

Protecting, Maintaining and Improving the Health of Minnesotans

Certified Mail # 7008 1830 0003 8091 0051

February 25, 2009

Nikki Hoss, Administrator Pheasant's Ridge Assisted Living 1807 Sunrise Drive St Peter, MN 56082

Re: Results of State Licensing Survey

Dear Ms. Hoss:

The above agency was surveyed on December 17, 18, and 19, 2008, 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 M. Johnston

Jean Johnston, Program Manager Case Mix Review Program

Enclosures

cc: Nicollet County Social Services Ron Drude, Minnesota Department of Human Services Sherilyn Moe, Office of the Ombudsman

01/07 CMR3199

Division of Compliance Monitoring • Case Mix Review 85 East 7th Place Suite, 220 • PO Box 64938 • St. Paul, MN 55164-0938 • 651-201-4301 General Information: 651-201-5000 or 888-345-0823 • TTY: 651-201-5797 • Minnesota Relay Service: 800-627-3529 http://www.health.state.mn.us An equal opportunity employer



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: PHEASANTS RIDGE ASSISTED LIVNG

HFID #: 24372	
Date(s) of Survey: December 17, 18 and 19, 2008	
Project #: QL24372003	

Indicators of Compliance	Outcomes Observed	Comments
 The provider only accepts and retains clients for whom it can meet the needs as agreed to in the service plan. Focus Survey 	• 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	Focus Survey Met XCorrection Order(s) issued XEducation Provided
• MN Rule 4668.0815	needed.	Expanded Survey
 Expanded Survey MN Rule 4668.0050 MN Rule 4668.0800 Subp. 3 MN Rule 4668.0825 Subp. 2 MN Rule 4668.0845 	 The service plan accurately describes the client's needs. Care is provided as stated in the service plan. The client and/or representative understand what care will be provided and what it costs. 	X_Survey not Expanded Met Correction Order(s) issued Education Provided Follow-up Survey <u>#</u> New Correction Order issued Education Provided

Indicators of Compliance	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 	 Clients are aware of and have their rights honored. Clients are informed of and afforded the right to file a complaint. Continuity of Care is promoted for clients who are discharged from the agency. 	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 	 Clients are free from abuse or neglect. Clients are free from restraints imposed for purposes of discipline or convenience. Agency personnel 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. 	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

Indicators of Compliance	Outcomes Observed	Comments
 4. The clients' confidentiality is maintained. Expanded Survey MN Rule 4668.0810 	 Client personal information and records are secure. Any information about clients is released only to appropriate parties. Client records are maintained, are complete and are secure. 	This area does not apply to a Focus Survey Expanded Survey Survey not Expanded Met XCorrection Order(s) issued XEducation Provided Follow-up Survey #
 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 	 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 that 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. Personnel records are maintained and retained. Staff meet infection control guidelines. 	Focus Survey Met XCorrection Order(s) issued XEducation Provided Expanded Survey XSurvey not Expanded Met Correction Order(s) issued Education Provided Follow-up Survey # New Correction Order issued Education Provided

Indicators of Compliance	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 	 A registered nurse is contacted when there is a change in a client's condition that requires a nursing assessment. Emergency and medical services are contacted, as needed. The client and/or representative is informed when changes occur. The agency has a system for the control of medications. A registered nurse trains unlicensed personnel prior to them administering medications. Medications and treatments are ordered by a prescriber and are administered and documented as prescribed. 	Focus Survey Met X 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
 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 <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. 	 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. The agency operates within its license(s) and applicable waivers and variances. Advertisement accurately reflects the services provided by the agency. 	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

Indicators of Compliance	Outcomes Observed	Comments
 8. The provider is in compliance with MDH waivers and variances Expanded Survey MN Rule 4668.0016 	• Licensee provides services within the scope of applicable MDH waivers and variances	This area does not apply to a Focus Survey. 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.

SURVEY RESULTS: ____ All Indicators of Compliance listed above were met.

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

1. MN Rule 4668.0065 Subp. 1

INDICATOR OF COMPLIANCE: #5

Based on record review and interview, the licensee failed to ensure tuberculosis screening was completed before employees had direct contact with clients for one of one professional employee (A) record reviewed. The findings include:

Employee A was hired July of 2008, as a direct care staff. There was documentation of a negative tuberculosis screening done on September 18, 2006. There was evidence, provided later, of a second step Mantoux test done October 2, 2006, which was negative as well. There was no other evidence of screening in the record.

When interviewed, December 18, 2008, employee A stated she thought she had a more current test, but was unable to find documentation.

2. MN Rule 4668.0810 Subp. 6

INDICATOR OF COMPLIANCE: #4

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

Client #1's service plan dated January of 2008, indicated the client was to receive up to fifteen minutes of assistance with activities of daily living (dressing, grooming, bathing etc.) daily. Service delivery records dated, November 3, 2008, through December 21, 2008, indicated bathing and dressing assistance was only provided on November 6, 2008, and November 19, 2008.

When interviewed December 18, 2008, the administrator stated the unlicensed direct care staff failed to document the provision of assistance with activities of daily living.

3. MN Rule 4668.0815 Subp. 1

INDICATOR OF COMPLIANCE: #1

Based on record review and interview the licensee failed to have the registered nurse (RN) complete an individualized evaluation of the client's needs and establish a service plan no later than two weeks after initiation of assisted living home care services for one of one client (#1) record reviewed. The findings include:

Clients #1 began receiving services November of 2007. The undated "RN evaluation/baseline assessment" was incomplete and referred to an attached history and physical which was not present. The initial service plan was dated January of 2008.

When interviewed December 18, 2008, the administrator confirmed the RN evaluation and service plan were not done correctly.

4. MN Rule 4668.0815 Subp. 4

INDICATOR OF COMPLIANCE: #1

Based on record review and interview, the licensee failed to provide a complete service plan for one of one client (#1) record reviewed. The findings include:

Client #1's service plan, dated January of 2008, stated she was to receive various services such as, registered nurse services; meals; emergency response and housekeeping. The service plan failed to identify the persons or categories of persons who were to provide the services; the schedule or frequency of sessions of supervision or monitoring; the fees for services; and a contingency action plan. It also did not include a procedure for assistance with non essential services.

When interviewed December 18, 2008, the administrator confirmed the service plan was not complete and stated a new service plan was being developed.

5. MN Rule 4668.0825 Subp. 4

INDICATOR OF COMPLIANCE: #5

Based on record review and interview, the licensee failed to document that unlicensed personnel were instructed by, and demonstrated to the registered nurse (RN) that he/she was competent to perform the delegated nursing procedure for one of one unlicensed employee (B) record reviewed who preformed blood glucose checks. The findings include:

Client #1's record indicated that unlicensed staff had conducted blood glucose checks since August 2008. There was no documented evidence employee B received instruction on blood glucose checks by an RN, received specific written instructions, or demonstrated competency to perform the checks. The agency provided post survey documentation of employee B's attendance May 24, 2007, of an in-service titled "blood Sugar/Emergency Procedures." There was no indication if the in-service related to checking blood sugar levels, nor did it indicate who had taught the class. There was no competency testing for the class.

When interviewed December 19, 2008, employee B stated she received blood glucose check training from a former RN.

6. MN Rule 4668.0855 Subp. 7

INDICATOR OF COMPLIANCE: #6

Based on interview and record review, the licensee failed to ensure that a Registered Nurse (RN) documented in the client's record, the specific instructions for performing the procedures for each client, and the unlicensed staff person demonstrated to a RN their ability to assist with or administer the medications for one of one unlicensed employee's (B) records reviewed. The findings include:

Employee B administered insulin to client #1. There were no specific written instructions for administering the insulin.

Employee B was hired May of 2006, as an unlicensed direct care staff. There was no documented evidence that employee B had demonstrated to an RN the ability to competently perform insulin injections.

When interviewed December 19, 2008, employee B stated she received insulin administration training from a former RN.

7. MN Rule 4668.0865 Subp. 2

INDICATOR OF COMPLIANCE: #6

Based on record review and interview, the licensee failed to have a registered nurse (RN) conduct an assessment of the client's functional status and need for central medication storage and develop a service plan for the provision of central storage of medications for one of one client (#1) records reviewed who received central storage of medications. The findings include:

Clients #1 began receiving services including central storage of medications November of 2007. The undated "RN evaluation/baseline assessment" was incomplete and referred to an attached history and physical which was not present. The initial service plan was dated January of 2008. Client #1's record did not include an assessment for central storage of medications nor was it included on the service plan.

When interviewed December 18, 2008, the current RN stated the agency provided central storage of medications for all of their clients except one. She was new to the agency and did not know the assessments were not done. When interviewed December 18, 2008, the administrator stated they knew things were not done, but they were working on it.

A draft copy of this completed form was left with <u>Nikki Hoss, Administrator</u>, at a phone exit conference on <u>December 19, 2008</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: <u>http://www.revisor.leg.state.mn.us/stats</u> (for MN statutes) <u>http://www.revisor.leg.state.mn.us/arule/</u> (for MN Rules).



Protecting, Maintaining and Improving the Health of Minnesotans

March 27, 2008

Brianne Eggers, Administrator Pheasants Ridge Assisted Living 1807 Sunrise Drive St Peter, MN 55608

Re: Telephone Interview

Dear Ms. Eggers:

The information discussed during a telephone interview conducted by staff of the Minnesota Department of Health, Case Mix Review Program, on March 13, 2008, is summarized in the enclosed documents listed below:

<u>Telephone Interview and Education Assessment form</u> A summary of the items discussed during the phone interview and a listing of the education provided during the interview

Resource Sheet for Home Care Providers

A listing of web-sites and documents useful to home care providers in assuring compliance with home care regulations

Please note, it is your responsibility to share the information contained in this letter and the information from this interview with your direct care staff and the President of your facility's Governing Body.

If you have any questions, please feel free to call our office at (651) 201-4301.

Sincerely,

Jean M. Johnston

Jean Johnston, Program Manager Case Mix Review Program

Enclosure(s)

CMR TELEPHONE 03/08



Class A and Class F Home Care Telephone Interview and Education Assessment

Registered nurses from the Minnesota Department of Health (MDH) use this form to document telephone interviews and education of newly licensed Class F and Class A (licensed only) Home Care Providers as well as other providers who have not been surveyed by Case Mix Review staff.

Licensing requirements listed below were reviewed during a telephone interview. Information from this interview along with other data will be considered when making decisions regarding the timing of an on site survey. The noted topics were discussed during the telephone interview and education was provided in the checked areas.

Name of Home Care Licensee: Pheasants Ridge Asst. Lvg. Comm

HFID #: 24372	Type of License: Class F Home Care
Date of Interview: March 19, 2008	

Interview Topic	Item Discussed	Education Provided
Access to information	Home Care Rules and Statutes	 Web address for Home Care Rules and Statutes was sent (MN Statute §144A and MN Rule 4668)
		 Web address for Vulnerable Adult Act was sent (MN Statute §626.557)
		 Web address for Maltreatment of Minors Act was sent (MN Statute §626.556)
		Board of Nursing web address was sent
		Sent via: <u>E-mail</u>
		Basic Education Provided
Client Needs	Care needs of clients	Home Care licensee is required to have staff sufficient in qualifications and numbers to meet client needs (MN Rule 4668.0050)
		Basic Education Provided



Interview Topic	Item Discussed	Education Provided
Home Care Bill of Rights	Bill of Rights given to clients	Current and appropriate version of home care bill of rights required
		Minnesota Dept. of Health web-site Basic Education Provided
Advertising	Advertising should reflect services provided	 Includes all forms of advertising MN Rule 4668.0019
	provided	Basic Education Provided
Unlicensed personnel (ULP) who provide direct care	Training needed for ULP to be qualified to provide direct care	Initial training needed MN Rule 4668.0835 Subp. 2 (Class F)
	Ongoing education needed for unlicensed personnel	Competency testing required MN Rule 4668.0835 Subp. 3 (Class F)
	personner	 Inservice training MN Rule 4668.0835 Subp. 3 (Class F)
		 Ongoing infection control training needed MN Rule 4668.0065 Subp. 3
		Basic Education Provided
Unlicensed personnel (ULP) and medication administration	 Training required Insulin administration by unlicensed personnel 	Difference between medication administration and assistance with medication administration. MN Rule 4668.0003 Subp. 2a and Subp. 21a
		 Medication reminders – a visual or verbal cue only. MN Rule 4668.0003 Subp. 21b
		ULP limitations with insulin administration MN Rule 4668.0855 Subp. 6 (Class F)
		Prescriber orders required MN Rule 4668.0860 Subp. 2 (Class F)
		Basic Education Provided



Interview Topic	Item Discussed	Education Provided
Role of registered nurse (RN) and licensed practical nurse (LPN)	 Need to verify licenses of nurses RN does assessments LPN does monitoring 	 Difference between RN and LPN role MN Rule 4668.0820 Subp. 2 (Class F) and Minnesota Nurse Practice Act Points at which RN assessment is needed - Class F requirements RN assessment and change in condition MN Rule 4668.0845 Subp. 2 (Class F)
		Basic Education Provided
Supervision of unlicensed personnel (ULP)	Requirements for supervision and monitoring of unlicensed personnel	 RN supervision and LPN monitoring of unlicensed personnel Timing of supervision and monitoring MN Rule 4668.0845 (Class F)
		Basic Education Provided
Service plan or agreement	 Contents of Service Plan or Agreement Person who prepares service plan 	 Differentiate between licensee service plan and county service plan Required components of service plan Need to review service plan Basic Education Provided MN Rule 4668.0815 (Class F)
Protection of health, safety and well being of clients	Background studies for all staff	 Background studies not transferable Only DHS background study accepted
of chefts	Assessment of	MN Statute §144A.46 Subd. 5
	vulnerability for all clients	 Plan to address identified vulnerabilities required MN Statute §626.557 Subd. 14b
		Basic Education Provided
Infection control	Tuberculosis screening prior to direct client contact	System for follow up on TB status after hire MN Rule 4668.0065 Subps. 1 & 2
		 Yearly infection control inservice required for all staff including nurses MN Rule 4668.0065 Subp. 3
		Basic Education Provided



Interview Topic	Item Discussed	Education Provided
Assisted Living	Arranged providers for assisted living required to follow 144G	Uniform Consumer Information Guide must be given to all prospective clients MN Statute 144G.03 Subd. 2b9
		Basic Education Provided

The data used to complete this form was reviewed with <u>Mary Beth Paulson, NA/PCA; Marsha</u> <u>Huwe, RN</u> during a telephone interview on <u>March 19, 2008</u>. A copy of this Telephone Interview and Education Assessment form will be sent to the licensee. Any questions about this Telephone Interview and Education Assessment form should be directed to the Minnesota Department of Health, (651) 201-4301. This form will be posted on the MDH web-site. Home care provider general information is available by going to the following web address and clicking on the appropriate home care provider link:

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

Statutes and rules can be viewed on the internet:

http://www.revisor.leg.state.mn.us/stats - for Minnesota Statutes

http://www.revisor.leg.state.mn.us/arule/ - for Minnesota Rules

