

Division of Licensing and Protection

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Waterbury VT 05671-2306
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Voice/TTY (802) 871-3317
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February 27, 2015

Celine McGill, Administrator
Bayada Home Health Care
80 Pearl Street
Essex Junction, VT 05452-3668

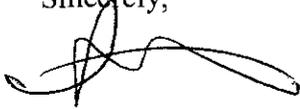
Provider ID #:477019

Dear Ms. McGill:

Enclosed please find a copy of your acceptable plans of correction for the State and Federal surveys conducted on **January 28, 2015**.

Follow-up may occur to verify that substantial compliance has been achieved and maintained.

Sincerely,



Suzanne Leavitt, RN, MS
State Survey Agency Director
Assistant Division Director

Enclosure

Division of Licensing and Protection

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 477019	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 01/28/2015
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NAME OF PROVIDER OR SUPPLIER BAYADA HOME HEALTH CARE	STREET ADDRESS, CITY, STATE, ZIP CODE 80 PEARL STREET ESSEX JUNCTION, VT 05452
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(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CRDSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)	(X5) COMPLETE DATE
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H 001 SS=A	Initial Comments An unannounced onsite re-licensing survey was conducted by the Division of Licensing and Protection 01/26/15 - 01/28/15. The following are State Designation regulatory findings.	H 001		
H 730 SS=D	7.3(a)(1) Discontinuation of Services VII. Discontinuation of Services 7.3 When a home health agency identifies a need to discontinue or reduce services to a patient, the home health agency shall provide a verbal notice, followed by a written notice, accessible to the patient. (a) If services will be reduced or discontinued, the home health agency shall give written notice as follows: (1) In general, written notice shall be provided by the home health agency at least 14 days prior to the discontinuation or reduction of services. This REQUIREMENT is not met as evidenced by: Based on record review and interviews the agency failed to assure that a verbal notice, followed by a written notice, regarding discontinuation of services was provided to 1 of 20 clients reviewed. (Patient #5) Findings include: Per record review on 01/27 - 28/2015, the agency received a referral for services for Patient #5 on 08/08/2014. . The referral was for the provision of Skilled Nursing (SN) for wound care, a PT evaluation, an OT evaluation, and Home Health Aides (HHA) services for personal	H 730	Client #5 was admitted on 8/9/14, client received 4 visits, on 8/12/14 client and family member were verbally advised and documented that services will be discontinued, due to no MD willing to sign orders. Client was provided rehab facility option, client refused. Client was advised to go to ER, family member stated client would go to ER the next day on 8/13/14. Clients chart reflected conversations, refusal, and coordination to ER. Follow -up with client on 8/13/14, client was admitted to ER per Bayada request.	

*Reviewed
2.26.15*

Division of Licensing and Protection
LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

Celine M. Hill

TITLE

Administrator

(X6) DATE

2/16/15

Division of Licensing and Protection

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H 730	Continued From page 1 care. The Start of Care (SOC) was on 08/09/14 for a dressing change and admission. Additional nursing visits were made on August 08, 09, 10, and 11 as well as a PT evaluation on 08/11/14. Although, a primary physician was contacted on 08/10/14 no orders were provided. When the referring physician from the out of state hospital was called s/he also refused to provide orders as s/he would not be following the patient in the community. Over the next two days the patient's caregiver, with assistance from the agency tried unsuccessfully to identify an attending physician. Notes state that the patient was discharged from services on 08/12/2014. In an interview, via telephone, on 01/27/2014 at 9:35 AM the Director of the Bennington office confirmed that the patient was discharged from services on 08/12/2015 without any notice and without any appeals information. In interview on 01/28/15 at 11:55 AM. the Associate Director of the parent office confirmed that normally the patient would be given a two week notice and a discharge letter with appeals information, as required by regulation and agency policy, but the the situation with Patient #5 was unique and that this had not happened in this case. In an interview on -1/28/2015 at 11:45 AM the Director confirmed that Patient #5 had been discharged on 08/12/2014 because the agency was unable to find any physician willing to sign orders for care. S/he confirmed that the patient was discharged without the written notice required in State Designation Regulations nor was the patient given any notice of appeals rights and process.	H 730	Administrator will review; State Regulations: VII. Discontinuation of Services, and XVII. Patient Rights, with the Branch Directors by 2/20/15. Branch Directors will re-educate office staff regarding appropriate procedures for discharge and patient rights during the branch staff meeting. To ensure on-going compliance, the Division Directors shall notify the Administrator of non-routine discharges. The Administrator will review the process with the Directors to ensure adherence to the Discontinuation of Services regulation and compliance with Patient Rights by providing written notification to the client of their right to appeal. The Director/or designee will monitor compliance by conducting monthly chart audit of discharges for 3 months. Results of audits will be provided to Administrator until 100% compliance is achieved.	2/20/15 3/20/15 2/20/15
H1715 SS=D	17.14 Patient Rights	H1715		3/20/15

Handwritten: 2-26-15

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H1715	Continued From page 2 XVII. Patient Rights 17.14 A patient has the right to appeal a notice of reduction or discontinuation of home health agency services or a denial of admission to the home health agency and to receive information about the appeal process This REQUIREMENT is not met as evidenced by: Based on record review and interviews the agency failed to assure that the right to appeal a notice of discontinuation of home health agency services was provided to 1 of 20 Patients, in a sample of 20 clients reviewed. (Patient #5) Findings include: Per record review on 01/27-28/15 the agency received a referral for services for Patient #5 on 08/08/14. The client was in an area served by the Bennington office. The referral was for the provision of Skilled Nursing (SN) for wound care, Physical Therapy (PT), and Occupational Therapy (OT) and Home Health Aide (HHA) services for personal care. The Start of Care (SOC) was on 08/09/14 for a dressing change and admission. Additional nursing visits were made on August 09, 10, and 11 as well as a PT evaluation on 08/11/14. In an interview, via telephone, on 01/27/2014 at 9:35 AM the Director of the Bennington office confirmed that the patient was discharged from services on 08/12/2014 without any notice and without any appeals information. S/he stated "we could not give notice and there couldn't be an appeal because we can't provide care without a physician order." S/he confirmed there was no documentation regarding any conversation with the patient regarding options other than admission to a rehabilitation facility.	H1715	Administrator will review; State Regulations: VII. Discontinuation of Services, and XVII. Patient Rights, with the Branch Directors by 2/20/15. Branch Directors will re-educate office staff regarding appropriate procedures for discharge and patient rights during the branch staff meeting. To ensure on-going compliance, the Division Directors shall notify the Administrator of non-routine discharges. The Administrator will review the process with the Directors to ensure adherence to the Discontinuation of Services regulation and compliance with Patient Rights by providing written notification to the client of their right to appeal. The Director/or designee will monitor compliance by conducting monthly chart audit of discharges for 3 months. Results of audits will be provided to Administrator until 100% compliance is achieved.	[2/20/15 3/20/15 2/20/15 3/20/15
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A/S