

Protecting, Maintaining and Improving the Health of Minnesotans

Certified Mail # 7008 1830 0003 8091 0822

July 10, 2009

Amy Pederson, Administrator Pediatric Speech and Language PO Box 266 Rockford, MN 55373

Re: Results of State Licensing Survey

Dear Ms. Pederson:

The above agency was surveyed on June 17, 18, and 22, 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: Wright County Social Services

Ron Drude, Minnesota Department of Human Services

Sherilyn Moe, Office of the Ombudsman

01/07 CMR3199



Class A Licensed-Only 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 A Licensed-Only Home Care Providers. Class A 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 with MDH nurses during an on-site regulatory visit.

During an on-site visit, MDH nurses will interview staff, clients and/or their representatives, make observations and review documentation. The survey is an opportunity for the licensee to describe to the MDH nurse what systems are in place to provide Class A Licensed-Only 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. This form must be used in conjunction with a copy of the Class A Licensed-Only Home Care regulations. Any violations of the Class A licensing requirements are noted at the end of the survey form.

Name of Class A Licensee: PEDIATRIC SPEECH & LANGUAGE

HFID #: 25224

Date(s) of Survey: June 17, 18 and 22, 2009

Project #: QL25224003

Indicators of Compliance	Outcomes Observed	Comments
1. The provider accepts and retains clients for whom it can meet the needs. Focus Survey MN Rule 4668.0140 Expanded Survey MN Rule 4668.0050 MN Rule 4668.0060 Subp. 3, 4 and 5 MN Rule 4668.0180 Subp. 8	 Clients are accepted based on the availability of staff, sufficient in qualifications and numbers, to adequately provide the services agreed to in the service agreement. Service plans accurately describe the needs and services and contain all the required information. Services agreed to are provided Clients are provided referral assistance. 	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 Education Provided

Indicators of Compliance	Outcomes Observed	Comments
2. The provider promotes client rights. Focus Survey MN Rule 4668.0030 MN Statute §144A.44 Expanded Survey MN Rule 4668.0040 MN Rule 4668.0170	 Clients' are aware of and have their rights honored. Clients' are informed of and afforded the right to file a complaint. 	Focus Survey X_MetCorrection Order(s) issuedEducation Provided Expanded Survey X_Survey not ExpandedMetCorrection Order(s) issuedEducation Provided Follow-up Survey #New Correction Order issuedEducation Provided
3. The provider promotes and protects each client's safety, property, and well-being. Focus Survey MN Statutes §144A.46 Subd. 5(b) MN Statute §626.556 MN Statutes §626.557 Expanded Survey MN Rule 4668.0035	 Client's person, finances and property are safe and secure. All criminal background checks are performed as required. Clients are free from maltreatment. There is a system for reporting and investigating any incidents of maltreatment. Maltreatment assessments and prevention plans are accurate and current. 	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
 4. The provider maintains and protects client records. Focus Survey MN Rule 4668.0160 Expanded Survey [Note: See Informational Bulletin 99-11 for Class A variance for Electronically Transmitted Orders. 	 Client records are maintained and retained securely. Client records contain all required documentation. Client information is released only to appropriate parties. Discharge summaries are available upon request. 	Focus Survey Met XCorrection Order(s) issued XEducation Provided Expanded Survey XSurvey not ExpandedMet

Indicators of Compliance	Outcomes Observed	Comments
Non-compliance with this variance will result in a correction order issued under 4668.0016.]		Correction Order(s)
5. The provider employs and/or contracts with qualified and trained staff. Focus Survey MN Rule 4668.0100 [Except Subp. 2] MN Rule 4668.0065 Expanded Survey MN Rule 4668.0060 Subp. 1 MN Rule 4668.0070 MN Rule 4668.0075 MN Rule 4668.0080 MN Rule 4668.0130 MN Statute §144A.45 Subd. 5 [Note: See Informational Bulletin 99-7 for Class A variance in a Housing With Services Setting. Non-compliance with this variance will result in a correction order issued under 4668.0016.]	 Staff, employed or contracted, have received all the required training. Staff, employed or contracted, meet the Tuberculosis and all other infection control guidelines. Personnel records are maintained and retained. Licensee and all staff have received the required Orientation to Home Care. Staff, employed or contracted, are registered and licensed as required by law. Documentation of medication administration procedures are available. Supervision is provided as required. 	Focus Survey Met XCorrection Order(s) issued XEducation Provided Expanded Survey XSurvey not ExpandedMetCorrection Order(s) issuedEducation Provided Follow-up Survey #New Correction Order issuedEducation Provided
 6. The provider obtains and keeps current all medication and treatment orders [if applicable]. Focus Survey MN Rule 4668.0150 Expanded Survey MN Rule 4668.0100 Subp. 2 [Note: See Informational Bulletin 99-7 and 04-12 for Class A variance in a Housing With Services setting with regards to medication administration, storage 	 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. Medications and treatments are renewed at least every three months. 	Focus Survey Met XCorrection Order(s) issued XEducation Provided Expanded Survey XSurvey not ExpandedMetCorrection Order(s) issuedEducation Provided Follow-up Survey #New Correction

Indicators of Compliance	Outcomes Observed	Comments
and disposition. Non-compliance with this variance will result in a correction order issued under 4668.0016.]		Order issuedEducation Provided
 7. The provider is licensed and provides services in accordance with the license. Focus Survey MN Rule 4668.0019 Expanded Survey MN Rule 4668.0008 Subp. 3 MN Rule 4668.0012 MN Rule 4668.0060	 Language requiring compliance with Home Care statutes and rules is included in contracts for contracted services. License is obtained, displayed, and renewed. Licensee's advertisements accurately reflect services available. Licensee provides services within the scope of the license. Licensee has a contact person available when a para-professional is working. 	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 Education Provided
 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 X 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 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 personnel providing services requiring direct contact with clients had evidence of tuberculosis screening prior to providing direct care services and every 24 months thereafter for one of one employee (A) records reviewed. The findings include:

Employee A began providing direct client cares June 8, 2007. Employee A's record contained documentation of a negative Mantoux test dated October 11, 2008. The record did not contain any other documentation of tuberculin testing.

When interviewed June 17, 2009, employee A stated that prior to October, 2008, her last Mantoux had been done in 2000. She was unaware she needed a Mantoux prior to client contact.

2. MN Rule 4668.0150 Subp. 6

INDICATOR OF COMPLIANCE: #6

Based on record review and interview the licensee failed to have treatment orders renewed every three months for one of one client (1) records reviewed. The findings include:

Client 1's service agreement, signed by the client's responsible person June 23, 2008, indicated client 1 received speech-language therapy. On June 26, 2008, client 1 was evaluated by the owner, a speech-language pathologist, and a treatment plan was established. Client 1's record contained a physician order, dated July 9, 2008, for a speech evaluation and treatment. The record did not contain subsequent renewal orders for speech therapy.

When interviewed, June 17, 2009, the owner stated she was unaware physician orders had to be renewed every three months.

3. MN Rule 4668.0160 Subp. 5

INDICATOR OF COMPLIANCE: #4

Based on record review and interview the licensee failed to ensure entries in the client record were authenticated for one of one client (1) record reviewed. The findings include:

Client 1 began receiving services from the licensee June 26, 2008. Client 1's record contained therapy notes, dated April 7, 2009; May 12, 2009; June 9, 2009 and June 16, 2009 which were not authenticated with the name and title of the person making the entry.

When interviewed, June 17, 2009, the owner stated she was not aware of the requirement and could easily, in the future, authenticate her entries.

A draft copy of this completed form was faxed to <u>Amy Pederson</u> at an exit conference on <u>June 22, 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 A Licensed-only Home Care Provider general information is available by going to the following web address and clicking on the Class A Home Care Provider link:

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

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).



Protecting, Maintaining and Improving the Health of Minnesotans

November 14, 2008

Amy Pederson, Administrator Pediatric Speech and Language PO BOX 266 Rockford, MN 55373

Re: Telephone Interview

Dear Ms. Pederson:

The information discussed during a telephone interview conducted by staff of the Minnesota Department of Health, Case Mix Review Program, on October 8, 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 Johnston, Program Manager

Jean M. Johnston

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: Pediatric Speech & Language		
HFID #: 25224	Type of License: Class A Home Care	
Date of Interview: October 8, 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)



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 4668.0100 Subp. 5 (Class A)
	Ongoing education needed for unlicensed personnel	Competency testing required MN Rule 4668.0130 Subp.3 (Class A)
	Personner	✓ Inservice training MN Rule 4668.0100 Subp. 6 (Class A)
		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 4668.0100 Subp. 3 (Class A)
		Prescriber orders required MN Rule 4668.0150 Subp. 3 (Class A)
		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 4668.0180 Subp. 5 (Class A) and Minnesota Nurse Practice Act □ Points at which RN assessment is needed - Class F requirements □ RN assessment and change in condition MN Rule 4668.0100 Subp. 9 (Class A)
		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 4668.0100 Subp. 9 (Class A)
		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 4668.0140 (Class A)
Protection of health, safety and well being of clients	Background studies for all staff Assessment of	Background studies not transferable Only DHS background study accepted 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>Amy Pederson, ST/Owner</u> during a telephone interview on <u>October 8, 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

