

Health Regulation & Licensure Administration

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| STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION | (X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: HSA-0019 | (X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____ | (X3) DATE SURVEY COMPLETED C 05/05/2021 |
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| NAME OF PROVIDER OR SUPPLIER LM1, LLC D/8/A LIFEMATTERS | STREET ADDRESS, CITY, STATE, ZIP CODE 5028 WISCONSIN AVENUE, NW WASHINGTON, DC 20016 |
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| <p>R 000 9900 General Provisions</p> <p>9900 General Provisions A complaint investigation was conducted from 03/23/2021 to 05/04/2021 to determine compliance with Title 22B DCMR Chapter 99. The Home Support Agency provided care to 98 patients and employed 163 staff. The investigation was based on a review of 15 clients' records, 17 employee records, and five staff interviews. The findings of the complaint investigation are detailed throughout the body of this report.</p> <p>Allegation: The Home Support Agency (HSA) provides care outside of the scope of if the agency's license. Findings: The allegation was substantiated.</p> <p>Listed below are abbreviations used throughout the body of this report.</p> <p>DON - Director of Nursing HHA - Home Health Aide HCA - Home Care Agency HSA - Home Support Agency LPN - Licensed Practical Nurse</p> | <p>R 000</p> | | | |
| <p>R 171 9910.4 Admissions</p> <p>9910.4 Each home support agency shall conduct an initial assessment by a registered nurse to ensure that the client does not require services outside of the scope of personal care services. The assessment shall include a home visit and a review of information provided by the prospective client or the client representative and any other pertinent data and shall take place prior to the time that personal care services are initially provided to the client. The assessment must determine whether the home support agency has :</p> | <p>R 171</p> | | <ol style="list-style-type: none"> Existing clients with a skilled service level of need have been referred for admission to a licensed HCA. The completed transition to the HCA should occur on or about 6/30/2021. A new Client Service Agreement for DC Residents will be executed by 6/30/2021 for any client referred to the HCA who also has a need for personal care services to be provided by the HSA. All new clients will be referred to a licensed HCA at the time of initial assessment by RN if the service(s) he/she requires is outside of the scope of the HSA license. Beginning on or about 07/01/2021, a sample of 10% of RN assessments will be reviewed by the DON, or delegate, on a monthly basis to ensure proper admission under the agency's HSA license and/or documentation of referral to a licensed HCA. | |

Health Regulation & Licensure Administration
LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

Carl S. Hall RN

Dir. of Clinical Services

TITLE

(X6) DATE

rev. 06/21/2021

Health Regulation & Licensure Administration

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| R 171 | <p>Continued From page 1</p> <p>the ability to provide the necessary services in a safe and consistent manner.</p> <p>Based on record review and interview, it was determined that the Home Support Agency (HSA) violated Title 22B Chapter 99 Section 9910.4 by providing services outside of the scope of Personal Care Services allowed by the HSA License for seven of 15 clients records reviewed (Client #3, #8, #9, #12, #13, #14, and #15).</p> <p>Findings included:</p> <p>1. On 05/03/2021 at 1:54 PM, a review of client #3's record showed a physician's order dated 03/19/2021 for skilled nursing to "cleanse open wounds to arm and hand with normal saline, pat dry, apply Xeroform trimmed to the size of open areas only. Cover with non-adherent dressing and wrap with bandage roll." Continued review of the client's record showed the skilled nurse conducted wound care on 03/19/2021, 03/23/2021, 03/27/2021, 04/01/2021, 04/04/2021, and 04/07/2021. Additionally, the skilled nurse recommended to the physician on 04/07/2021 that the client no longer needed wound care and should be discharged from the skilled service. The agency provided skilled services outside of the scope of Personal Care Services allowed by the HSA License.</p> <p>2. On 04/28/2021 at 12:00 PM and 04/29/2021 at 12:00 PM, a review of client #B's record showed a physician's order dated 04/01/2021 for skilled nursing to "clean right foot surgical amputation wound with normal saline, then apply wet gauze packing and wrap with kerlix. Do Monday, April 5th, then every three to four days." Continued review of the client's record showed the skilled nurse conducted wound care on 04/05/2021 and i 04/08/2021. The client's record also contained a</p> | R 171 | | |
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| R 171 | <p>Continued From page 2</p> <p>doctor's follow-up visit notes dated 04/08/2021 and 04/15/2021 indicating that the patient was being followed up at the George Washington Hospital wound clinic. It must be noted that no further nursing visits were provided after 04/08/2021 by the agency, indicating that wound care was provided.</p> <p>Further review of the clinical record showed a Care Plan dated 04/01/2021 indicating that the agency provides LPN service once a month to "fill pillbox, re-order meds and clarify new orders with Doctors."</p> <p>The agency provided skilled services outside of the scope of Personal Care Services allowed by the HSA License.</p> <p>3. On 04/28/2021 at 11:25 AM and 04/29/2021 at 2:00 PM, a review of client #9's record showed a physician's order dated 03/10/2021 for the agency staff to administer 40 units of Lantus insulin in the morning, check blood sugar and report the results to the physician. Continued record review showed nursing notes indicating daily administration of 40 units of Lantus insulin to the client from 03/11/2021 through 03/22/2021. The agency provided skilled services outside of the scope of Personal Care Services allowed by the HSA License.</p> <p>4. On 05/03/2021 at 3:36 PM, a review of client #12's record showed a physician's order dated 01/22/2021 for the agency staff to administer 100 units of Levemir insulin two times a day, check blood sugar and report the results to the physician. Continued record review showed nursing notes indicating twice-daily administration of 110 units of Levemir insulin to the client from 02/24/2021 through 03/05/2021 and 115 units of Levemir insulin twice daily from 03/06/2021</p> | R 171 | | |
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| R 171: | <p>Continued From page 3</p> <p>through 05/02/2021. The agency provided skilled services outside of the scope of Personal Care Services allowed by the HSA License.</p> <p>5. On 05/04/2021 at 3:46 PM, a review of client #13's record showed a physician's order dated 12/01/2017 for the agency staff to administer a maintenance dose of injectable allergy medicine every two to four weeks (Vial A, Vial B, and Vial C). Continued record review showed nursing notes indicating that the nurse administered 0.5 milliliters of vials A, B, and C on 08/31/2020, 10/12/2020, 11/26/2020, 12/30/2020, 01/29/2021, 03/11/2021, and 04/14/2021. The agency provided skilled services outside of the scope of Personal Care Services allowed by the HSA License.</p> <p>6. On 05/04/2021 at 1:00 PM, a review of client #14's record showed a physician's order dated 02/13/2020 for the agency staff to administer 40 units of Basaglar insulin daily. Continued record review showed nursing notes indicating daily administration of 40 units of Basaglar insulin to the client from 02/20/2021 through 05/03/2021. The agency provided skilled services outside of the scope of Personal Care Services allowed by the HSA License.</p> <p>7. On 05/04/2021 at 2:30 PM, a review of client #15's record showed a physician's order dated 02/13/2020 for the agency staff to administer Humalog Mix 75/25 Insulin 16 units in AM and six units in the PM. Continued record review showed nursing notes indicating that the agency nurse was administering Humalog Mix insulin 75/25 16 units in the AM and six units in the PM from 02/28/2021 through 04/27/2021. The agency provided skilled services outside of the scope of Personal Care Services allowed by the HSA License.</p> | R 171 |
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R 171 | Continued From page 4

R 171

During an interview with the DON on 05/04/2021 at 2:00 PM, the DON acknowledged the findings. The DON further stated that the HSA had been trying to transfer these skilled clients to an HCA earlier in 2021 but was unsuccessful in finding an HCA for a smooth transfer and coordination of care.

R 179 | 911.1a3 Client Service Agreement

R 179

(3) Procedures for emergency medical response; and
Based on record review and interview, it was determined that the HSA's client service agreement failed to include procedures for emergency medical response in three of three service agreements reviewed (Clients #7, #8, and #11).

Findings included:

- On 04/28/2021 at 9:30 AM and 04/29/2021 at 3:00 PM, a review of Client #7's record showed a service agreement that was signed on 01/04/2021 by the client's representative. Continued review of the agreement failed to show evidence of procedures for emergency medical response.
- On 04/28/2021 at 12:00 PM and 4/29/2021 at 12:00 PM, a review of Client #B's record showed a service agreement that was signed on 04/11/2018 by the client. Continued review of the agreement failed to show evidence of procedures for emergency medical response. It must be noted that the agency received its first license as an HSA on 10/02/2020.

- The Client Service Agreement for DC Residents was revised on 06/18/2021 to address provisions 9911.1(a)-(i) [Addendum A]. All current clients, to date, who previously executed a service agreement will receive a written notification from the HSA via US Mail on or about 6/30/2021 detailing the above modifications made to the Client Service Agreement for DC Residents [Addendum B].
- Effective on or about 7/1/2021, all new clients will receive a revised Client Service Agreement for DC Residents at the time of service initiation.
- Beginning on or about 7/1/2021, a sample of 10% of admission documents will be reviewed by the DON, or delegate, on a monthly basis to ensure that full and complete admission documents have been uploaded to the client record.

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R 179: Continued From page 5 R 179

3. On 4/29/21 at 12:20 PM and 4/29/2021 at 3:30 PM a review of Client #11's record showed a service agreement that was signed on 04/11/2018 by the client. Continued review of the agreement failed to show evidence of procedures for emergency medical response. It must be noted that the agency received its first license as an HSA on 10/02/2020.

During an interview with the DON on 05/04/2021 at 2:00 PM, the DON acknowledged the findings, and admitted that the language in the service agreements regarding procedures for emergency medical response would be the same because it was programed in the agency's software.

R 180 9911.1a4 Client Service Agreement R 180

(4) Conditions for discharge and appeal; Based on record review and interview, it was determined that the HCA's client service agreement failed to include conditions for discharge and appeal in three of three service agreements reviewed (Clients #7, #8, and #11).

Findings Included:

1. On 04/28/2021 at 9:30 AM and 04/29/2021 at 3:00 PM, a review of Client #7's record showed a service agreement that was signed on 01/04/2021 by the client's representative. Continued review of the agreement failed to show evidence of conditions for discharge and appeal. It must be noted that number 11 in the service agreement states, "this agreement shall be construed, interpreted and governed by the laws of the State of Maryland." The appeal process is governed by the laws of the District of Columbia.

1. The Client Service Agreement for DC Residents was revised on 06/18/2021 to address provisions 9911.1(a)-(i) [Addendum A]. All current clients, to date, who previously executed a service agreement will receive a written notification from the HSA via US Mail on or about 6/30/2021 detailing the above modifications made to the Client Service Agreement for DC Residents [Addendum B]. The cited reference in Term 11 was revised to state that the "Agreement shall be construed, interpreted and governed by the laws of the District of Columbia" [Addendum A].
2. Effective on or about 7/1/2021, all new clients will receive a revised Client Service Agreement for DC Residents at the time of service initiation.
3. Beginning on or about 7/1/2021, a sample of 10% of admission documents will be reviewed by the DON, or delegate, on a monthly basis to ensure that full and complete admission documents have been uploaded to the client record.

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| R 180 | Continued From page 6 2. On 04/28/2021 at 12:00 PM and 4/29/2021 at 12:00 PM, a review of Client #B's record showed a service agreement that was signed on 04/11/2018 by the client. Continued review of the agreement failed to show evidence of conditions for discharge and appeal. It must be noted that number 13 in the service agreement states, "this agreement shall be construed, interpreted and governed by the laws of the State of Maryland." The appeal process is governed by the laws of the District of Columbia. It must be noted that the agency received its first license as an HSA on 10/02/2020. 3. On 4/29/21 at 12:20 PM and 4/29/21 at 3:30 PM a review of Client #11's record showed a service agreement that was signed on 04/11/2018 by the client. Continued review of the agreement failed to show evidence of conditions for discharge and appeal. It must be noted that number 11 in the service agreement states, "this agreement shall be construed, interpreted and governed by the laws of the State of Maryland." The appeal process is governed by the laws of the District of Columbia. It must be noted that the agency received its first license as an HSA on 10/02/2020. During an interview with the DON on 05/04/2021 at 2:00 PM, the DON acknowledged the findings, and admitted that the language in the service agreements regarding conditions for discharge and appeal would be the same because it was programed in the agency's software. | R 180 | | |
| R 181 | 9911.1b Client Service Agreement (b) Specify the procedure to be followed when the home support agency is not able to keep a | R 181 | | |

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| R 181 | <p>Continued From page 7</p> <p>scheduled client visit; Based on record review and interview, it was determined that the HSA's client service agreement failed to include procedures to be followed when the HSA is unable to keep a scheduled visit with the client in three of three service agreements reviewed (Clients #7, #8 and #11).</p> <p>Findings included:</p> <p>1. On 04/28/2021 at 9:30 AM and 04/29/2021 at 3:00 PM, a review of Client #7's record showed a service agreement that was signed on 01/04/2021 by the client's representative. Continued review of the agreement failed to show a procedure to be followed when the HSA is unable to keep a scheduled visit with the client.</p> <p>2. On 04/28/2021 at 12:00 PM and 4/29/2021 at 12:00 PM, a review of Client #8's record showed a service agreement that was signed on 04/11/2018 by the client. Continued review of the agreement failed to show a procedure to be followed when the HSA is unable to keep a scheduled visit with the client. It must be noted that the agency was first licensed as an HSA on 10/02/2020.</p> <p>3. On 4/29/2021 at 12:20 PM and 4/29/21 at 3:30 PM a review of Client #11's record showed a service agreement that was signed on 04/11/2018 by the client. Continued review of the agreement failed to show a procedure to be followed when the HSA is unable to keep a scheduled visit with the client. It must be noted that the agency was first licensed as an HSA on 10/02/2020.</p> | R 181 | <ol style="list-style-type: none"> 1. The Client Service Agreement for DC Residents was revised on 06/18/2021 to address provisions 9911.1(a)-(i) [Addendum A]. All current clients, to date, who previously executed a service agreement will receive a written notification from the HSA via US Mail on or about 6/30/2021 detailing the above modifications made to the Client Service Agreement for DC Residents [Addendum B]. 2. Effective on or about 7/1/2021, all new clients will receive a revised Client Service Agreement for DC Residents at the time of service initiation. 3. Beginning on or about 7/1/2021, a sample of 10% of admission documents will be reviewed by the DON, or delegate, on a monthly basis to ensure that full and complete admission documents have been uploaded to the client record. | |
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R 181 Continued From page 8 R 181

' During an interview with the DON on 05/04/2021 at 2:00 PM, the DON acknowledged the findings, and admitted that the language in the service agreements regarding procedure to be followed when the HSA is unable to keep a scheduled visit with the client would be the same because it was programed in the agency's software.

R 189 9911.1e Client Service Agreement R 189

(e) Specify the home support agency's emergency contact information during both business and non-business hours; Based on record review and interview, it was determined that the HSA's client service agreement failed to include the HSA emergency contact information during both business and non-business hours in three of three service agreements reviewed (Clients #7, #8, and #11).

Findings included:

1. On 04/28/2021 at 9:30 AM and 04/29/2021 at 3:00 PM, a review of Client #T's record showed a service agreement that was signed on 01/04/2021 by the client's representative. Continued review of the agreement failed to show the HSA emergency contact information during both business and non-business hours.

2. On 04/28/2021 at 12:00 PM and 4/29/2021 at 12:00 PM, a review of Client #S's record showed a service agreement that was signed on 04/11/2018 by the client. Continued review of the agreement failed to show the HSA emergency contact information during both business and non-business hours. It must be noted that the HSA received its first license as an HSA on 10/02/2020.

1. The Client Service Agreement for DC Residents was revised on 06/18/2021 to address provisions 9911.1(a)-(i) [Addendum A]. All current clients, to date, who previously executed a service agreement will receive a written notification from the HSA via US Mail on or about 6/30/2021 detailing the above modifications made to the Client Service Agreement for DC Residents [Addendum B].
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| NAME OF PROVIDER OR SUPPLIER LM1, LLC D/B/A LIFEMATTERS | | STREET ADDRESS, CITY, STATE, ZIP CODE 5028 WISCONSIN AVENUE, NW WASHINGTON, DC 20016 | |
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| R 189 | Continued From page 9 3. On 4/29/2021 at 12:20 PM and 4/29/2021 at 3:30 PM a review of Client #11's record showed a service agreement that was signed on 04/11/2018 by the client. Continued review of the agreement failed to show the HSA emergency contact information during both business and non-business hours. It must be noted that the HSA received its first license as an HSA on 10/02/2020. During an interview with the DON on 05/04/2021 at 2:00 PM, the DON acknowledged the findings, and admitted that the language in the service agreements regarding the HSA emergency contact information during both business and non-business hours would be the same because it was programed in the agency's software. | R 189 | |
| R 190, 9911 | .1f Client Service Agreement (f) Specify the number for the Department of Health's Complaint Hotline; Based on record review and interview, it was determined that the HCA's client service agreement failed to specify the number for the Department of Health complaint hotline in three of three service agreements reviewed (Clients #7, #8, and #11). Findings included: 1. On 04/28/2021 at 9:30 AM and 04/29/2021 at 3:00 PM, a review of Client #7's record showed a service agreement that was signed on 01/04/2021 by the client's representative. Continued review of the agreement failed to show the number for the Department of Health complaint hotline. Additionally, it must be noted | R 190 | <ol style="list-style-type: none"> 1. The Client Service Agreement for DC Residents was revised on 06/18/2021 to address provisions 9911.1(a)-(i) [Addendum A]. All current clients, to date, who previously executed a service agreement will receive a written notification from the HSA via US Mail on or about 6/30/2021 detailing the above modifications made to the Client Service Agreement for DC Residents [Addendum B]. The cited reference in Term 11 was revised to state that the "Agreement shall be construed, interpreted and governed by the laws of the District of Columbia" [Addendum A]. 2. Effective on or about 7/1/2021, all new clients will receive a revised Client Service Agreement for DC Residents at the time of service initiation. 3. Beginning on or about 7/1/2021, a sample of 10% of admission documents will be reviewed by the DON, or delegate, on a monthly basis to ensure that full and complete admission documents have been uploaded to the client record. |

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| R 190 | <p>Continued From page 10</p> <p>that number 11 in the service agreement states, "this agreement shall be construed, interpreted and governed by the laws of the State of Maryland." The complaint hotline is established and governed by the laws of the District of Columbia.</p> <p>2. On 04/28/2021 at 12:00 PM and 4/29/2021 at 12:00 PM, a review of Client #S's record showed a service agreement that was signed on 04/11/2018 by the client. Continued review of the agreement failed to show the number for the Department of Health complaint hotline. Additionally, it must be noted that number 13 in the service agreement states, "this agreement shall be construed, interpreted and governed by the laws of the State of Maryland." The complaint hotline is established and governed by the laws of the District of Columbia.</p> <p>3. On 4/29/21 at 12:20 PM and 4/29/21 at 3:30 PM a review of Client #11's record showed a service agreement that was signed on 04/11/2018 by the client. Continued review of the agreement failed to show number for the Department of Health complaint hotline. Additionally, it must be noted that number 11 in the service agreement states, "this agreement shall be construed, interpreted and governed by the laws of the State of Maryland." The complaint hotline is established and governed by the laws of the District of Columbia.</p> <p>During an interview with the DON on 05/04/2021 at 2:00 PM, the DON acknowledged the findings and admitted that the language in the service agreements regarding the Department of Health complaint hotline would be the same because it was programed in the agency's software.</p> | R 190 | | |
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| R 206 | <p>9913.3a Client Service Plan</p> <p>(a) The scope and types of services, frequency and duration of services to be provided, including any diet, equipment, and transportation required; Based on record review and interview, the HSA failed to include diets consistent with the nutritional needs of clients, as it relates to their diagnoses in one of fifteen records reviewed (Client #7).</p> <p>Findings included:</p> <p>On 04/28/2021 at 9:30 AM, 04/29/21 at 3:00 PM a review of client #7's record showed a document titled "Assessment/Plan of Care" that was completed by the registered nurse on 01/17/2021. Within the document, the registered nurse documented that the patient had a diagnosis of Hypertension. Further review of the document showed a section titled "Diet/special instructions" that was left blank. Additionally, the record also contained another document titled "Active Care Plan" and the section titled "Meal/Snack Prep" was not completed to inform the HHA of the client's dietary needs.</p> <p>It should be noted that the patient was receiving home health aide service 10 to 12 hours a day, on multiple days from 01/18/2021, to 03/31/2021.</p> <p>The HSA failed to include appropriate diet for the client's need.</p> <p>During an interview with the DON on 05/04/2021 at 2:00 PM, the DON acknowledged the findings.</p> | R 206 | <ol style="list-style-type: none"> 1. A training meeting was held on 6/07/2021 with all Supervisory RNs to address thorough client service plan documentation and safety implications for assigned HHAs. The alignment of diagnoses and service plan interventions was included on the training agenda. Effective on 6/21/2021, Client #7 reduced service hours to 12 hours of overnight care and the agency's plan of care no longer includes meal/snack prep. Client #7 resides in a senior living community and receives meals/nutrition from the facility. 2. Effective as of the 6/07/2021 training, any blank area within the RN's documentation will be flagged and sent back to the RN for completion prior to documentation approval. Revised and completed documentation must be resubmitted through the electronic software system within 48 hours. 3. Beginning on or about 7/1/2021, a sample of 10% of client service plans will be reviewed by the DON, or delegate, on a monthly basis to ensure that diagnosis-appropriate dietary needs are reflected in the client service plan. | |
| R 208 | <p>9913.3c Client Service Plan</p> <p>(c) Functional limitations of the client;</p> | R 208 | | |

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| R 208 | <p>Continued From page 12</p> <p>1 Based on record review and staff interview, the HSA failed to include relevant data in the 'functional limitations' section of the client's "Assessment Plan of Care for two of fifteen client records reviewed (Clients #10 and #11).</p> <p>Findings included:</p> <p>1. On 04/28/2021 at 2:15 PM a review of Client #10's record showed a document titled "Assessment Plan of Care" that was completed by the registered nurse on 02/28/2021. Within the document, the registered nurse documented that the patient had a diagnosis of Parkinson's disease and ambulates with a shuffling gait. Further review of the document showed a section titled "Functional Limitations" that was left blank. It should be noted that the client was receiving HHA service four hours a day, five days a week from 03/01/2021 through 04/05/2021. Additionally, the HSA failed to direct the HHA in ensuring client safety by failing to identify the client's functional limitations.</p> <p>2. On 04/29/2021 at 12:20 PM a review of Client #11's record showed a document titled "Assessment Plan of Care" that was completed by the registered nurse on 01/21/2021. Within the document, the registered nurse documented that the patient had diagnoses to include Major Depressive Disorder, Dementia and Urinary Tract Infection. Further review of the document showed a section titled "Functional Limitations" that was left blank. It should be noted that the client was receiving HHA service eight hours a day, five days a week from 02/01/2021 through 02/12/2021 and nine hours a day from 02/13/2021 through 03/06/2021. Additionally, the HSA failed to direct the HHA in ensuring client safety by failing to identify the client's functional limitations.</p> | R-208 | <ol style="list-style-type: none"> A training meeting was held on 6/07/2021 with all Supervisory RNs to address thorough client service plan documentation and safety implications for assigned HHAs. The assessment of clients' functional limitations was included on the training agenda. Please note that Client #10 and Client #11 are no longer active. The last day of service was 4/5/2021 and 3/31/2021, respectively. Effective as of the 6/07/2021 training, any blank area within the RN's documentation will be flagged and sent back to the RN for completion prior to documentation approval. Revised and completed documentation must be resubmitted through the electronic software system within 48 hours. Beginning on or about 7/1/2021, a sample of 10% of client service plans will be reviewed by the DON, or delegate, on a monthly basis to ensure that diagnosis-appropriate functional limitations are reflected in the client service plan. | |
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| R 208 | Continued From page 13 During an interview with the DON on 05/04/2021 at 2:00 PM, the DON acknowledged the findings. | R 208 | | |
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