

MEMORANDUM

Department of Aging and Disability Services (DADS) Regulatory Services Policy * Survey and Certification Clarification

TO: Regulatory Services
Regional Directors and State Office Managers

FROM: Veronda L. Durden
Assistant Commissioner
Regulatory Services

SUBJECT: On-Site Investigation of a Home and Community Support Services Agencies (HCSSA)
Branch or Alternate Delivery Site Office Location - **S&CC #04-19**
(Replaces S&CC 04-13)

APPLIES TO: HCSSA Program

DATE: December 27, 2004

HCSSA branch and alternate delivery site office locations are often outside the region where the parent agency is located. The following questions and answers clarify regional responsibility and procedures for conducting a complaint or incident investigation of a HCSSA branch and alternate delivery site office when the parent agency is located in a different region. Note: "HCSSA branch" and "alternate delivery site" mean, respectively, a Licensed or a Licensed & Medicare-Certified Home Health Agency branch office and a Hospice alternate delivery site.

Question:

What is the protocol for investigating a complaint against a branch/alternate delivery site when a parent agency is located outside the Program Manager (PM) regional boundaries?

Answer:

Upon request from the Complaint Intake unit to investigate this type of complaint, the HCSSA PM for the region where the parent agency is located is responsible for the complete investigation process, including:

- investigating;
- citing violations, deficiencies or both;
- completing and processing all necessary complaint investigation reports, including the Report of Contact (ROC) and the CMS Form 670 if applicable;
- conducting enforcement activities; and
- maintaining all appropriate complaint investigation records.

The HCSSA Program Lead in the Complaint Intake Unit will ensure the HCSSA Intake Tracking System (HIT) reflects the assignment of the responsible investigating PM. The investigating PM must notify the PM in the region where the branch or alternate delivery site office is located of an upcoming survey investigation.

Question:

What assistance can the responsible investigating PM request from the regional PM where the branch or alternate delivery site office is located?

Answer:

- The responsible investigating PM must contact the regional PM where the branch or alternate delivery site office is located and may request the investigation be assigned to a surveyor in closer proximity to the branch or alternate delivery site office.

- In this case, the branch or alternate delivery site office regional PM assigns survey staff to complete all documentation required by the responsible investigating PM.
- The branch or alternate delivery site office regional PM or designee then forwards the documentation, no later than the 10th calendar day for certification survey activities and no later than the 10th working day for licensure survey activities following the exit conference, to the responsible investigating PM.
- The responsible investigating PM follows all appropriate procedures to complete and process the report and either closes the record or refers it to enforcement. The responsible region must complete and process necessary investigative reports and maintain appropriate records.

Question:

If the responsible investigating PM chooses to send a surveyor to a region he/she does not supervise, must the responsible investigating PM notify the regional PM where the branch or alternate delivery site office is located?

Answer:

Yes, notification from one HCSSA PM to another:

- is a requirement, so everyone is aware of investigation activity;
- increases the region's ability to coordinate program activity;
- allows corroboration between PMs regarding the surveyor's presence in the region.

Question:

Who should be contacted if a complaint is inadvertently referred to the region of the branch or alternate delivery site office?

Answer:

The PM who inadvertently receives a complaint notifies the HCSSA Program Lead in the Complaint Intake Unit . The HCSSA Program Lead insures the following:

- information is entered correctly in the computer database;
- an e-mail is sent to the PM in the region where the parent agency office is located to notify the PM about the complaint; and
- a copy of the e-mail is sent to the PM who reported the inadvertently-received complaint to confirm that the complaint information has been correctly entered and sent to the appropriate region.

If you have questions concerning this memorandum, please contact Donna Passante, HCSSA Program Specialist, Policy Development and Support Unit, at (210) 619-8010.

Sincerely,

[signature on file]

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