

Mock Survey Process for ICF/IID Certification and Survey Preparation

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Mock Survey Process for Certification Maintenance and Survey Preparation

Executive Summary

H&W Independent Solutions (H&W) developed the “Mock Survey Process for ICF/IID Certification Maintenance and Survey Preparation” process to provide ICF/IID organizations with a proactive approach to providing services for people with intellectual/developmental disabilities (I/DD) in ICFs/IID and to assist in preparations for certification visits. H&W offers a collaborative effort that results in a comprehensive mock survey to assist in meeting the Centers for Medicare and Medicaid Services (CMS) ICF/IID regulations.

The H&W process is a flexible approach to reviewing the supports and services at the facility in accordance with ICF/IID regulations. It is *not* just another assessment of those services, but may be customized to meet the specific needs of the organization, including recommendations for corrections, action plan development and compliance training during the mock survey process. H&W will work with management prior to performance of the mock survey to address issues such as:

- Specific areas that have been cited in previous surveys;
- Specific incidents that have been identified by the risk management process;
- Problematic residential units or programs; or
- Other areas of concern identified by facility management.

The identification of these issues provides a focus for the mock survey that specifically addresses the needs of the organization. It assists the H&W team to identify a more appropriate survey sample thus yield more productive outcomes at a lower investment of time and resources.

The H&W process has customizable outcomes for your organization. Options range from a one-time effort to facilitate preparation for a certification survey to training personnel from across the organization to recognize and maintain regulatory compliance and make the compliance process sustainable. H&W offers five levels of mock surveys to meet organization needs:

1. Independent Survey producing citations and recommended actions;
2. Interactive Survey incorporating facility staff as “shadows” with discussion of observations and findings. Produces a list of citations and recommended actions;
3. An Independent or Interactive Survey *plus* technical assistance to develop a full Action Plan to address each of the deficiencies;
4. Training Survey incorporating facility personnel into the survey process, thus training these personnel on the survey process and allowing for a comparison of the survey results with a facility self-assessment tool;
5. The Training survey *plus* training on development and implementation of Plans of Correction.

The goal of the H&W Mock Survey Process is to make compliance sustainable. Through the process of observation, feedback and training, the H&W team will help assure a more successful survey experience and provide the organization with tools and methodology to evaluate compliance on an ongoing basis and incorporate higher quality into the supports and services provided.

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The H&W team has significant experience in surveying ICFs/IID. Ms. Catherine Hayes, MA, serves as the project leader. She has over 30 years of experience with a primary focus in the field of intellectual/developmental disability issues. She has worked in a variety of settings including six years with the federal government in Baltimore at the Centers for Medicare and Medicaid Services (CMS) with a primary focus on ICFs/IID. Each mock survey or training survey will include a mix of former federal and/or state certified ICF/IID surveyors. The staff includes individuals with masters and RN degrees. They have extensive experience in the I/DD field and in surveying ICF/IID facilities.

Basic Mock Survey Process

This Basic Mock survey process is applicable to all five of H&W's service offerings. The application of sound survey practices by qualified and experienced surveyors assures the organization of a quality outcome no matter which service level is selected.

Prior to the survey, H&W will work with organization management to identify areas of increased concern that may require special attention. This will begin with a review of the previous Annual Survey and any complaint or incident surveys conducted during the latest 12 month period. A teleconference between key organization management and staff and the H&W survey team leader will be conducted to go over any significant issues that may not be apparent from the surveys or where management feels there may be potential risk for deficiencies. Based on these conversations and data review, H&W will provide recommendations for developing the sample of individuals, living areas and programs that should be included in the mock survey.

The Mock Survey Process is based on the CMS *Intermediate Care Facilities for Persons with Mental Retardation Basic Surveyor training course and Appendix J Guidance to Surveyors*. Four critical mediums are needed for making survey determinations for compliance; observation, interviewing, documentation and decision making. These require on site presence. H&W surveyors will adhere to same processes in which Federal and State surveyors are trained. This outcome-oriented survey process places emphasis on individual outcomes. The surveyors routinely observe the delivery of active treatment and interview individuals, families, advocates and staff to confirm that the individuals' needs are appropriately and adequately met on a consistent basis. The focus of an ICF/IID survey is to determine whether the facility is actually providing active treatment and other required services rather than whether the facility is capable of providing them.

The H&W team will follow the CMS Federal survey process as outlined in Appendix J – Survey Procedures and Interpretive Guidelines for ICFs/IID:

- Task 1 Sample selection;
- Task 2 Review of Facility systems to prevent abuse, neglect and mistreatment and to resolve complaints;
- Task 3 Individual observations;
- Task 4 Required interviews with individuals and/or family advocate and direct care staff;
- Task 5 Drug Pass Observation;
- Task 6 Facility tour - visit each area of the facility serving certified Individuals;

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- Task 7 Record Review of individuals in sample;
- Task 8 Team assessment of compliance.

Below is a brief overview of the mock survey process:

- Select a sample;
- Visit a selection of homes and day programs at various times in the day;
- Review system to prevent abuse and neglect;
- Observe the following:
 - Medication Administration
 - General Program Implementation
 - General “Down Time”
 - Meal Time (for at least one breakfast and one dinner)
 - Self Help Activities
 - Community Integration

H&W will review and compile the general findings. Debriefing meetings will be held with the Facility Director/CEO and other staff daily. An “exit” interview will be held with the Facility Director/CEO and any staff invited by the Facility Director/CEO on the morning of the final day.

Below is a typical mock survey schedule. The schedule and process are flexible and will be modified based on the organization’s input and the size of the overall population at the facility.

Day One:

Meet with Facility Director/CEO and staff to review work plan

Select Sample

- Select individuals that the organization wants reviewed prior to upcoming survey
- Review list of New Admissions

Begin Survey

Visit homes and day programs

Evening observation

Day Two - Three:

Observations in homes

Visit day programs

Record review

Interviews with Staff

Day Four:

Complete any outstanding survey tasks in morning

Meet as team to review findings and prepare recommendations in afternoon

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Day Five

Meet with agency staff to present findings and technical assistance recommendations, debrief and discuss action plan

For larger organizations, additional days may be needed.

Mock Survey Service Offerings

1. *Independent Survey*

The Independent Survey will follow the procedure outlined above. H&W will provide a team of two to four surveyors, depending on the size of facility, sample size required by the facility and preferred duration of the survey. All of these items will be negotiated with the organization prior to finalization of cost and schedule.

The outcome and deliverables of this process will include:

- A listing of findings and potential citations from the surveyed sample;
- Recommendations for corrections and other findings that may lead to future citations if not corrected;
- An exit conference where the above will be shared.

2. *Interactive Survey*

The Interactive Survey will again follow the basic survey process. In this case, however, up to four personnel from the facility staff will be incorporated into the survey process as “shadows” for the H&W staff. During each step of the process, H&W and facility staff will discuss the observations and findings to make sure staff understands the issues. A more in-depth discussion of corrective actions may occur. In this manner, facility staff will gain a more thorough understanding of the survey process, what is likely to be cited and how facility personnel are acting during the survey and responding to observation and interviews.

The outcome and deliverables of this process will include:

- A listing of findings and potential citations from the surveyed sample;
- Recommendations for corrections and other findings that may lead to future citations if not corrected;
- An exit conference where the above will be shared.

The interactive nature of the survey will provide a more detailed plan of action and more focused corrective actions.

3. *Independent or Interactive Survey “plus”*

The “plus” associated with either the Independent or Interactive Survey includes technical assistance to develop a full Action Plan to address each of the potential deficiencies noted during the survey. The depth of technical assistance is subject to negotiation with the organization prior to finalization of the cost and schedule for the Survey. As a minimum, this technical assistance will provide an additional day on-site to go over the potential citations and provide suggested corrective actions for each. H&W will review the written plan of action and assist in determining responsibilities for the action and action steps necessary to successfully complete the plan. Optionally, the organization will want to consider having

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follow-up teleconferences with H&W to monitor progress and provide on-going consultation on implementation strategy or problem resolution. Additional on-site visits by the consulting team may also be included.

4. Training Survey

The Training Survey is designed to provide in-depth training to facility personnel on both regulations and the survey process. This will allow these trained personnel to conduct future mock surveys/survey preparation independently, providing an in-house capability for reviewing survey readiness and regulatory compliance status. As an added feature, H&W will provide a regulatory compliance self-assessment tool that the facility will be required to fill out prior to beginning the Mock Survey. The results of the Mock Survey will be compared to this self-assessment to provide insight into how well the facility perceives its own status.

H&W will provide a project leader and two or three training surveyors to act as team leaders, depending on the number of facility staff who will participate. The facility will provide two to four staff members per H&W surveyor. H&W suggests that staff from several disciplines and living units be involved to provide cross training and foster a team concept for the survey process.

The Mock survey will be conducted as a joint partnership team. Facility staff will be expected to conduct all phases of the survey process under the guidance of the H&W training surveyors, and will participate in “classroom” training sessions each day. The basic process is:

- Facility staff will select one sample individual per surveyor team (excluding team leaders). Team members to choose one more based on observations for a total of two for each team. (NOTE: Should include individuals with restrictive programs);
- Each Mock Survey team is assigned a set of living areas and day programs. The mock survey team members will pair off and work together, as assigned by their team leader. These assignments may be rotated. The Team leader will mentor the two sets of team members to complete the survey tasks;
- Review system to prevent abuse/neglect and look at incident reports (Task 2) (a form will be provided);
- Observe services and programs during am, pm, and transitions times (guide to be provided);
- Interview day program staff, individuals and direct care staff, using guidelines in ICF/IID Survey Process materials (guide to be provided);
- Verify observations with interviews and record reviews;
- Review evacuation drills (form to be provided).

In addition, surveyors should observe the following:

- General Program Implementation;
- General “Down Time”;
- Meal Time (for at least one breakfast and one dinner - Guide to be provided);
- Med Pass (form provided);

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- Self Help Activities;
- Community Integration.

As part of the training process, the facility staff surveyors will review the fundamental tags and compile the general findings. The teams will compare results between the facility's self-assessment ratings to the results of the mock survey to determine areas of variance and potential problem areas or deficiencies. An "exit" conference will be held and each team's recommendations for actions will be included.

The H&W surveyors will compile a more formal list of recommendations after the exit and forward it to the Facility Director/CEO.

In addition to performing the survey tasks, a training session will be provided each of the first three days to develop a more in-depth understanding of the regulations and particular survey practices. Please note that all Conditions of Participation (CoP) will be surveyed for daily – we will just highlight and discuss certain CoPs each day along with survey tasks. Each day will have a different "theme", for example:

- Client Protections/Observations for survey – Monday
- Health/Record review/Emergency Drills. Med Pass for survey - Tuesday
- Interviewing for survey/Active Treatment/Client Behavior – Wednesday
- Team Consensus - Thursday

The following is a sample itinerary:

Day One: Start at 8:30 – assignments and orientation of mock survey teams. Day One will be devoted to Client Protections and Observations.

Day One will consist of training presentations on Client Protections, Survey Task 2 and Observation as a survey tool. Each team will spend time reviewing the incident and injury reports for their areas along with abuse and neglect cases. Guides and forms will be provided. It is expected that most of the day will be spent in the classroom. Each of the teams will take time to do some afternoon observations on Day One.

The names of the sample individuals will be given out in the afternoon before any one goes out to do observations. However, records **will not be needed** on Day One.

Day Two: Morning will include a presentation on health and safety. The evacuation drills should be available. There will be a group project and each team will review their drills, using a form to track information. In addition, copies of facility's emergency drill and policy and procedures for evacuation should be available for review for each team member. Teams will go out and conduct observations during the day and possibly during evening meals.

Days Three, Four and Five:

- Each team to choose at least one morning and one evening for observations.
- 9:00 – 10:30 a.m. Day 3: Active Treatment and Client Behavior Training.
- Observation, interviews and record reviews as required to perform a thorough survey of the sample and assigned areas.
- 2:30 – 4:00 - Review of findings and regulation discussions by individual survey teams.

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- Project Leader to meet with facility leadership after the debriefing session to share status and findings.
- **Day Four afternoon** – Consensus of teams using the facility’s self assessment – need to include final joint consensus. Project leader will facilitate discussion and track consensus on citations.
- **Day Five: Exit at 9:00 am** – Findings and recommendations presented to facility leadership team.

The Training Survey represents a comprehensive tool that the organization may use to develop skills and implement an on-going regulatory compliance review/system. Each of the participants will gain the capability to understand what a surveyor will be looking for, how the surveyors go about their process, and how to conduct a mock survey or peer review process in preparation for the ICF/IID compliance survey. Training Surveys have been extremely well received and facilities have noted a lasting impact as a result of this process.

5. The Training Survey “plus”

The final skill necessary to successfully complete the ICF/IID compliance survey process is the ability to generate acceptable Plans of Correction (POC) in response to cited deficiencies and to implement the POC efficiently and in a timely manner. While we all strive for deficiency free surveys, the reality is that there will likely be some citations and the need for a resulting action plan.

The “plus” in this case is additional training on the development and implementation of Plans of Correction. If desired by the organization, H&W will provide additional training on Day Five of the Training survey itinerary that will cover the requirements of the POC and provide some guidelines for monitoring and implementing the action plan. Discussion of some basic principles of project management and methods of accountability will be included.

H&W Qualifications

H&W Independent Solutions has been incorporated since August of 2001. In that short period of time, the company has had contracts for providing technical assistance in areas such as risk management system review, abuse and neglect system review, investigation training, active treatment training, guardianship and informed consent, quality enhancement system reviews, QA/QI training, ICF/IID management, management and supervisory skills training, communications skill training, writing and production of a provider manual for active treatment, QDDP basic and advanced training, organization and communication analysis and review and improvement of policies and procedures for ICF/IID providers. Consultations have included evaluating the viability of abuse & neglect systems, developing quality enhancement plans; conducting “Mock” and training surveys; analyzing trends and developing improvement plans; as well as conducting risk analyses of investigation systems.

H&W has performed projects across the United States, in over 25 states to date. The Mock Survey Process described in this document has been used and refined in state-run ICF/IID facilities in Illinois, Virginia, Kentucky, Nebraska and Texas. In addition, H&W has current or recent contracts in Louisiana, North Dakota, South Dakota, Florida, Washington DC, Washington State, and Wyoming.

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Below are some of the activities that H&W principal Catherine Hayes has participated in over her career, which demonstrate our specific qualifications to perform these Mock Surveys:

- Over thirty years experience in the intellectual/developmental disability field with experience as a provider, regulator, surveyor, trainer and consultant.
- Extensive regulatory, survey and quality enhancement expertise in field of intellectual/developmental disabilities. Developed national policy and guidelines for implementing Federal regulations. Managed ICF/IID and other Continuing Care Services at CMS. **Former branch chief at Centers for Medicare and Medicaid Services (CMS)**. Specifically headed the ICF/IID group for six (6) years.
 - a. Responsible for organizing effort to review and rewrite the Intermediate Care Facilities for Individuals with Mental Retardation (ICFs/IID) regulations.
 - b. Responsible for implementing the revised ICF/IID survey process. Provided training and guidance to CMS regional offices and State surveyors on regulations, interpretations and survey procedures. Developed and delivered extensive training for State and Federal surveyors.
 - c. Organized CMS Forum - Abuse and Neglect Prevention Initiative. Organized workgroup to identify what could be done within the Federal authority to bring national attention to the issue of abuse and neglect comprised of advocates, Federal and State agencies, and providers. Resulted in the Seven Key Components to Prevent Abuse & Neglect and changes in Federal training and guidelines.
 - d. Assisted with redesign of the CMS Appendix Q – Guidelines for Determining Immediate Jeopardy.
 - e. Liaison and consultant to the United States Department of Health and Human Services, Office of Inspector General as they researched and wrote reports on States and Abuse Investigation. Provided orientation to OIG Inspectors at two-day meeting and ongoing guidance in understanding CMS rules and requirements. Resulting OIG reports included "Reporting Abuse of People with Disabilities".
 - f. Assisted CMS staff in developing the rules and requirements relative to Centers for Medicare & Medicaid Services' abuse, neglect and restraint rules.
- Experienced, nationally recognized trainer in topics such as Active Treatment, Risk Management, Investigations, Abuse and Neglect Prevention and Detection Systems and ICF/IID compliance.
- Consultant to Quality Trust in Washington D.C. on informed consent/guardianship issues. Developed a series of training session on Guardianship, Alternatives, and Informed Consent. Presented at national conferences on topic.
- As part of H&W, has authored the following documents:

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- a. "CMS ICF/IID Clarifications". *Links*, ANCOR, September 2009.
 - b. *ICF/IID Regulations Compliance Worksheet*; www.hwisolutions.com, H&W Independent Solutions, 2008.
 - c. "Abuse and Neglect Prevention Systems: Evaluation and Implementation Guide" – a seven module series. www.hwisolutions.com, H&W Independent Solutions, 2008
 - d. *The Surveyors Are Here: Now What?* American Network of Community Options and Resources (ANCOR) and www.hwisolutions.com, 2007.
 - e. *ICF/IID Assessments: From Admission to Discharge – What is Expected?* ANCOR and www.hwisolutions.com, 2007.
 - f. "Requesting Clarifications or 'Challenging' a Deficiency". *Links*, ANCOR, April 2006.
 - g. *Positive Outcomes: A Provider's Guide to Active Treatment*. American Network of Community Options and Resources (ANCOR), 2005.
- She has served as an Expert Consultant for the U.S. Department of Justice for system review, community placement, risk management analysis and quality assurance on three cases in three different states, since leaving CMS and co-founding H&W Independent Solutions:
 - a. United States of America V. The State Of Louisiana, Dept. of Health and Hospitals
 - b. United States of America V. The State Of Kentucky
 - c. United States of America V. The State Of New Jersey
 - Hired by the Attorney General for the State of Washington for an independent system review and risk management analysis at Rainer School, through joint agreement with DOJ CRIPA.
 - Ms. Hayes also served as an Interim Director at the Communities at Oakwood, a large ICF/IID with nearly 300 residents.
 - Recently coordinated the onsite support for Howe Developmental Center and served as an expert for the state of Illinois during the recent DOJ CRIPA review at that center.
 - Currently coordinating a team for the onsite support for Central Virginia Training Center and served as an expert for the state of Virginia during the recent DOJ CRIPA review at that center. Team includes a PhD psychologist, a psychiatrist and PhD physical and nutritional expert.

The H&W Survey and Training Team has significant experience in surveying ICFs/IID. Each mock survey or training survey will include a mix of former federal and/or state ICF/IID surveyors. H&W has a large cadre of former state and federal surveyors who are certified as ICF/IID surveyors. The consulting staff includes individuals with masters and RN degrees. They have extensive experience in the I/DD field and in surveying ICF/IID facilities. Specific individuals will be proposed for each project and we will include a C/V of their qualifications.

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Summary

It is the intent of these offerings to be attentive to the cost benefit needs of your organization, while following the procedures and guidelines provided by the Federal government in how to do an ICF/IID survey. The various levels of mock survey, training and corrective action development allow each organization to address both immediate needs and on-going compliance monitoring in a manner consistent with available resources and the nature of the Quality Assurance program. No other vendor can represent a better quality option than that proposed by the H&W team which includes the former national team leader for the Centers for Medicare and Medicaid (CMS) ICF/IID survey team who was responsible for implementation of the revised ICF/IID survey process, training of surveyors and development of the Seven Key Components for Abuse and Neglect Prevention and Detection. Team members have received federal surveyor training, have performed numerous state and federal surveys, and have been screened by H&W for their effectiveness in training and mentoring others in the issues surrounding compliance.

The process presented in this document represents a proven methodology for improving compliance and performance during surveys. It may be used at a single facility or across an organization to provide consistency in quality measures and compliance expectations. By training individuals from multiple sites during a single Training Survey, an organization will benefit through this consistency and increased communication and understanding of system-wide issues. For both multiple and single site organizations, this process represents a significant opportunity to improve cross functional communication and team interactions.

H&W appreciates your consideration of these offerings and invites your questions or further inquiries. Please contact us at:

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