



**House Families, Children,  
and Seniors Committee  
Nursing Home Infection Control**

**Representative Kathy Crawford, Chair  
Representative Daire Rendon, Majority Vice-Chair  
Representative LaTanya Garrett, Minority Vice Chair**

**Bureau of Community and Health Systems (BCHS)  
Department of Licensing and Regulatory Affairs (LARA)**

**Kim Gaedeke, LARA Chief Deputy Director  
Michelle Roepke, Director, Federal Survey and Certification Division**

**July 22, 2020**



**PROTECT PEOPLE &  
PROMOTE BUSINESS**

# BCHS TEAM

## 4 Divisions:

- Federal Survey and Certification Division
- Health Facility Licensing, Permits and Support Division
- Adult Foster Care and Camps Licensing Division
- Child Care Licensing Division



PROTECT PEOPLE &  
PROMOTE BUSINESS

## BCHS Regulatory Authority

- The Bureau of Community and Health Systems (BCHS) serves as the state survey agency on behalf of the Centers for Medicaid and Medicare Services (CMS) to certify and regulate nursing homes and other provider types that participate in the Medicare and Medicaid programs.
- The bureau has 80 federal surveyors that are trained to inspect, investigate, and survey the 439 federally certified nursing homes in Michigan.
- Under the federal survey process, the survey teams must conduct standard surveys of nursing homes not to exceed 15.9 months with a state average of 12.9 months.
- In addition to the standard surveys, the surveyors also conduct investigations related to complaints received by the bureau.
- If a complaint is categorized as a possible immediate jeopardy (IJ), the bureau has 48 hours to follow-up and go on-site to investigate.
- The bureau also has state authority under the Public Health Code to license and regulate nursing homes and other provider types.

## Stakeholder Engagement

- The Bureau of Community and Health Systems (BCHS) has and continues to collaborate with the Michigan Department of Health and Human Services (MDHHS) and with provider groups.
- Issues and concerns related to long-term care, including nursing homes, are discussed during weekly and sometimes daily calls with the bureau's stakeholder partners.
- The bureau also works with local health departments and the state or local ombudsman to help address concerns with a nursing home in a specific community.
- During the pandemic, the bureau has made every effort to address questions from nursing home providers and their associations as it relates to the various guidance issued by CMS.

## Infection Control Inspections Nursing Homes

- The Bureau of Community and Health Systems (BCHS), under the direction of CMS, is presently conducting infection control surveys and immediate jeopardy (IJ) investigations. Currently CMS provides the state with a weekly list of facilities the surveyors must perform infection control surveys within 3-5 days.
- March 26 to June 19, 2020: All of the 439 federally certified nursing homes have had an on-site and unannounced infection control inspection by the bureau.
- The surveyors work in teams depending on the size of the facility.
- If the survey team witness an immediate jeopardy situation while onsite and where the health and safety of residents are at high level risk, the survey team works with the facility to remove the immediacy of the IJ.
- These surveys and/or IJ investigations can take on average 2-3 days depending on the issues discovered on site and/or the size of the facility.

## Infection Control Inspections Nursing Homes (continued)

- It is important to note that every nursing home that is regulated by the Bureau of Community and Health Systems (BCHS) must have an infection control plan and protocol to prevent the spread of any type of infectious disease.
- The bureau survey teams have witnessed lapses in infection control such as the following:
  - Improper donning and doffing of PPE.
  - Not properly wearing a face mask.
  - Lack of good hand hygiene.
- Some facilities inspected or surveyed, whether prior to COVID-19 and during the pandemic, received at least low-level citations. It's similar to a quality audit or review where most do not receive a perfect score.
- Despite the lower-level citations, nursing homes are implementing their infection control plans and protocols. Additionally, the clinicians and staff are working around the clock to help prevent the spread of this virus while continuing to care for all residents.



PROTECT PEOPLE &  
PROMOTE BUSINESS

## Other Efforts & Activities

- In addition to LARA conducting infection control inspections, there are other ongoing efforts such as:
  - Statewide testing of residents and employees of nursing homes that DHHS is leading in partnership with the National Guard.
  - DHHS is working with the nursing homes in providing education and training on infection control through its Infection Prevention Response and Assessment Team (IPRAT).
  - Through DHHS, Doctors Without Borders will also assist facilities with their infection control practices.
  - CMS as of June 1, 2020 is allowing its Quality Improvement Organizations (QIO) to focus on infection control needs of providers. This resource will also be coordinated through the IPRAT efforts.
- Use of testing as well as these other educational and training opportunities will help as we continue to learn more about this virus.

## Complaint / Facility Reported Incident (FRI) Data



July 17, 2019 to July 17, 2020

Date/Year	Nursing Home Complaints Received by BCHS
July 17, 2019	1,786
July 17, 2020	2,247
From same period in 2019 to 2020	461 (increase in complaints)

Date/Year	Nursing Home Facility Reported Incidents (FRI) Received by BCHS
July 17, 2019	3,966
July 17, 2020	3,186
From same period in 2019 to 2020	780 (decrease in FRI)

Complaints received did not relate to possible violations of Executive Orders and were not specifically related to COVID-19. The bureau categorizes complaints related to certain categories and severity levels such as a possible immediate jeopardy, possible abuse or neglect, infection control, etc.



# Complaint Data

January 1, 2020 to July 17, 2020



## Total LTC Complaints

2016	2017	2018	2019	2020
1,642	1,973 (331 Increase)	1,962 (11 Decrease)	1,786 (176 Decrease)	2,247 (461 Increase)

## LTC Complaints - Allegation Type Breakdown

Allegation Type*	2016	2017	2018	2019	2020
Infection Control	61	144 (83 Increase)	134 (10 Decrease)	88 (46 Decrease)	466 (378 Increase)
Quality of Care/Treatment (Not including Infection Control)	1,030	1,353 (323 Increase)	1,316 (37 Decrease)	1,251 (65 Decrease)	1,471 (220 Increase)
Resident Rights	286	376 (90 Increase)	385 (9 Increase)	416 (31 Increase)	575 (159 Increase)
Neglect	726	803 (77 Increase)	754 (49 Decrease)	729 (25 Decrease)	815 (86 Increase)
Abuse	278	289 (11 Increase)	326 (37 Increase)	226 (100 Decrease)	261 (35 Increase)

Each year is from January 1 to July 17 for comparison purposes.

\* A single complaint can contain multiple allegation types.

# Facility Reported Incident (FRI) Data

January 1, 2020 to July 17, 2020



PROTECT PEOPLE & PROMOTE BUSINESS

## Total FRI Data by Year

2016	2017	2018	2019	2020
2,358	3,092 (734 Increase)	3,990 (898 Increase)	3,966 (24 decrease)	3,186 (780 Decrease)

## FRI - Incident Type Breakdown

Incident Type	2016	2017	2018	2019	2020
Abuse	1,192	1,505	2,178	2,340	1,932
Injury of Unknown Source	180	232	266	354	393
Misappropriation	262	366	410	427	335
Mistreatment	N/A	N/A	N/A	240	311
Neglect	N/A	N/A	N/A	181	201
Exploitation	N/A	N/A	N/A	10	14
Other	724	989	1,136	414	N/A

Each year is from January 1 to July 17 for comparison purposes.  
N/A – Category not available for that year.

## File a Complaint with LARA

- LARA encourages anyone wishing to file a nursing home complaint to do so directly with the bureau.
- Online Complaint Form:
  - [https://www.michigan.gov/lara/0,4601,7-154-89334\\_63294\\_63384\\_70218-339092--,00.html](https://www.michigan.gov/lara/0,4601,7-154-89334_63294_63384_70218-339092--,00.html)
- Complaint Form (pdf format):
  - [https://www.michigan.gov/documents/lara/BCHS\\_Facility\\_Complaint\\_Form-361\\_517391\\_7.pdf](https://www.michigan.gov/documents/lara/BCHS_Facility_Complaint_Form-361_517391_7.pdf)
- Complaints may be filed by email or by fax:
  - [BCHS-Complaints@michigan.gov](mailto:BCHS-Complaints@michigan.gov)
  - 517-335-7167
- Individuals may choose to call the toll-free Complaint Hotline (**800-882-6006**) and leave a message for our investigation team.
- For more information about this process:
  - [www.Michigan.gov/bchs](http://www.Michigan.gov/bchs)
  - Click on File a Complaint
  - Click on Health Agencies & Facilities

## Thank You & Questions

As the Department responsible for regulating our state's nursing homes and other health care providers, we appreciate this opportunity to discuss our efforts during this unprecedented time.

In addition, the teams at the bureau have done a tremendous job. Specifically, our health care surveyors and inspectors have and continue to be on the frontlines during this pandemic to help ensure the safety of our senior residents and to them, we say thank you for their dedicated service and commitment.

To the members of this Committee and all our legislative leaders, thank you for your leadership and continued partnership.

## Resources



- State Coronavirus Site: <https://www.michigan.gov/coronavirus>
- CDC: <https://www.cdc.gov/>
- OSHA: <https://www.osha.gov/>
- MI Safe Start Map: <https://www.mistartmap.info/>
- LEO - Workplace Safety Guidance (Posters, Videos, Information): [https://www.michigan.gov/leo/0,5863,7-336-100207---,00.html#comp\\_116642](https://www.michigan.gov/leo/0,5863,7-336-100207---,00.html#comp_116642)
- DHHS – Public Health Guidance: [https://www.michigan.gov/coronavirus/0,9753,7-406-98178\\_98179---,00.html](https://www.michigan.gov/coronavirus/0,9753,7-406-98178_98179---,00.html)
- DHHS – Long Term Care Information: [https://www.michigan.gov/coronavirus/0,9753,7-406-98178\\_100722---,00.html](https://www.michigan.gov/coronavirus/0,9753,7-406-98178_100722---,00.html)
- LARA: [www.michigan.gov/lara](http://www.michigan.gov/lara) ([www.michigan.gov/bchs](http://www.michigan.gov/bchs))
- How to find PPE: <https://www.michiganbusiness.org/services/pure-michigan-business-connect/ppe/>
- New MI Symptoms Web Application - [create a profile](#)
  - [Review the MI Symptoms app frequently asked questions](#)
  - [Read the full press release for additional information](#)

## Contact Us



LARA Office of Policy and Legislative Affairs

Marlon I. Brown, Director

Phone: 517-241-4580

Email: [LARA-LegislativeContact@michigan.gov](mailto:LARA-LegislativeContact@michigan.gov)