

Protecting, Maintaining and Improving the Health of Minnesotans

Certified Mail # 7008 0150 0001 1713 6604

November 3, 2008

Teresa Linn, Administrator TLC Serenity Home 625 NE 1st Avenue Grand Rapids, MN 55744

Re: Results of State Licensing Survey

Dear Ms. Linn:

The above agency was surveyed on September 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: Itasca 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: TLC SERENITY HOME

| HFID #: 25126 | |
|------------------------------------|--|
| Date of Survey: September 19, 2008 | |
| Project #: QL25126003 | |

| 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 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 Met XCorrection Order(s) issued XEducation Provided Expanded Survey Survey not Expanded Met Correction Order(s) issued Correction Order(s) issued Education Provided Follow-up Survey # |

| 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 Correction Order(s) issued 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 | 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 X Correction Order(s) issued X Education Provided Expanded Survey 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 |
|---|---|--|
| 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 X Met Correction Order(s) issued Education Provided Expanded Survey 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 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 Survey not Expanded Met Correction Order(s) issued Education Provided Follow-up Survey <u>#</u> 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 that tuberculosis screening was completed for one of two employees (# A) reviewed. The findings include:

Employee A began employment for the licensee, and direct client care May of 2007. Employee A's record did not establish tuberculosis screening. When interviewed September 19, 2008, the housing manager stated the employee could not have a Mantoux test because she was allergic to it. She further indicated the employee had a chest x-ray with the results at the hospital where she is employed however there was no evidence in the facility.

2. MN Rule 4668.0070 Subp. 3

INDICATOR OF COMPLIANCE: #5

Based on record review and interview the licensee failed to provide a job description for one of two (A) employees. The findings include:

Employee A was hired May of 2007. She functioned as licensed staff and did not have a job description. When interviewed September 19, 2008, the owner stated she did not realize she needed to have a job description. She further stated that the nurse was employed at the hospital, was a public health nurse and should know what "to do."

3. MN Rule 4668.0805 Subp. 1

INDICATOR OF COMPLIANCE: #3

Based on record review and interview, the licensee failed to provide orientation to home care requirements for one of one licensed staff (A) reviewed. The findings include:

Employee A's record did not include evidence of orientation to home care. When interviewed September 19, 2008, employee A stated she must have received training as she was a Public Health Nurse and worked at the hospital, however she was unsure if she received the training.

4. 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 no later than two weeks after initiation of assisted living home care services for one of one client (#1) record reviewed. The findings include:

Client #1 began receiving services July 2007. There was no service plan for client #1. When interviewed September 19, 2008, the housing manager and the owner indicated that services provided with amount of payment was established by the county nurse. She also indicated they did not have an RN do individualized service plans.

5. MN Rule 4668.0840 Subp. 4

INDICATOR OF COMPLIANCE: #5

Based on record review and interview, the licensee failed to ensure that unlicensed persons who performed assisted living home care services including accuchecks successfully completed training or demonstrated competency for one of one unlicensed employee (B) record reviewed. The findings include:

Employee B was hired April of 2007, as an unlicensed personnel direct care staff. She stated she did accuchecks (blood glucose monitoring) for one client. There was no record of training or competency in her record. When interviewed September 19, 2008, Employee B stated she had been trained by the housing manager who was an unlicensed staff.

6. MN Rule 4668.0845 Subp. 2

INDICATOR OF COMPLIANCE: #1

Based on record review and interview, the licensee failed to ensure that a registered nurse (RN) supervised unlicensed personnel who performed services that required supervision for one of one client (#1) record reviewed. The findings include:

Client #1 record indicated she received multiple delegated nursing services. The latest documented supervisory visit for client #1 was March 29, 2008. When interviewed September 19, 2008, the owner stated that the supervisory visits for this client should have been done and probably were on the nurse's computer and had not been filed.

A draft copy of this completed form was faxed to <u>Amy Zielke, Housing Manager</u>, on <u>September 22, 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

June 19, 2008

Teresa Linn, Administrator TLC Serenity Home HFID 25126 625 NE 1st Avenue Grand Rapids, MN 55744

Re: Telephone Interview

Dear Ms. Linn,

The information discussed during a telephone interview conducted by staff of the Minnesota Department of Health, Case Mix Review Program, on May 6, 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: TLC Serenity Home

| HFID #: 25126 | Type of License: Class F Home Care |
|-----------------------------------|------------------------------------|
| Date of Interview: April 14, 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 |
| | P.0.1000 | 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 |
| | 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 |



| Interview Topic | Item Discussed | 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 |
| 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>Amy Zielke Housing Manager</u> during a telephone interview on <u>April 14, 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

