

Protecting, Maintaining and Improving the Health of Minnesotans

Certified Mail # 7008 2810 0001 2258 0576

October 28, 2009

Brian Carlson, Administrator Lake View Memorial Hospital Home Care 325 11<sup>th</sup> Avenue Two Harbors, MN 55616

Re: Results of State Licensing Survey

Dear Mr. Carlson:

The above agency was surveyed on October 1, 2, and 6, 2009, 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 note, it is your responsibility to share the information contained in this letter and the results of this visit with the President of your facility's Governing Body.

Please feel free to call our office with any questions at (651) 201-4301.

Sincerely,

Jean Johnston, Program Manager

Jean M. Johnston

Case Mix Review Program

**Enclosures** 

cc: Lake County Social Services

Ron Drude, Minnesota Department of Human Services

Sherilyn Moe, Office of the Ombudsman

01/07 CMR3199



Class F Home Care Provider

## LICENSING SURVEY FORM

Registered nurses from the Minnesota Department of Health (MDH) use this Licensing Survey Form during on-site visits to evaluate the care provided by Class F home care providers (Class F). Class F licensees may also use this 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 staff, talk with clients and/or their representatives, make observations and review documentation. The survey is an opportunity for the licensee to explain to the MDH nurse what systems are in place to provide Class F Home Care services. Completing this Licensing Survey Form in advance may facilitate 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 Class F home care regulations. Any violations of Class F Home Care Provider licensing requirements are noted at the end of the survey form.

## Name of CLASS F: LAKE VIEW MEM HOSP HOME CARE

HFID #: 20751

Date(s) of Survey: October 1, 2, and 6, 2009

Project #: QL20751007

<b>Indicators of Compliance</b>	Outcomes Observed	Comments
<ol> <li>The provider only accepts and retains clients for whom it can meet the needs as agreed to in the service plan.</li> <li>Focus Survey         <ul> <li>MN Rule 4668.0815</li> </ul> </li> <li>Expanded Survey         <ul> <li>MN Rule 4668.0800</li> <li>MN Rule 4668.0800 Subp. 3</li> <li>MN Rule 4668.0825 Subp. 2</li> <li>MN Rule 4668.0845</li> </ul> </li> </ol>	<ul> <li>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.</li> <li>The service plan accurately describes the client's needs.</li> <li>Care is provided as stated in the service plan.</li> <li>The client and/or representative understand what care will be provided and what it costs.</li> </ul>	Focus Survey  X Met  Correction Order(s) issued Education Provided  Expanded Survey  X Survey not Expanded Met  Correction Order(s) issued Education Provided  Follow-up Survey #  New Correction Order issued Education Provided

<b>Indicators of Compliance</b>	Outcomes Observed	Comments
2. The provider promotes the clients' rights.  Focus Survey  MN Rule 4668.0030  MN Statute §144A.44  Expanded Survey  MN Rule 4668.0040  MN Rule 4668.0170  MN Statute §144D.04  MN Rule 4668.0870	<ul> <li>Clients are aware of and have their rights honored.</li> <li>Clients are informed of and afforded the right to file a complaint.</li> <li>Continuity of Care is promoted for clients who are discharged from the agency.</li> </ul>	Focus Survey  X Met  Correction Order(s) issued Education Provided  Expanded Survey  X Survey not Expanded Met  Correction Order(s) issued Education Provided  Follow-up Survey #  New Correction Order issued Education Provided
3. The health, safety, and well being of clients are protected and promoted.  Focus Survey  MN Statute §144A.46  MN Statute §626.557  Expanded Survey  MN Rule 4668.0035  MN Rule 4668.0805	<ul> <li>Clients are free from abuse or neglect.</li> <li>Clients are free from restraints imposed for purposes of discipline or convenience.         Agency personnel observe infection control requirements.</li> <li>There is a system for reporting and investigating any incidents of maltreatment.</li> <li>There is adequate training and supervision for all staff.</li> <li>Criminal background checks are performed as required.</li> </ul>	Focus Survey  X Met  Correction Order(s) issued Education Provided  Expanded Survey  X Survey not Expanded Met  Correction Order(s) issued Education Provided  Follow-up Survey #  New Correction Order issued Education Provided

<b>Indicators of Compliance</b>	<b>Outcomes Observed</b>	Comments
<ul> <li>4. The clients' confidentiality is maintained.</li> <li>Expanded Survey</li> <li>MN Rule 4668.0810</li> </ul>	<ul> <li>Client personal information and records are secure.</li> <li>Any information about clients is released only to appropriate parties.</li> <li>Client records are maintained, are complete and are secure.</li> </ul>	This area does not apply to a Focus Survey  Expanded Survey  Survey not Expanded Met X Correction Order(s) issued X Education Provided  Follow-up Survey #  New Correction Order issued Education Provided
5. The provider employs (or contracts with) qualified staff.  Focus Survey  • MN Rule 4668.0065  • MN Rule 4668.0835  Expanded Survey  • MN Rule 4668.0820  • MN Rule 4668.0825  • MN Rule 4668.0840  • MN Rule 4668.0070  • MN Statute §144D.065	<ul> <li>Staff have received training and/or competency evaluations as required, including training in dementia care, if applicable.</li> <li>Nurse licenses are current.</li> <li>The registered nurse(s) delegates nursing tasks only to staff that are competent to perform the procedures that have been delegated.</li> <li>The process of delegation and supervision is clear to all staff and reflected in their job descriptions.</li> <li>Personnel records are maintained and retained.</li> <li>Staff meet infection control guidelines.</li> </ul>	Focus Survey MetCorrection Order(s)     issuedEducation Provided  Expanded SurveySurvey not ExpandedMetX_Correction Order(s)     issuedX_Education Provided  Follow-up Survey #New Correction     Order issuedEducation Provided

<b>Indicators of Compliance</b>	Outcomes Observed	Comments
6. Changes in a client's condition are recognized and acted upon. Medications are stored and administered safely.  Focus Survey  MN Rule 4668.0855  MN Rule 4668.0860  Expanded Survey  MN Rule 4668.0800  MN Rule 4668.0815  MN Rule 4668.0820  MN Rule 4668.0865  MN Rule 4668.0870	<ul> <li>A registered nurse is contacted when there is a change in a client's condition that requires a nursing assessment.</li> <li>Emergency and medical services are contacted, as needed.</li> <li>The client and/or representative is informed when changes occur.</li> <li>The agency has a system for the control of medications.</li> <li>A registered nurse trains unlicensed personnel prior to them administering medications.</li> <li>Medications and treatments are ordered by a prescriber and are administered and documented as prescribed.</li> </ul>	Focus Survey MetCorrection Order(s)     issuedEducation Provided  Expanded SurveySurvey not ExpandedMet _X_Correction Order(s)     issued  X_Education Provided  Follow-up Survey #New Correction     Order issuedEducation Provided
7. The provider has a current license.  Focus Survey  MN Rule 4668.0019  Expanded Survey  MN Rule 4668.0008  MN Rule 4668.0012  MN Rule 4668.0016  MN Rule 4668.0220  Note: 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.	<ul> <li>The CLASS F license (and other licenses or registrations as required) are posted in a place that communicates to the public what services may be provided.</li> <li>The agency operates within its license(s) and applicable waivers and variances.</li> <li>Advertisement accurately reflects the services provided by the agency.</li> </ul>	Focus Survey  X Met Correction Order(s)     issuedEducation Provided  Expanded Survey  X Survey not ExpandedMetCorrection Order(s)     issuedEducation Provided  Follow-up Survey # New Correction     Order issuedEducation Provided

Indicators of Compliance	Outcomes Observed	Comments
8. The provider is in compliance with MDH waivers and variances	Eromsoo provinces services within	This area does not apply to a Focus Survey.
Expanded Survey  • MN Rule 4668.0016	waivers and variances	Expanded Survey  X Survey not Expanded  Met Correction Order(s) issued Education Provided  Follow-up Survey #  New Correction Order issued Education Provided

<u>Please note</u>: Although the focus of the licensing survey is the regulations listed in the Indicators of Compliance boxes above, other rules and statutes may be cited depending on what system a provider has or fails to have in place and/or the severity of a violation. The findings of the focused licensing survey may result in an expanded survey.

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For Indicators of Compliance not met, the rule or statute numbers and the findings of deficient practice are noted below.

#### 1. MN Rule 4668.0810 Subp. 6

# **INDICATOR OF COMPLIANCE: #4**

Based on observation, record review and interview, the licensee failed to ensure services provided to the client were documented in the client's record for one of one client's (#1) record reviewed. The findings include:

Client #1's service plan dated September 10, 2009, indicated the client was to wear a knee immobilizer and TED stocking daily. Client #1 was observed October 1, 2009, wearing the knee immobilizer and TED stockings. These services were not documented in the client's record.

When interviewed October 2, 2009, the registered nurse confirmed the knee immobilizer and TED stockings were not documented in the client's record as being provided.

#### 2. MN Rule 4668.0825 Subp. 4

#### **INDICATOR OF COMPLIANCE: #5**

Based on observation, record review and interview, the licensee failed to retain documentation for demonstration of competency for delegated nursing tasks performed for one of one unlicensed employee's (B) record reviewed. The findings include:

Client #1's record indicated employee B provided services to the client on October 1, 2009. Client #1 was observed wearing the knee immobilizer on her right leg on October 1, 2009. There was no documentation indicating employee B had demonstrated competency for application of the knee immobilizer to the registered nurse. When interviewed October 2, 2009, the registered nurse stated employee B had been trained and demonstrated competency but she was unable to find the documentation. The unlicensed staff working on October 2, 2009, stated the registered nurse had trained them in the application of the knee immobilizer and showed this reviewer the written procedure.

#### 3. MN Rule 4668.0855 Subp. 9

#### **INDICATOR OF COMPLIANCE: #6**

Based on record review and interview, the licensee failed to have complete medication records for one of one client's (#1) record reviewed. The findings include:

Client #1's PRN (pro re nata) medication record contained eight entries in May, June, September and October of 2009 which each indicated two Tylenol had been given. The documentation did not include the dosage of PRN Tylenol. When interviewed October 2, 2009, the registered nurse confirmed the documentation did not include the dosage of the Tylenol that had been given.

#### 4. MN Rule 4668.0860 Subp. 2

#### **INDICATOR OF COMPLIANCE: #6**

Based on record review and interview, the agency failed to have a current prescriber order for medications for one of one client's (#1) record reviewed. The findings include:

Client #1's PRN (pro re nata) medication form indicated on September 23 and 30, 2009, and October 1, 2009, the client received two tablets of Tylenol for pain in addition to the Tylenol 325 mg two tablets the client was to receive three times a day at 8:00 a.m., 12:00 p.m. and 5:00 p.m. The client had a physician's order dated September 4, 2009, for Tylenol 325 mg two tablets three times a day. There was no physicians order for the additional PRN Tylenol. When interviewed October 2, 2009, the registered nurse confirmed there was no physician's order for the PRN Tylenol.

#### 5. MN Rule 4668.0865 Subp. 2

#### **INDICATOR OF COMPLIANCE: #6**

Based on observation, record review and interview, the licensee failed to ensure service plans included central storage of medications for one of one client's (#1) record reviewed who received central storage of medications. The findings include:

Client #1's medications were observed October 1, 2009, to be stored in the medication cupboard in the kitchen. Client #1's service plan dated January 15, 2009, did not include central storage of medications. When interviewed October 2, 2009, the registered nurse confirmed the client's medications were in central storage and the client's service plan was not complete.

A draft copy of this completed form was left with <u>Laura Conril</u> at an exit conference on <u>October 6</u>, <u>2009</u>. Any correction order(s) issued as a result of the on-site visit and the final Licensing Survey Form will be sent to the licensee. If you have any questions about the Licensing Survey Form or the survey results, please contact the Minnesota Department of Health, (651) 201-4301. After review, this form will be posted on the MDH website. Class F Home Care Provider general information is available by going to the following web address and clicking on the Class F Home Care Provider link:

http://www.health.state.mn.us/divs/fpc/profinfo/cms/casemix.html

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



Protecting, Maintaining and Improving the Health of Minnesotans

Certified Mail # 7004 1160 0004 8714 4634

May 10, 2005

Brian Carlson, Administrator Lake View Memorial Hospital Home Care 325 11<sup>th</sup> Avenue Two Harbors, MN 55616 Re: Results of State Licensing Survey

Dear Mr. Carlson:

The above agency was surveyed on March 22 and 23, 2005 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: Brian Carlson, President Governing Board Case Mix Review File



# 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: LAKE VIEW MEM HOSP HOME CARE

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HFID # (MDH internal use): 20751
Date(s) of Survey: March 22 and 23, 2005
Project # (MDH internal use): QL20751001

Indicators of Compliance	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. (MN Rules 4668.0050, 4668.0800 Subpart 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.	X Met Correction Order(s) issued X Education provided

<b>Indicators of Compliance</b>	Outcomes Observed	Comments
		Comments
2. Agency staff promote the clients' rights as stated in the Minnesota Home Care Bill of Rights. (MN Statute 144A.44; MN Rule 4668.0030)	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).	X Met Correction Order(s) issued Education provided
3. The health, safety, and well being of clients are protected and promoted. (MN Statutes 144A.44; 144A.46 Subd. 5(b), 144D.07, 626.557; MN Rules 4668.0065, 4668.0805)	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.	X Met Correction Order(s) issued X Education provided
4. The agency has a system to receive, investigate, and resolve complaints from its clients and/or their representatives. (MN Rule 4668.0040)	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.	X Met Correction Order(s) issued Education provided
5. The clients' confidentiality is maintained. (MN Statute 144A.44; MN Rule 4668.0810)	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.	_X Met Correction Order(s) issued _X Education provided
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.  Emergency and medical services are contacted, as needed.  The client and/or representative is informed when changes occur.	X Met Correction Order(s) issued Education provided

		Page 3 of 4
Indicators of Compliance	Outcomes Observed	Comments
7. The agency employs (or contracts with) qualified staff. (MN Statutes 144D.065; 144A.45, Subd. 5; 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.	X Met Correction Order(s) issued Education provided
8. Medications are stored and administered safely. (MN Rules 4668.0800 Subpart 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 are administered are documented.	X Met Correction Order(s) issued Education provided N/A
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)	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.	X Met Correction Order(s) issued Education provided N/A
10. The agency has a current license. (MN Statutes 144D.02, 144D.04, 144D.05, 144A.46; MN Rule 4668.0012 Subp.17)  Note: 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.	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.  The agency operates within its license(s).	X Met Correction Order(s) issued Education provided

<u>Please note</u>: 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:	
X	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:

Indicator of Compliance	Regulation	Correction Order Issued	Education provided	Statement(s) of Deficient Practice/Education:
1	MN Rule 4668.0815 Service Plan		X	Education: Provided
3.	MN Rule 4668.0065 Mantoux Testing		X	Education: Provided
5.	MN Rule 4668.0810 Contents of client record		X	Education: Provided

A draft copy of this completed form was left with Laura Comrie at an exit conference on March 23, 2005. Any correction orders issued as a result of the on-site visit and the final Licensing Survey Form 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: <a href="http://www.revisor.leg.state.mn.us/stats">http://www.revisor.leg.state.mn.us/stats</a> (for MN statutes) <a href="http://www.revisor.leg.state.mn.us/arule/">http://www.revisor.leg.state.mn.us/arule/</a> (for MN Rules).

(Form Revision 7/04)