

From: [Director](#)
To: [Barbara Ballard](#)
Cc: [Iraida Orr](#)
Subject: Regarding testimony today and KDADS/CMS and Inspections
Date: Thursday, November 8, 2018 4:30:58 PM
Importance: High

Rep. Ballard/Barbara, thank you for your questions today following up on the survey issue. Here is the information (see below) on delays to survey that Secretary Keck sent to me on Oct. 15th. You'll see the range has been from a low of 17.68 months in Sept. and a high of 23.85 months in June 2018.

This is too long between annual health surveys to effectively protect health and safety for frail elders in nursing facilities. When KDADS goes in to investigate/survey based upon a complaint instead when they do a full annual health survey, inspectors are there for 1-2 days (rather than a week), with fewer surveyors (1 or 2 instead of 4-5), and surveyors are directed to look at only the things which were part of the complaint. So KDADS sometimes says they are in surveying more frequently – but it is for these limited and specific complaint surveys.

Let me know if you have additional questions. Thank you, *Mitzi E. McFatrigh*, Executive Director, Kansas Advocates for Better Care

From: Tim Keck [KDADS] [mailto:t.keck@ks.gov]
Sent: Monday, October 15, 2018 10:32 AM
To: Director
Cc: Angela deRocha [KDADS]
Subject: RE: Regarding CMS and Inspections - your conversation at stakeholder meeting

When we talked a week and a half ago, you asked me for information on the average number of months between surveys. Here is that information for this calendar year. I am sorry for the delay in getting this information to you.

Month	Average Number Months between Surveys Completed
Jan-18	22.05
Feb-18	19.85
Mar-18	21.85
Apr-18	21.63
May-18	22.35
Jun-18	23.85
Jul-18	21.27
Aug-18	18.75

Sep-18

17.68

Please let me know if you have any questions.

Sincerely,

Timothy E. Keck

Secretary

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From: Director <mitzim@kabc.org>

Sent: Friday, October 05, 2018 11:36 AM

To: Tim Keck [KDADS] <t.keck@ks.gov>

Cc: Angela deRocha [KDADS] <Angela.deRocha@ks.gov>

Subject: Regarding CMS and Inspections - your conversation at stakeholder meeting

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Sec. Keck I was not able to attend the recent all stakeholder meeting with KDADS and KDHE. I understood from other attending that you discussed current survey frequency for nursing facilities and also an issue with CMS withholding or fining KDADS regarding compliance with inspection

requirements. Could you please respond with the current survey frequency (I heard 20 months from those attending). And what the new projected date is for compliance with the required on-average 12 month inspection across all nursing facilities as opposed to the 15 month frequency for any single facility (you had suggested August 2019 at an August stakeholder meeting I attended).

Is this related to surveyor hiring/lack of hiring?

And could you please clarify the action CMS took with regard to the State – amount of money, fine or withheld reimbursement for inspectors/inspection costs, will/has the State recover/ed that money, and the reason for the financial withholding or fine.

I appreciate your response.

Mitzi E. McFatrach

Executive Director

Kansas Advocates for Better Care

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