



RICK SCOTT
GOVERNOR

ELIZABETH DUDEK
SECRETARY

September 5, 2014

Elizabeth Dudek, Secretary
Agency for Health Care Administration
2727 Mahan Drive
Tallahassee, Florida 32308

Dear Secretary Dudek:

In accordance with Internal Auditing Standards, attached is the six-month status report on the implementation of our recommendations in Report #13-06 *Adverse Incident Report Process* published on February 28, 2014. Status information was provided by the Florida Center for Health Information and Policy Analysis, Division of Health Quality Assurance. This status report contains information classified as exempt from public records release and/or confidential in accordance with Section 282.318(4)(f), F.S. and thus not available for public distribution.

To date, management has implemented seven of our 27 recommendations; they reported they are progressing on the remaining 20. A detailed description of all issues, recommendations, and management's responses can be found in the attached table. We will schedule another follow-up review in six months to assess the efforts taken by the Florida Center for Health Information and Policy Analysis to correct all open issues.

If you have any questions regarding this status report, please let me know.

Sincerely,

Eric W. Miller
Inspector General

EWM/kv
Enclosure

cc: Molly McKinstry, Deputy Secretary, Health Quality Assurance
Heidi Fox, Acting Director, Florida Center for Health Information and Policy
Analysis
Polly Weaver, Chief of Field Operations
Michelle Hart, Complaint Administration Unit Supervisor



Agency for Health Care Administration
Office of Inspector General – Internal Audit
Report Title: 6 Month Status Report on Adverse Incident Report Process
Report #: 15-02

No.	Finding	Recommendation	Previous Management Response	Original Anticipated Completion Date and Contact Name	Status update	Anticipated Completion Date and Contact Name
1	RMPS Did Not Monitor for Timeliness of Report Submission Nor Did They Fine Facilities for Non-compliance with Statutory Deadlines	We recommend Risk Management Patient Safety (RMPS) develop policies and procedures to monitor the timely submission of reports.	RMPS has drafted two policies to address monitoring of report timeliness.	March 31, 2014 Patrick Kennedy	RMPS will draft policies to address monitoring of report timeliness and the Request for Sanctions process.	October 15, 2014 Patricia Vidal
		We recommend RMPS consult with the Office of the General Counsel (OGC) to determine if the Agency has statutory authority to fine facilities for submitting their adverse incident reports after the statutory deadlines and if it does have such authority, fine facilities for late report submission.	Facilities may be fined by surveyors for being out of compliance with reporting requirements. In such cases the RMPS unit will issue a Request for Sanction (RFS) if they fail to receive a report in a timely manner. The surveyors will cite the facility for failing to file a report for a substantiated incident that should have been reported but was not.	Completed Patrick Kennedy Polly Weaver	Facilities may be fined for being out of compliance with reporting requirements. In such cases the RMPS unit will issue a Request for Sanction.	n/a
2	REMOVED					
3	RMPS Does Not Adequately Document and Track Report Referrals to CAU	We recommend that RMPS and CAU periodically reconcile report referrals to ensure that all incidents referred by RMPS are actually received.	The CAU will coordinate monthly meetings with RMPS for the purpose of reconciling referrals from RMPS.	March 3, 2014 Beverly Pollock Michelle Hart	Complete. A report was developed for reconciliation purposes. Regular meetings are scheduled to conduct reconciliations.	n/a
		We recommend that RMPS document the date reviewed on the hospital form.	Staff have been instructed to note the date of review in the comment section. The review date field is not accessible to RMPS staff at this time. RMPS plans to submit or modify an existing PSR to correct this issue.	No sooner than June 30, 2014 Patrick Kennedy	Two PSRs have been submitted: PSR411- Re-write Federal and State NH Adverse Incident Report System and PSR459-SSO for Adverse Incident Reports.	No sooner than December 31, 2014 Patricia Vidal
		We recommend that RMPS request that the ALF form be modified to include a	A PSR has been submitted and is being managed by the HQA IT team.	No sooner than June 30, 2014	Two PSRs have been submitted: PSR411 - Re-write Federal and	No sooner than December 31, 2014

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		date of review.	The final project completion date is to be determined based on Agency-wide IT programming priorities and was addressed at the APG meeting on February 13, 2014	Patrick Kennedy	State NH Adverse Incident Report System and PSR459 - SSO for Adverse Incident Reports.	Patricia Vidal
		We recommend that RMPS request that the NH form include a date of receipt and date of review.	A PSR has been submitted and is being managed by the HQA IT team. The final project completion date is to be determined based on Agency-wide IT programming priorities and was addressed at the APG meeting on February 13, 2014.	No sooner than June 30, 2014 Patrick Kennedy	Two PSRs have been submitted: PSR411 - Re-write Federal and State NH Adverse Incident Report System and PSR459 - SSO needed for Adverse Incident Reports.	No sooner than December 31, 2014 Patricia Vidal
		We recommend that RMPS request a field for date of referral to CAU rather than rely on staff to post this information in the comments' section for all three forms.	A PSR has been submitted and is being managed by the HQA IT team. The final project completion date is to be determined based on Agency-wide IT programming priorities and was addressed at the APG meeting on February 13, 2014.	No sooner than June 30, 2014 Patrick Kennedy	Two PSRs have been submitted: PSR411 - Re-write Federal and State NH Adverse Incident Report System and PSR459 - SSO needed for Adverse Incident Reports.	No sooner than December 31, 2014 Patricia Vidal
		We recommend that RMPS update the policy outlining the criteria for referring reports to CAU.	Completed as per policy 11-18. This policy has been adopted by RMPS and shared with CAU staff.	Completed Patrick Kennedy	n/a	n/a
		We recommend that RMPS consider an automated method to notify CAU that there is a report for review.	Consideration being given to feasibility of including this requirement in existing programming service requests.	No sooner than June 30, 2014 Patrick Kennedy Polly Weaver	This notification will be included in the new online reporting system.	No sooner than December 31, 2014 Patricia Vidal

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		We recommend that CAU add fields to their complaint tracking database to include the date the report was received by CAU, the date the report was reviewed by CAU and date the report became a complaint, if applicable.	CAU has considered the audit recommendations and added the appropriate fields in the adverse incident database.	Completed January 1, 2014 Beverly Pollock	n/a	n/a
4	Adverse Incident Reports Were Not Referred to DOH Timely or Securely	We recommend that the Agency work with DOH to update the MOU to address the security, method and frequency of report transfer to DOH.	Staff have already discussed this with the Agency Privacy Office. We will be moving forward using new "model" MOU language. This will ensure that MOU language best meets unit and Agency needs.	Awaiting completion of Agency model MOU language. March 31, 2014 Patrick Kennedy	A draft MOU is currently being reviewed by OGC staff and the Chief of Field Operations. The MOU will need to be updated again once the new system is implemented.	No sooner than December 31, 2014 Patricia Vidal
		We recommend that the Agency work with DOH technical staff to address the Versa System issues that impede DOH staff from reviewing hospital, ASC and HMO reports as well as examine the feasibility of access to the Nursing Homes Reporting System.	A PSR has been submitted and is being managed by the HQA IT team. The final project completion date is to be determined based on Agency-wide IT programming priorities and will be addressed at the next APG meeting on February 13, 2014.	No sooner than June 30, 2014 Patrick Kennedy	Submitted PSR524 - NH Adverse Incident Report data to be shared with DOH.	No sooner than December 31, 2014 Patricia Vidal
5	The Referral of Litigation Notices to RMPS Does Not Appear to Serve a Useful Purpose	We recommend that the Florida Center consult with OGC, CAU, and HQA Field Office management to determine the purpose and intended results of reviewing these documents.	The review is mandated by statute. The Agency will include removal of review requirement in the 2015 Agency legislative proposal.	September 30, 2014 Patrick Kennedy	HQA has drafted changes to the current law for the 2015 legislative session.	No sooner than 2015 Patricia Vidal
		Further, if it is determined that RMPS	The review is mandated by statute.	September 30,	HQA has drafted changes to the	No sooner than

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		should continue to receive and review the documents, we recommend that the Florida Center finalize a policy that includes how staff should record, at a minimum, from whom they received the document, the date received by RMPS, the date of review by RMPS, and the action taken by RMPS such as a referral.	The Agency will include removal of review requirement in the 2015 Agency legislative proposal.	2014 Patrick Kennedy	current law for the 2015 legislative session.	2015 Patricia Vidal
6	The Receipt and Review of Annual Reports from Facilities Does Not Appear To Be a Cost Effective Use of Agency Resources	We recommend that Agency management determine the benefit of requiring facilities to submit annual reports. If Agency management determines that the annual report requirement is not useful or cost beneficial to either the Agency or facilities, we recommend that the law be revisited.	The Agency has determined that the annual reports serve little useful purpose. However, annual reports are required by statute. The Agency unsuccessfully pursued removal of the requirement in 2009 and 2010 legislative sessions. The Agency will include removal of review requirement in 2015 Agency legislative proposal.	September 30, 2014 Patrick Kennedy	HQA has drafted changes to the current law for the 2015 legislative session.	No sooner than 2015 Patricia Vidal
		We recommend that RMPS publish the required malpractice claims statistics for hospitals and ASCs as required by law.	2012 reports have recently been added: http://ahca.myflorida.com/SCHS/RiskMgtPubSaftey/annual_report.shtml 2013 reports will not arrive until April and will be posted by the end of May	June 1, 2014 Patrick Kennedy	Complete	n/a
7	Some Agency	We recommend the Florida Center	This activity is ongoing but requires	No sooner than	RMPS is currently in the process	No sooner than

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	Rules, Policies and Forms Regarding Adverse Incidents are Outdated	continue to update and align the rules, policies and forms with current statutory provisions regarding adverse incidents and ensure congruence among these documents.	coordination with IT and OGC since the forms either are or will be automated they must go through the rulemaking process to be activated once developed. However, RMPS has submitted PSRs to modify existing forms for HMOs, ALFs, ASCs, and hospitals.	June 30, 2014 Patrick Kennedy	of updating and aligning rules, policies and forms with current statutory provisions regarding adverse incidents to ensure congruence among these documents.	December 30, 2014 Patricia Vidal

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