



RICK SCOTT  
GOVERNOR

ELIZABETH DUDEK  
SECRETARY

July 31, 2015

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 18-month status report from the Florida Center for Health Information and Policy Analysis, Division of Health Quality Assurance in response to Report #13-06, *Adverse Incident Report Process* published on February 28, 2014. This status report contains information classified as exempt from public records release and/or confidential in accordance with Section 282.318(4)(f), Florida Statutes, and thus is not available for public distribution.

To date, management has implemented eight of our 27 recommendations and is progressing on the remaining 19. The implementation of most of the 19 recommendations is contingent on available funding. A detailed description of all issues, recommendations, and management's responses are in the attached table. We will schedule a final 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  
Nikole Helvey, Director, Florida Center for Health Information and Policy Analysis  
Polly Weaver, Assistant Deputy Secretary, Health Quality Assurance  
Michelle Hart, Complaint Administration Unit Supervisor



Agency for Health Care Administration  
Office of Inspector General – Internal Audit  
Report Title: Eighteen-Month Status Report on Adverse Incident Reporting Process  
Report #: 16-01

No.	Finding	Recommendation	Previous Management Response	18-Month Status Update	Anticipated Completion Date and Contact Name
1	<b>RMPS Did Not Monitor for Timeliness of Report Submission Nor Did They Fine Facilities for Non-compliance with Statutory Deadlines</b>	We recommend Risk Management Patient Safety (RMPS) develop policies and procedures to monitor the timely submission of reports.	It has been determined the fining process for late submissions of Adverse Incident reports will be handled by the Enforcement Unit of HQA. The Enforcement Unit will develop policies and procedures to monitor the timely submission of reports. The procedures will be drafted by June 30, 2015 for approval.	<p>RMPS was tasked with developing and implementing a fining process for untimely/late submissions of Adverse Incident (AI) Reports to the Agency for each facility type. The process will be implemented in phases with different completion dates.</p> <p>The following schedule will be used for identifying and determining which facilities meet the definition of a late AI report per the Florida Statutes as it relates to each facility type:  <b>ALF</b> AI Reports will be identified and processed weekly because of the potential larger volume.  <b>NH</b> AI Reports will be identified and processed monthly.  <b>HOSPITAL and ASC</b> AI Reports will be identified and processed monthly.  <b>HMO</b> AI Reports will be identified and processed monthly.</p>	<p><b>Phase I:</b>  <b>NH 15 Day Report</b> fining process was complete as of June 30, 2015;  <b>Phase II:</b>  <b>ALF No 15 Day Report</b> filed fining process will be complete as of July 31, 2015;  <b>Phase III:</b>  <b>ALF 1 and 15 Day Reports</b> fining process will be complete as of August 15, 2015;  <b>Phase IV:</b>  <b>Hospital 15 Day, ASC 15 Day, and HMO 3 and 10 Day Reports</b> fining process will complete as of August 31, 2015.</p> <p>Patricia Vidal</p>
		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.	Completed	N/A	N/A

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3	<b>RMPS Does Not Adequately Document and Track Report Referrals to CAU</b>	We recommend that RMPS and CAU periodically reconcile report referrals to ensure that all incidents referred by RMPS are actually received.	Completed	N/A	N/A
		We recommend that RMPS document the date reviewed on the hospital form.	Please refer to the status update for Finding #2.	Please refer to the status update for Finding #2.	December 31, 2015 Patricia Vidal
		We recommend that RMPS request that the ALF form be modified to include a date of review.	Please refer to the status update for Finding #2.	Please refer to the status update for Finding #2.	December 31, 2015 Patricia Vidal
		We recommend that RMPS request that the NH form include a date of receipt and date of review.	Please refer to the status update for Finding #2.	Please refer to the status update for Finding #2.	December 31, 2015 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.	Please refer to the status update for Finding #2.	Please refer to the status update for Finding #2.	December 31, 2015 Patricia Vidal
		We recommend that RMPS update the policy outlining the criteria for referring reports to CAU.	Completed	N/A	N/A
		We recommend that RMPS consider an automated method to notify CAU that there is a report for review.	Please refer to the status update for Finding #2.	Please refer to the status update for Finding #2.	December 31, 2015 Patricia Vidal
		We recommend that CAU add fields to their complaint-tracking database to include	Completed	N/A	N/A

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		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.			
4	<b>Adverse Incident Reports Were Not Referred to DOH Timely or Securely</b>	We recommend that the Agency work with DOH to update the MOU to address the security, method, and frequency of report transfer to DOH.	A new MOU draft is routing for review and signature. (This new MOU includes the updated criteria regarding practitioner involvement referrals and the shared data process via a secure Electronic File Transfer Protocol site.)	The new MOU is complete and was sent to DOH on May 26, 2015 for review and signature.  As of July 6, 2015, the new MOU is being reviewed by DOH's legal department.	September 30, 2015 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.	Completed	N/A	N/A
5	<b>The Referral of Litigation Notices to RMPS Does Not Appear to Serve a Useful Purpose</b>	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.	A legislative proposal related to the referral of Litigation Notices to the Agency was submitted to leadership for consideration in the 2016 session.	RMPS will perform a second review of the Florida Statutes related to the referral of Litigation Notices to the Agency prior to the upcoming 2016 session to ensure the previously submitted legislative proposal recommendations are complete.	July 1, 2016 Patricia Vidal
		Further, if it is determined that RMPS should continue to receive and review the documents, we recommend that the Florida Center finalize a policy that includes how staff	Submitted PSR 598 requesting electronic filing (e-File system) for submitting Litigation Notices to the Agency.  This system will accommodate the	As of June 30, 2015, IT is working to resolve an issue with the e-file system and awaiting available resources to begin working on PSR 598.  The e-File system project completion	September 30, 2015 Patricia Vidal

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		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.	current need to receive and review the Litigation Notices. It will allow the documents to be scanned directly into Laserfiche and generate a report for tracking purposes.	timeframe is still contingent upon available resources for this IT project.	
6	<b>The Receipt and Review of Annual Reports from Facilities Does Not Appear To Be a Cost Effective Use of Agency Resources</b>	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.	A legislative proposal recommending deleting the requirement for facilities to send the annual reports to the Agency was submitted to leadership for consideration in the 2016 session.	RMPS will perform a second review of the Florida Statutes requiring the submission of annual reports to the Agency prior to the upcoming 2016 session to ensure the previously submitted legislative proposal recommendations are complete.	July 1, 2016 Patricia Vidal
		We recommend that RMPS publish the required malpractice claims statistics for hospitals and ASCs as required by law.	Completed	N/A	N/A
7	<b>Some Agency Rules, Policies and Forms Regarding Adverse Incidents are Outdated</b>	We recommend the Florida Center continue to update and align the rules, policies, and forms with current statutory provisions regarding Adverse incidents and ensure congruence among these documents.	RMPS is currently in the process of updating and aligning rules, policies, and forms with current statutory provisions regarding Adverse Incidents to ensure congruence among these documents.	<p>The process of updating and aligning rules, policies and forms with current statutory provisions regarding adverse incidents to ensure congruence among these documents is still ongoing and will be reviewed annually.</p> <p>The current Core Rule was recently withdrawn to add an effective date of January 1, 2016. It should begin routing again by August 1, 2015. New forms have been developed and</p>	December 31, 2015 Patricia Vidal

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				will be routed with the new version of the Core Rule for approval. They will be incorporated by reference in the Core Rule along with language related to electronic submission.	