

California Department of Public Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: CA020001126	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 01/20/2015
NAME OF PROVIDER OR SUPPLIER MANORCARE HEALTH SERVICES - TICE VALL		STREET ADDRESS, CITY, STATE, ZIP CODE 1975 TICE VALLEY BLVD. WALNUT CREEK, CA 94596		
(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)	(X5) COMPLETE DATE
B 000	Initial Comments The following represents the findings of the California Department of Public Health during the investigation of an entity reported incident. Entity reported incident number: CA00422381 Representing the Department: Health Facilities Evaluator Nurse: 33375 The inspection was limited to the specific entity reported incident investigated and does not represent the findings of a full inspection of the facility. One citation was issued for the entity reported incident: CA00422381	B 000	<i>For Accepted 4/2/15</i> Preparation and/or correction of this plan of correction does not constitute admission by the provider of the truth of the facts alleged or conclusions set forth on the statement of deficiencies. This plan is prepared and/or executed solely because it is required by the provision of Federal State Law. This Plan of Correction constitutes my written credible allegation of compliance for the deficiencies noted.	
B4845	T22 DIV5 CH3 ART5-72543(b) Patients' Health Records (b) Information contained in the health records shall be confidential and shall be disclosed only to authorized persons in accordance with federal, state and local laws. This Statute is not met as evidenced by: Based on interview and record review, the facility failed to protect the confidentiality of information contained in the health records of 108 Residents. The facility mailed the Admission Record Reports for seven residents (Residents 1 through 7) and Order Listing Reports for 108 residents (Residents 1 through 108) to Resident 109's family member. This failure had the potential to cause the loss of	B4845		

Licensing and Certification Division

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

TITLE

(X6) DATE

STATE FORM

8899

XMHP11

If continuation sheet 1 of 4

Reduction - 7/15/15

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East Bay District Office

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B4845	<p>Continued From page 1</p> <p>dignity and privacy and placed each resident at risk for identity theft.</p> <p>Findings:</p> <p>Review of the facility's policy and procedure titled "Policy for Use and Disclosure of Health Information Records," dated September 2013, included the following:</p> <ol style="list-style-type: none"> 1. "All releases of patient's health information ...will require consultation with the Privacy and Security Officer and/or the patient's or the patient's legal representative's authorization," and 2. "Health information regarding a patient who is still living will only be released to the following persons:" a. The Patient; b. The Patient's Legal Representative; c. Legal Guardian; d. A person who has been specifically authorized by the patient or the patient's legal representative to obtain health information, or e. The Ombudsman. <p>Review on 1/8/15 of the "Admission Record Reports" for Residents 1 through 7 showed that each report included the Resident's name, address, phone number, medical record number, medical diagnoses, insurance carrier(s), and insurance policy number(s), and social security number.</p> <p>Review on 1/8/15 of the "Order Listing Reports" for Residents 1 through 108 showed information that included the facility name, each Residents' name, room number, medication, medication dosage, and the reason for the medication.</p> <p>In an interview on 1/8/15 at 8:55 a.m., the ADM (Administrator) stated that the family member</p>	B4845	<p><u>Corrective Action:</u> Patients who were affected by the breach were notified and were provided with free access to a credit monitoring program.</p> <p><u>Identify Other Residents:</u> The records in question were audited in an effort to identify all residents affected.</p> <p><u>Systemic Changes:</u> Staff received in-service regarding this issue. The new Med Rec Supervisor has received HIPAA compliance training. Med Rec will have a second individual review and sign off when medical records are being sent to private parties.</p> <p><u>Monitoring:</u> The IDT monitors all episodes of data privacy breach and will follow up as appropriate.</p> <p><u>QA:</u> The Quality Assurance Committee shall review this issue to assure that the appropriate steps are taken to avoid future breaches.</p> <p><u>Person Responsible:</u> Rodger Hogan, Admin.</p> <p><u>Date of Correction:</u> May 16, 2015</p>		

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NAME OF PROVIDER OR SUPPLIER

MANORCARE HEALTH SERVICES - TICE VALL

STREET ADDRESS, CITY, STATE, ZIP CODE

**1975 TICE VALLEY BLVD.
WALNUT CREEK, CA 94595**

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B4845	<p>Continued From page 2</p> <p>(FM) of Resident 109 had requested Resident 109's medical record. The ADM also stated that when a large amount of documents need to be printed, staff members send them to a central printer in the business office for faster printing. The ADM stated that each set of printed documents are offset in the print tray, and each staff member was responsible for separating out their own documents. The ADM explained that on 8/19/14, multiple staff members printed documents [(seven Admission Record Reports (Residents 1 through 7), an Order Listing Report (Residents 8 through 108), and the medical record (Resident 109)) to the business office printer. The ADM stated that the Medical Records Director (MRD) "grabbed everything on the printer and mailed it all" to the family member of Resident 109 without separating out her (MRD) own document (Resident 109's medical record). The ADM stated that the FM discovered the error on 11/13/14, notified him immediately, and the facility recovered the documents sent in error that same day.</p> <p>In an interview on 1/8/15 at 9:40 a.m., the Assistant Director of Nursing Services (ADNS) stated, "We all still print to a central location and have to double check that what we take is only our documents."</p> <p>In an interview on 1/8/15 at 11:11 a.m., the Admissions Director (AD) stated, "Sometimes I have large reports and I print it to the business office because it's faster. I compare my report of what I printed to what I pick up from printer. I go through all pages to make sure only my stuff is all there."</p> <p>In a telephone interview on 1/8/15 at 2:10 p.m., the FM stated that she didn't have time to review</p>	B4845		

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B4845	Continued From page 3 the packet of information sent to her from the facility until "sometime after Halloween, about mid-November." The FM stated that she called the ADM immediately to notify them of the error "because I'm a notary and knew I wasn't supposed to have that information. The FM stated that the facility sent someone over that evening to pick up (the documents sent in error). The FM stated "I think the facility just made a mistake. They all share a central copy machine and I think what happened was the MRD just didn't verify what information she had before sending it to me."	B4845		