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September 5, 2014

Veronica Naumann, Administrator
Liberty Dialysis Nampa
280 West Georgia Avenue
Nampa, ID 83686

Provider #132516

Dear Ms. Naumann:

On **September 3, 2014,** a complaint survey was conducted at Liberty Dialysis Nampa. The complaint allegation, findings, and conclusion are as follows:

Complaint #ID00006623

Allegation: Patients are given medications without their knowledge.

Findings: An unannounced visit was made to the facility on 9/3/2014. During the visit observations were conducted, staff was interviewed, and records were reviewed with the following results:

Observations were conducted intermittently from 9:00 a.m. - 4:00 p.m. During that time medications, both oral and intravenous, were noted to be administered by the nurse to seven patients. Each time medications were administered, the nurse spoke with the patient about what medication was being given and what condition the medication was intended to treat.

Medical records were reviewed for six patients, including the review of treatment sheets from 8/1/14 - 9/2/14. Five records showed medications were administered as prescribed with no patient disapproval. However, one patient's record documented the following:

A comprehensive psychosocial assessment, dated 8/21/14, stated in the "Presence of cultural or spiritual practices or restrictions that affect medical care" section that the "Patient is uncomfortable with the use of blood or blood byproducts." The assessment also stated "Pt {patient} is a full code and refuses blood products or byproducts."

A comprehensive nursing assessment, dated 8/16/14, stated the patient did not currently meet anemia goals and her current ESA (erythropoetin stimulating agent)/Iron dose, and anemia and iron indices had been reviewed.

On 8/6/14 Epogen, a drug to treat anemia, was prescribed for the patient, according to facility protocol, in response to a laboratory report showing the patient was anemic. Epogen is a synthetic hormone analog delivered in a protein base derived from human albumin, a whole blood derivative. The drug is normally administered intravenously during dialysis treatments. Additionally, an intravenous iron supplement was prescribed.

The patient refused the Epogen when administration was attempted on 8/6/14, saying she wanted to speak with the doctor before taking the medication.

On 8/8/14 the doctor visited the patient while she was receiving dialysis. His rounding note stated "Medications and labs reviewed."

On 8/8/14 the patient refused Epogen administration, stating she would start taking the drug at her next treatment on 8/11/14.

On 8/11/14, the patient again refused Epogen administration. A nursing note said the patient wanted to discuss the drug with the doctor again.

Treatment sheets for 8/13/14, 8/16/14, and 8/19/14 documented Epogen 7000 units was administered to the patient.

On 8/19/14 rounds were made to the patient's chairside during treatment by the interdisciplinary team. This team included the doctor, nurse, dietician, and social worker. The team discussed the patient's plan of care with her and the patient was given a copy of her "transfer" report. This report included recent laboratory results and current medications associated with her treatment. When the patient read about the three administered doses of Epogen she became extremely upset and ended her treatment immediately.

In an event report, dated 8/21/14, the nurse manager said the patient had stated her "religious freedoms were violated even though they had been communicated to the previous nurse."

The patient was subsequently dialyzed acutely at a local hospital on 8/21/14. According to physician notes on that date, the patient was agreeable to returning to the facility for treatments on 8/25/14. Additionally, another anemia medication, manufactured with no human blood byproducts, was agreed upon by the doctor and the patient.

A physician rounding note, dated 8/27/14, stated "We discussed the issues around ESA use. We are going to special order albumin free Aranesp for her. First dose next week."

The patient was dialyzing at the facility during observations on 9/3/14 at 3:45 p.m. The new anemia medication, Aranesp, had been delivered to the facility earlier in the day although it had not yet been administered to the patient. At the time of the observation, the patient had been provided with and was reading the package insert for Aranesp.

During an interview on 9/3/14 at 12:00 p.m., the nurse manager provided an investigation report as well as a plan of correction to address the "breakdown in communication" related to the patient receiving Epogen. The plan had been approved by the Governing Body on 8/27/14. The plan of correction included the following:

- ESA education will be provided to all patients and documented in the patient records before they are given an ESA. Education will be updated annually.

- All nursing staff will be re-educated on the medication administration policy including an emphasis on the need to administer the first dose of medications one hour apart in order to assess for any adverse reaction.

- All patients will be communicated with thoroughly in order to ensure they are aware of and consenting to the medications and treatment they are receiving. This communication will occur at the time of pre-dialysis assessment by the nurse or at the time of medication administration.

- All staff will review and sign both the grievance procedure as well as the patient's rights and responsibility form.

- All staff will be educated on cultural and religious awareness and the individual needs of the patients.

The date of compliance was stated as 9/17/14.

It was determined the facility failed to ensure a patient had consented to receive a specific medication. However, when the facility became aware of the failure, corrective action was provided for one patient and preventive protocols were instituted to protect against future violations of patients rights. Therefore, the allegation was found to be substantiated but no citations were issued.

Conclusion: Substantiated. No deficiencies related to the allegation are cited.

As only one of the allegations was substantiated, but was not cited, no response is necessary.

If you have questions or concerns regarding our investigation, please contact us at (208) 334-6626. Thank you for the courtesy and cooperation you and your staff extended to us in the course of our investigation.

Sincerely,

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Health Facility Surveyor
Non-Long Term Care

NICOLE WISENOR
Co-Supervisor
Non-Long Term Care

TO/pmt