



Residential Care & Assisted Living Newsletter ~ Special Edition

September 2018

How to dispute a Non-Core Deficiency

Dear Administrators,

First, I would like to thank all of you for your hard work and dedication in serving the residents of assisted livings in Idaho. Being an administrator can be both highly rewarding and exceptionally challenging. While we all hope for a deficiency-free survey, the reality of working with individual residents and staff is that it can be difficult for the administrator to continuously ensure compliance. Most facilities do receive a few non-core deficiencies on most of their surveys. The survey team is committed to ensuring that only accurate and correct deficiencies are cited. It is very important to me personally that you each have the opportunity to question non-core deficiencies and to provide any additional evidence that would demonstrate the facility was in compliance with the requirement. Here's how to do it:

During the survey process, the survey team will meet with the administrator periodically to inform you of potential concerns they have identified. At the exit conference, they will review the non-core issues (punch list items).

After hearing the preliminary non-core deficiencies, if you believe you have additional information that would affect the findings, please let the team leader know that you wish to submit additional information. The team will hold the survey open for an additional two (2) business days. This means if your exit is at 10:00 am on Friday, you will have until 10:00 am Tuesday to submit additional information. Make sure you upload the additional information in your FLARES portal. This provides you a record of what you submitted and a timestamp for when it was submitted.

The additional information must have been in existence during the survey and cannot be developed or created after the survey. **Please do not question either staff or residents about their interviews with the survey team.** The confidentiality of all survey interviews is protected by rule, and both residents and staff should feel they can speak with the survey team openly without fear of reprisal. After you upload your additional information to the portal, the team leader will review it to determine if there is enough evidence to amend or remove the punch list item. The team leader will respond to your communication with an explanation of any changes to the deficiency or will explain the reason(s) if no changes were made.

After reviewing the response from the team leader, if you still disagree with the deficiency, send me a communication through your FLARES portal. Write "Attention Jamie" in the subject line of the communication and explain why you disagree with the team's conclusion. I will then do a formal review of the rule, the evidence of deficient practice, and the additional information you submitted to determine if the deficiency should be amended, removed or supported. After my review is complete, I will send you a final decision and explanation through your portal.

Sincerely,

Jamie Simpson, RCA, MBA, QIDP

RALF Program Supervisor