



**Respectfully submitted to the esteemed members of the Senate Families, Seniors & Human Services Committee on behalf of Jackson County Medical Care Facility:**

Esteemed members of the Senate Families, Seniors & Human Services Committee; the Administrator of Jackson County Medical Care Facility stands before you in a respectful effort to provide testimony for positive change in the delivery of the CMS required and State of Michigan executed long term care survey process. While it is recognized that oversight is imperative in any industry, there are deep concerns regarding the long term care survey process in Michigan in need of immediate attention and extensive overhaul. I can say this from personal experience and many years as a long term care Administrator in Skilled Nursing Facilities.

Please refer to the provided survey timelines for years 2010, 2011 and 2012 to date to get an idea of life inside our skilled nursing facility.

In year 2010 Jackson County Medical Care Facility (JCMCF) was under survey in some form from the January 6, 2010 through clearing after 4 revisits with no harm level citations at any time. This happened due to non-coordination of surveys for annual review and self-reported complaint surveys called Facility Reported Incidents (FRIs). Due to lack of coordination of surveys, JCMCF nearly lost Medicare and Medicaid certification. It was a frightening situation to the Residents and Families of JCMCF to have the closure of their home published in a local paper. Had the surveys been coordinated, as is done in 46 other states, this situation would have never occurred. No Resident ever suffered harm in this course of events, however, the bottom line cost to the facility was estimated at nearly \$600,000.00 in lost revenue and denial of payment of new admissions. This is an unacceptable outcome for something no nursing home can control.

In 2011 JCMCF was surveyed from early January until July 28<sup>th</sup> with annual surveys, revisits and FRIs. Again, no harm level citations were experienced. There was a surveyor present in the building monthly, many times due to FRI complaint surveys that were interrupted to pull a surveyor to another building for another situation and never quite resolving our FRI. With one FRI, it took from the reporting date of February 25<sup>th</sup> until July 28<sup>th</sup> to clear. You will note on your timeline that the 2567 report due to the facility was late more than once, and it essentially took 5 months to clear a single facility reported incident. Additionally, providers were informed early in the year that

the allotted time to correct any issues found on a survey was shorted by 10 days. This places a huge burden on providers to rush to fix processes to meet the resurvey deadline.

On October 24, surveyors arrived 3 months early for another annual survey. Two full annual surveys in one year. While this is a legal practice, it did put undue stress on our facility which had already had regulators as guests for 7 months of the year. This survey brought 3 harm-level citations, all of which were disputed through the Independent Dispute Resolution process or IDR. The IDR is conducted either by LARA themselves or their contracted agent, the Michigan Peer Review Organization. All surveyor citations were supported, including an abuse occurrence we reported. JCMCF was not surprised.

During the October annual survey a Resident in our care was upset to the point of near hysteria because a surveyor was doggedly and rudely accusing staff of not following up on a statement she had made a few days prior. The Resident thought she would have to move from her home because the surveyor had been so aggressive with staff. The Resident was fearful of this surveyor. The surveyor interfered in the physician visit the Resident was having to accuse the nurse of not reporting something and following up on an issue that frankly, had never even occurred. JCMCF reported the surveyor's conduct on the complaint line as is required by law (this is an FRI). No one ever interviewed any of our staff or our Resident regarding the matter. Sometime later we received a letter stating they had followed up on the matter internally. Neither JCMCF nor any other Skilled Nursing Facility has that luxury.

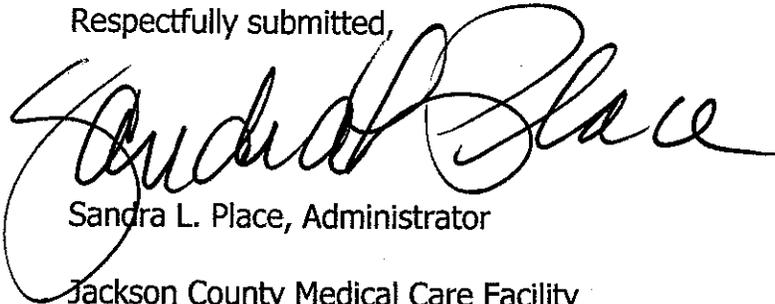
JCMCF cleared all citations from the second annual survey, including the G level citations, at our first revisit.

In January 2012, JCMCF reported two FRIs. The first surveyor to visit our home was a former employee. In a previous FRI survey, the JCMCF Administrator had called her supervisor and asked if it was appropriate to send her into the building due to her previous employment status. She was removed from the building at that time. When this discussion arose again at survey entrance, she stated enough time had passed allowing her to survey. She stayed four full days, the length of an annual survey. While in the facility she took copious notes and making extensive copies. She left the facility noting many "issues" but no immediate jeopardy concerns. JCMCF's Administrator was notified several days later that the survey would be thrown out and a new surveyor sent in due to conflict of interest. The new surveyor arrived on February 17, stayed about 4 hours, left with a family issue and said she would return after the President's

Day holiday. She returned after the President's Day holiday and stayed two half days finding no substantiation on one FRI and saying there were issues with the other.

JCMCF has always recognized the need for oversight. JCMCF also recognizes the right to fair and unbiased rights of appeal and the delivery of a consistent survey process that seeks to obtain quality care for the Elders of our state. Anything less than this is unacceptable.

Respectfully submitted,

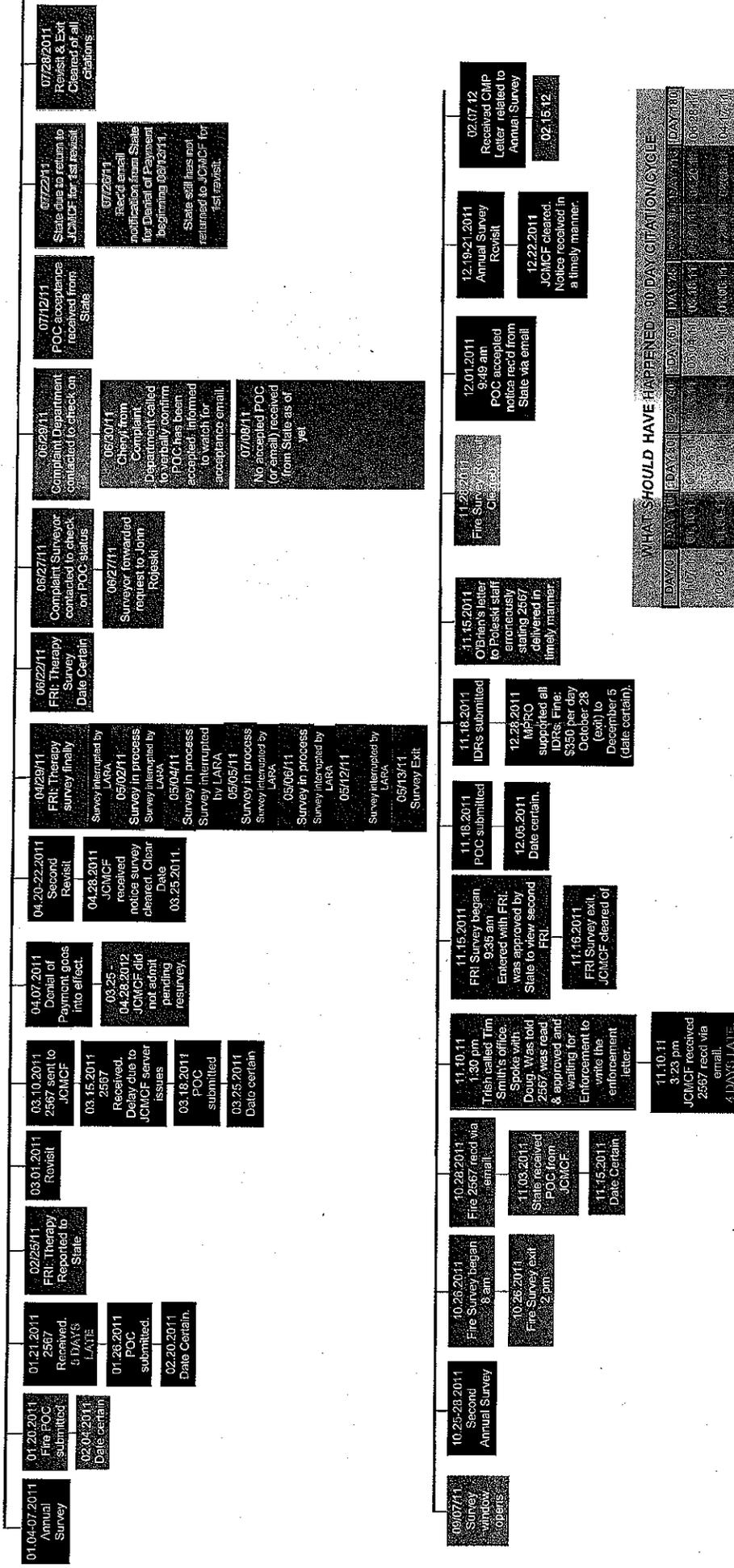
A handwritten signature in black ink, appearing to read "Sandra L. Place". The signature is written in a cursive style with large, flowing loops.

Sandra L. Place, Administrator

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# JACKSON COUNTY MEDICAL CARE FACILITY 2011 SURVEY SEQUENCE



**KEY:**  
 Fire Survey  
 Annual Survey  
 JCMCF action  
 FRU/Complaint Surveys

WHAT SHOULD HAVE HAPPENED - 90 DAY CITATION CYCLE

DATE	DAY	TIME	EVENT
01/20/11	TUE	10:00 AM	Fire POC submitted
02/04/11	TUE		Date certain
03/10/11	TUE	1:30 PM	2567 sent to JCMCF
03/15/11	TUE		2567 Received. Delay due to JCMCF server issues
03/18/11	TUE		POC submitted
03/25/11	TUE		Date certain
04/07/11	TUE		Denial of Payment goes into effect.
04/20-22/11	TUE		Second Revisit
04/28/11	TUE		JCMCF received notice survey cleared. Clear Date: 03.25.2011
04/28/11	TUE		FRU: Therapy survey finally
05/02/11	TUE		Survey in process. Survey interrupted by LARA
05/05/11	TUE		Survey in process. Survey interrupted by LARA
05/06/11	TUE		Survey in process. Survey interrupted by LARA
05/12/11	TUE		Survey in process. Survey interrupted by LARA
05/13/11	TUE		Survey Exit
06/22/11	TUE		FRU: Therapy Survey Date Certain
06/27/11	TUE		Complaint Surveyor contacted to check on POC status
06/27/11	TUE		Surveyor forwarded request to John Rofeski
06/29/11	TUE		Complaint Department contacted to check on POC status
06/30/11	TUE		Check from Complaint Department called to verify complaint. POC has been accepted. Informing to watch for acceptance email.
07/08/11	TUE		No accepted POC (or email) received from State as of yet
07/28/2011	TUE		State data return to JCMCF for 1st revisit
07/28/2011	TUE		Rec'd email notification from State for Divial of Payment beginning 08/12/11. State still has not returned to JCMCF for 1st revisit.
07/28/2011	TUE		POC acceptance received from State
07/28/2011	TUE		Revised & Exit Cleared of all Citations
09/07/11	TUE		Survey window opens
10.25-28.2011	TUE		Second Annual Survey
10.26.2011	TUE	8 am	Fire Survey began
10.26.2011	TUE	2 am	Fire Survey exit
11.03.2011	TUE		State received POC from JCMCF
11.15.2011	TUE		Date Certain
11.10.11	TUE	1:30 pm	Irish called Tim Smith's office. Spoke with Doug. Was told 2567 was read & approved and waiting for enforcement to write the enforcement letter.
11.10.11	TUE	3:23 pm	JCMCF received 2567 rec'd via email. 4 DAYS LATE.
11.15.2011	TUE		FRU Survey began 9:35 am. Entered with FRU. State to view second FRU
11.16.2011	TUE		POC submitted
12.05.2011	TUE		Date certain.
11.18.2011	TUE		IDRs submitted
12.28.2011	TUE		MPRO supported all IDRs. Fine: \$350 per day (exit) to December 5 (date certain).
11.15.2011	TUE		O'Brien's letter to Poleski staff erroneously stating 2567 delivered in timely manner.
11.28/2011	TUE		Fire Survey Revisit Cleared
12.01.2011	TUE	9:49 am	POC accepted notices rec'd from State via email
12.19.21.2011	TUE		Annual Survey Revisit
12.22.2011	TUE		JCMCF cleared. Notice received in a timely manner.
02.07.12	TUE		Received CMP Letter related to Annual Survey
02.15.12	TUE		

