. 2 (3)<br/>Assisted Living Home Care<br/>Client #1, “requires feeding at meals, as he shakes and can’t get the food up to his mouth” documented April 14, 2004. During an interview with the registered nurse (RN) she stated the client takes a medication which could have a side effect of tardive dyskinesia. She stated she does not monitor for tardive dyskinesia.<br/>Education was provided regarding use of tools available, per professional standards: ie “Discus” or other exam for tardive dyskinesia.</p>   | <p><u>      </u> Correction Order Issued<br/><u>  X  </u> Education</p>          |
| <p>Indicator of Compliance:<br/># <u>  7  </u></p>              | <p>Regulation:<br/>MN Rule 4668.0805, Subp. 1<br/>Orientation to Home Care Requirements</p>   | <p><u>  X  </u> Correction Order Issued<br/><u>  X  </u> Education provided</p>  |
| <p>Statement(s) of Deficient Practice:</p> <p>Education:</p>    | <p>Based on record review and staff interview, the licensee failed to orient to home care requirements 1 of 1 (#1) licensed staff. During an interview June 08, 2004 the licensed staff stated she had not had an orientation to home care requirements. On June 08, 2004 the administrator confirmed that although they had the current Minnesota Rules, they had not done the required orientation documentation because they did not understand what they needed to do.<br/>Education was provided regarding training requirements for licensed staff as outlined in the law to the administrator and registered nurse manager, on June 08, 2004 during review of personnel records. The information was repeated June 10, 2004, during the exit conference.</p> |  |

(Add boxes, if needed)



A copy of this completed form was left with Annabelle Frazier at an exit conference on (date) June 11, 2004. Any correction orders issued as a result of the on-site visit will arrive by certified mail to the licensee within 3 weeks of this exit conference (see Correction Order form HE-01239-03). If you have any questions about the Licensing Survey Form or the survey results, please contact the Minnesota Department of Health, (651) 215-8703. After supervisory review, this form will be posted on the MDH website. General information about ALHCP is also available on the website:

<http://www.health.state.mn.us/divs/fpc/profinfo/cms/alhcp/alhcpsurvey.htm>

Regulations can be viewed on the Internet: <http://www.revisor.leg.state.mn.us/stats> (for MN statutes) <http://www.revisor.leg.state.mn.us/arule/> (for MN Rules).