

SCOPE	ISOLATED	PATTERN	WIDESPREAD
	<i>(One or a very limited number of residents affected and/or one or a very limited number of staff involved, and/or the situation occurred only occasionally or in a very limited number of locations.)</i>	<i>(More than a limited number of residents affected, and/or more than a limited number of staff involved, and/or the situation occurred in several locations and/or the same resident(s) have been affected by repeated occurrences of the same practice.)</i>	<i>(Situation was pervasive throughout the facility or represented a systemic failure that affected or had the potential to affect a large portion or all of the facility's residents.)</i>
SEVERITY/HARM			
(4) Immediate jeopardy to resident health or safety <i>(Deficient practice caused or is likely to cause serious injury, serious harm, serious impairment or death AND there is a reasonable degree of predictability of a similar situation occurring in the future. Immediate corrective action is needed.)</i>	J	K	L
(3) Actual harm that is not immediate jeopardy <i>(Deficient practice led to a negative outcome that has compromised the resident's ability to maintain and/or reach his/her highest practicable physical, mental, and/or psychosocial well-being...)</i>	G	H	I
(2) No actual harm with potential for more than minimal harm that is not immediate jeopardy <i>(Deficient practice has led to minimal physical, mental, and/or psychosocial discomfort to the resident and/or a yet unrealized potential for compromising the resident's ability to maintain and/or reach his/her highest practicable level of physical, mental, and/or psychosocial well-being...)</i>	D	E	F
(1) No actual harm with potential for no more than minimal harm <i>(Deficient practice has the potential for causing no more than minor negative impact on residents.)</i>	SUBSTANTIAL COMPLIANCE A	SUBSTANTIAL COMPLIANCE B	SUBSTANTIAL COMPLIANCE C

SHADED AREAS = SUBSTANDARD QUALITY OF CARE for any deficiency in s. 483.13 Resident Behavior and Facility Practices (F221-F225), s. 483.15, Quality of Life (F240-F258), and s. 483.25 Quality of Care (F309-F333).

*** If the examples under one tag are at different levels of harm, choose the HIGHEST harm level and the scope associated with that particular level of harm.

Available Remedies

- Temporary Management §488.415
- Civil Money Penalties (CMPs) §488.430 - 488.444
- Denial of Payment for New Admissions §488.417
- Secretarial authority to deny all payments §488.418
- State Monitoring §488.422
- Directed Plan of Correction §488.424
- Directed In-service Training §488.425
- Closure of a facility or transfer of residents, or both §488.426
- Termination of Provider Agreement §488.456

Notice/Disclosure Requirements

- Disclosure:**
 - Survey information may be disclosed to the public 14 calendar days after such information is made available to the facility. §488.325 (a)
 - The State MUST disclose certain information to the State's long-term care ombudsman. §488.325(f)
 - Substandard quality of care - The State must notify the State board for licensing nursing home administrators and the attending physician of residents. §488.325(b)
- Notice:**
 - 15 days — non-immediate jeopardy for all remedies, except CMPs. §488.402(f)
 - 2 days — immediate jeopardy for all remedies, except CMPs. §488.402(f)

Immediate Jeopardy to Resident Health or Safety

Actual Harm that is not Immediate Jeopardy

No Actual Harm with Potential for More than Minimal Harm that is not Immediate Jeopardy

No Actual Harm with Potential for Minimal Harm

PoC	PoC	PoC	PoC
Required: Cat. 3 Optional: Cat. 1 Optional: Cat. 2	Required: Cat. 3 Optional: Cat. 1 Optional: Cat. 2	Required: Cat. 3 Optional: Cat. 2 Optional: Cat. 1	Required: Cat. 3 Optional: Cat. 2 Optional: Cat. 1
PoC	PoC	PoC	PoC
Required* Cat. 2 Optional: Cat. 1	Required* Cat. 2 Optional: Cat. 1	Required* Cat. 2 Optional: Cat. 1 Optional: Temporary Mgmt.	Required* Cat. 2 Optional: Cat. 1 Optional: Temporary Mgmt.
PoC	PoC	PoC	PoC
Required* Cat. 1 Optional: Cat. 2	Required* Cat. 1 Optional: Cat. 2	Required* Cat. 1 Optional: Cat. 2	Required* Cat. 1 Optional: Cat. 2
No Remedies Commitment to Correct Not on HCFA-2567	No Remedies Commitment to Correct Not on HCFA-2567	No Remedies Commitment to Correct Not on HCFA-2567	No Remedies Commitment to Correct Not on HCFA-2567

Isolated

Pattern

Widespread

Substandard quality of care: any deficiency in §483.15 Resident Behavior and Facility Practices, §483.15 Quality of Life, or in §483.25, Quality of Care that constitutes immediate jeopardy to resident health or safety; or, a pattern of or widespread actual harm that is not immediate jeopardy; or, a widespread potential for more than minimal harm that is not immediate jeopardy, with no actual harm.

Substantial compliance

Remedy Categories

Category 1 (Cat. 1)

Directed Plan of Correction
State Monitor; and/or
Directed In-service Training

Category 2 (Cat. 2)

Denial of Payment for New Admissions;
Denial of Payment for All Individuals,
Imposed by HCFA;
and/or Civil Money Penalties:
\$50 - \$3,000 per day

Category 3 (Cat. 3)

Temporary Management
Termination
Optional
Civil Money Penalties:
\$3,050 - \$10,000 per day

DENIAL OF PAYMENT FOR NEW ADMISSIONS must be imposed when a facility is not in substantial compliance within three months after being found out of compliance.

DENIAL OF PAYMENT AND STATE MONITORING must be imposed when a facility has been found to have provided substandard quality of care on three consecutive standard surveys.

Note: Termination may be imposed by the State or HCFA at any time when appropriate.

** Required only when decision is made to impose alternate remedies instead of or in addition to termination.*