Guide to the Survey Process
LICENSED HOME CARE PROVIDERS

Purpose of the Survey
The Minnesota Department of Health (MDH) conducts surveys of licensed home care providers to evaluate and monitor the care and services provided to home care clients and determine if the provider is complying with licensure requirements. Surveyors review licensed providers’ compliance with Minnesota laws including:

- **Home Care Statutes**
  [https://www.health.state.mn.us/facilities/regulation/homecare/laws/index.html](https://www.health.state.mn.us/facilities/regulation/homecare/laws/index.html)
- **Training in Dementia Care Required** [https://www.revisor.mn.gov/statutes/cite/144D.065](https://www.revisor.mn.gov/statutes/cite/144D.065) (for providers serving clients in housing with services establishments)
- **Reporting of Maltreatment of Vulnerable Adults**
  [https://www.revisor.mn.gov/statutes/cite/626.557](https://www.revisor.mn.gov/statutes/cite/626.557) (if the provider is serving adults)
- **Reporting of Maltreatment of Minors** [https://www.revisor.mn.gov/statutes/cite/626.556](https://www.revisor.mn.gov/statutes/cite/626.556) (if the provider is serving minors)

Primary areas of focus
Any home care licensure requirements may be reviewed during the course of the survey; however, the focus is to determine whether care and services are provided to clients in accordance with accepted health care standards and Minnesota home care laws.

Survey documents
Providers can find the documents used by MDH surveyors (and referred to throughout this guide) on the MDH Home Care and Assisted Living Program website. MDH encourages providers to use the survey documents to improve understanding of licensure requirements and conduct self-audits.

Steps of the survey

Entrance conference
When MDH surveyors arrive at the provider’s office or housing with services location they will introduce themselves, ask to speak with the agent or nurse on duty, give an overview of the survey process and share a list of documents that will be requested during the survey. See the Entrance Conference_F5065 and the Records Request_F5036 forms for more information.

Client roster forms
One of the first items a surveyor requests is a list of current clients who are receiving licensed home care services and a list of discharged and deceased clients. MDH recommends that providers maintain the rosters daily so when MDH appears for a survey the rosters are ready. Providers can use the MDH sample forms or their own as long as all information on the MDH sample is included.

MDH sample roster forms:

- **Current Client Roster_Basic_F5064** or
During the survey

**Observations**
Throughout the survey, MDH staff observe the care and services provided to clients. Surveyors look for whether providers are:

- Meeting the requirements in statute,
- Following health care standards of practice,
- Following the provider’s own policies and procedures, and
- Treating clients with dignity and respect.

**Interviews**
MDH conducts interviews with staff, clients and/or client representatives. Interviews provide an opportunity for MDH staff to verify the information obtained from other sources such as family members, the Ombudsman for Long-Term Care and the Office of Health Facility Complaints.

**Facility tours and home visits**
If the provider serves clients in housing with services (HWS) establishments, MDH staff tour the HWS building(s) to observe compliance with home care requirements.

If the provider serves clients in the community (private houses/apartments), MDH staff conduct home visits during the survey to evaluate the provision of services. Consent for the home visit is obtained from the client or the client’s representative prior to the visit. Observations of the client and staff may occur during a home visit depending on what services are provided. At times, it may be necessary to gather information by a telephone call to the client or client’s representative in lieu of a home visit.

Observations during facility tours and home visits include, for example, review of the security and confidentiality of client information and (for comprehensive providers) storage of medication (if provided).

**Review of documents**
MDH staff review (and may scan and/or request copies of) the provider’s documents including items listed below. A complete list of required documents is on the Entrance Conference_F5065B (for basic providers) or Entrance Conference_F5065C (for comprehensive providers).

- Policies and procedures
- Marketing materials
- Client admission information packet
- Client records
- Personnel records

**Communication during the survey**
MDH staff are committed to open communication during the survey. Home care provider staff will be asked to give information that reflects the current practices and policies of the licensee. If a
question is not understood, providers and their staff should ask for clarification. Providers and their staff can ask questions and give additional information at any time during the survey.

MDH staff ask questions if they do not understand the provider’s policies and procedures as they pertain to the requirements in the home care statutes. During the survey, MDH staff provide information concerning issues that are identified. An MDH supervisor may be contacted to help resolve any issues or concerns that arise during the survey.

**Length of survey**
The survey may take two or more days. The length of the survey and the number of MDH staff assigned depends on the number of clients receiving services, the types of services the clients receive, issues identified during the survey, the number and location(s) of the housing with services establishments and the geographic location.

**Exit conference**
When the on-site survey tasks are completed, MDH staff hold an exit conference with the provider. The purpose of the exit conference is to outline and discuss the preliminary findings of the survey. MDH staff explain their findings and provide information about MDH’s expectations for correcting deficiencies. Information about requesting reconsideration of correction orders and an opportunity for provider feedback is also shared at the exit conference.

**Survey completion**
After the exit conference, MDH staff submit the preliminary survey findings for final department review. After review, MDH will email to the provider any correction orders issued as a result of the survey and the final copy of the survey. Survey results are public information and posted on the MDH website.

**Correction Orders**
Providers must review the correction order(s) carefully and correct each item cited within the time frame required, as stated on the final emailed survey report. MDH may request a copy of this documentation on future surveys, during a complaint investigation, or as otherwise needed.

See *Correction Order Documentation Guidelines_F5040* for instructions on how to document correction of orders.

**Follow-up survey**
If the home care provider receives correction orders, the provider may be subject to a follow-up survey to determine if the violations cited were corrected. It is important for the provider to correct both the problem(s) identified in the correction order and any system failures that led to the noncompliance.

For providers that have Level 3 or Level 4 violations or violations determined to be widespread, the department must conduct a follow-up survey within 90 calendar days of the survey.

The information gathered during a follow-up survey focuses on the area(s) cited during the previous survey. New correction orders may be issued if new issues are identified. During the exit conference, MDH staff present the preliminary findings of the follow-up visit, which includes the status of the correction orders.
**Fines and enforcement actions**

Fines, ranging from $100 to $5,000 per correction order, may be assessed and/or enforcement actions taken based on the level and scope of the violations. For information on level, scope and fines, see Minnesota Statute 144A.474 (https://www.revisor.mn.gov/statutes/cite/144A.474). For information on enforcement, see Minnesota Statute 144A.475 (https://www.revisor.mn.gov/statutes/cite/144A.475).

**Requesting reconsideration of correction orders and fines**

If the home care provider does not agree with the survey findings or the fines, the provider may use the reconsideration process to challenge the correction orders, including the scope and level. Written information on the process for requesting reconsideration of the survey results is provided at the exit conference.

See Requesting Reconsideration of CorrectionOrders_F4123.

**MDH website**

In addition to the survey documents, providers can find more information about survey types, the survey process, statutory requirements for operating as a licensed home care provider and other important resources on the Home Care and Assisted Living Program website. To receive updates from MDH sign up on the website.

[Home Care and Assisted Living](https://www.health.state.mn.us/facilities/regulation/homecare/index.html)

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