

## ASSISTED LIVING FACILITIES (FORMERLY BHS) ENFORCEMENT ACTION OPTIONS – September 2011

- DECISIONS ABOUT ENFORCEMENT ACTIONS MUST BE BASED ON STATUTORY AND REGULATORY REQUIREMENTS.
- THE FOLLOWING TOOL IS INTENDED AS A GUIDELINE ONLY.
- EACH SITUATION IS UNIQUE AND NEEDS TO BE LOOKED AT ON A CASE BY CASE BASIS.

NO HARM		MINIMAL OR MODERATE		SERIOUS		IMMINENT DANGER OR THREAT OF HARM
INITIAL	REPEAT/ UNCORRECTED	INITIAL	REPEAT/ UNCORRECTED	INITIAL	REPEAT/ UNCORRECTED	
<u>ACTIONS</u>	<u>ACTIONS</u>	<u>ACTIONS</u>	<u>ACTIONS</u>	<u>ACTIONS</u>	<u>ACTIONS</u>	<u>ACTIONS</u>
Statement of Deficiencies	Statement of Deficiencies	Statement of Deficiencies	Statement of Deficiencies	Statement of Deficiencies	Statement of Deficiencies	Statement of Deficiencies within 48 hours
Consultation No Plan of Correction Attestation	Obtain Plan of Correction Attestation	Obtain Plan of Correction Attestation	Obtain Plan of Correction Attestation	Obtain Plan of Correction Attestation; except for revocation and summary suspension	Obtain Plan of Correction Attestation; except for revocation and summary suspension	No Plan of Correction Attestation
	On-site <i>or</i> Documentation follow-up	On-site <i>or</i> Documentation follow-up	On-site follow-up	On-site follow-up <i>OR</i> Monitoring visits for revocation	On-site follow-up <i>OR</i> Monitoring visits for revocation	Monitoring Visits
	<b>ENFORCEMENT RECOMMENDATIONS</b> -Civil Fine up to \$50 per violation	<b>ENFORCEMENT RECOMMENDATIONS</b> Civil Fine up to \$100 per violation; <i>and/or</i> -Condition(s)	<b>ENFORCEMENT RECOMMENDATIONS</b> -Civil Fine up to \$100 per violation; <i>and/or</i> -Condition(s) <i>and/or</i> Stop Placement for pervasive non-compliance	<b>ENFORCEMENT RECOMMENDATIONS</b> -Civil Fine up to \$100 per violation; <i>and/or</i> -Condition(s); <i>and/or</i> -Daily Civil Fine; <i>and/or</i> -Stop Placement; <i>and/or</i> -Revocation & Stop Placement	<b>ENFORCEMENT RECOMMENDATIONS</b> -Civil Fine up to \$100 per violation; <i>and/or</i> -Condition(s) <i>and/or</i> -Daily Fine; <i>and/or</i> -Stop Placement; <i>and/or</i> -Revocation and Stop Placement	<b>ENFORCEMENT RECOMMENDATIONS</b> -S/Suspension; and -Revocation; <i>and</i> -Stop Placement.  <u>May also do:</u> -Daily Civil Fine; <i>or</i> -Civil Fine; <i>and/or</i> -Condition

**SEVERITY:** Severity means the seriousness of a violation as determined by the actual or potential negative outcomes for residents and subsequent actual or potential for harm. Outcomes include any negative effect on the resident's physical, mental, or psychosocial well being (i.e., safety, quality of life, quality of care).

**LEVELS OF SEVERITY:**

Minimal: Violations that result in little or no negative outcome and/or little or no potential harm for the resident.

Moderate: Violations that result in negative outcome and actual or potential harm for the resident.

Serious: Violations that result in negative outcome and significant actual harm for the resident that does not constitute imminent danger; and/or, there is a reasonable predictability of recurring actions, practices, situations, or incidents with the potential for causing significant harm to a resident.

Imminent Danger/Immediate Threat: Serious physical harm to or death of a resident has occurred, or there is a serious threat to a resident's life, health, or safety.