



House Appropriations Subcommittee Nursing Home Infection Control

Representative Jeff Yaroch, Chair
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Representative Ronnie Peterson, Minority Vice Chair

Bureau of Community & Health Systems
Department of Licensing and Regulatory Affairs

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BCHS TEAM

4 Divisions:

- Federal Programs & Survey Certification
- State Health Facility Licensing
- Adult Foster Care, Homes for the Aged, Camps
- Child Care Licensing

BCHS Regulatory Authority

- The Bureau of Community and Health Systems (BCHS) serves as the state survey agency for the Centers for Medicaid and Medicare (CMS) and has federal authority to certify and regulate the nursing homes that are certified through CMS.
- The bureau has 80 federal surveyors that are certified to inspect, investigate and survey the 442 federally certified nursing homes in Michigan.
- Under the federal survey process, the survey teams must conduct standard annual surveys every 12 to 15 months.
- In addition to the standard surveys, the surveyors also conduct complaint investigations related to complaints received by the bureau.
- If a complaint is categorized as a possible immediate jeopardy (IJ) then the bureau has 48 hours to follow-up and go on-site to investigate.
- The bureau also has state authority under the Public Health Code to license and regulate nursing homes.

Stakeholder Engagement

- The Bureau of Community and Health Systems (BCHS) has and continues to collaborate with the Michigan Department of Health and Human Services (MDHHS) along with the provider groups.
- A number of issues and concerns related to long-term care are discussed during weekly and sometimes daily calls with the bureau's stakeholder partners.
- The bureau also works with local health departments and the state or local ombudsman to help address concerns with a nursing home in a specific community.
- During the pandemic, BCHS has made every effort to address questions from nursing home providers as it relates to the various guidance issued by CMS, CDC, and public health.

Infection Control Inspections Nursing Homes

- BCHS, under the direction of CMS, is currently conducting infection control surveys and immediate jeopardy (IJ) investigations. CMS is only allowing for an initial infection control inspection and is not allowing for additional inspections during this time.
- March 26 to June 16, 2020: 434 of the 442 federally certified nursing homes have had an on-site and unannounced infection control inspection by BCHS.
- All of the 442 nursing homes will have had an infection control inspection by the end of this week.
- The surveyors work in teams depending on the size of the facility.
- While on-site, if the survey team witness an immediate jeopardy situation where the health and safety of residents are at high level risk, the survey team works with the facility to remove the immediacy of the IJ.
- These surveys and/or IJ investigations can take on average 2-3 days depending on the issues discovered on site and/or the size of the facility.

Infection Control Inspections Nursing Homes (continued)

- It is important to note that every nursing home facility that is regulated by BCHS, must have an infection control plan and protocol to prevent the spread of any type of infectious disease.
- BCHS survey teams have witnessed lapses in infection control such as the following:
 - Improper donning and doffing of PPE.
 - Not properly wearing a face mask.
 - Lack of good hand hygiene.
- Some facilities inspected or surveyed whether prior to COVID-19 and during the pandemic received at least low-level citations and most are corrected immediately. It's similar to a quality audit or review where no one receives a perfect score.
- Despite the low-level citations, a majority of the facilities are implementing their infection control plans and protocols and the clinicians and staff at nursing homes are working around the clock to help prevent the spread of this virus while continuing to care for all residents.

Infection Control Inspections CMS Report



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State	Nursing Homes	Inspected	Percent Inspected
Michigan	442	368	83.3%
Ohio	953	293	30.7%
Indiana	534	270	50.6%
Illinois	722	313	43.4%
Wisconsin	355	105	29.6%
Minnesota	368	246	66.8%

CMS - June 1, 2020

Other Efforts & Activities

- In addition to LARA conducting infection control inspections, there are other ongoing efforts such as:
 - Statewide testing of residents and employees of nursing homes which DHHS is leading in partnership with the National Guard.
 - DHHS Public Health is working with the nursing homes in providing education and training on infection control through its Infection Prevention Response and Assessment Team (IPRAT).
 - Through DHHS Public Health, Doctors Without Borders will also assist facilities with their infection control practices.
 - CMS as of June 1, 2020 is allowing its Quality Improvement Organizations (QIO) to focus on infection control needs of providers. This resource will also be coordinated through the IPRAT efforts.
- Use of testing as well as these other educational and training opportunities will help but as we continue to learn more about this virus.

Complaint Data (January 1 to June 15, 2020)



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Date/Year	Nursing Home Complaints Received by BCHS
June 15, 2019	1,457
June 15, 2020	1,910
From same period in 2019 to 2020	453 (increase in complaints)

Date/Year	Facility Reported Incidents (FRI)
June 15, 2019	2,012
June 15, 2020	2,476
From same period in 2019 to 2020	464 (increase in FRI)

Complaints received did not relate to possible violations of Executive Orders and were not specifically related to COVID-19. The bureau categorizes complaints related to certain categories and severity levels such as a possible immediate jeopardy, possible abuse or neglect, infection control, etc.

File a Complaint with LARA/BCHS

- BCCHS encourages anyone wishing to file a nursing home complaint to do so directly with the bureau.
- Online Complaint Form:
 - https://www.michigan.gov/lara/0,4601,7-154-89334_63294_63384_70218-339092--,00.html
- Complaint Form (pdf format):
 - https://www.michigan.gov/documents/lara/BCCHS_Facility_Complaint_Form-361_517391_7.pdf
- Complaints may be filed by email or by fax:
 - BCCHS-Complaints@michigan.gov
 - 517-335-7167
- Individuals may choose to call the toll-free Complaint Hotline (**800-882-6006**) and leave a message for our investigation team.
- For more information about this process:
 - www.Michigan.gov/bchs
 - Click on File a Complaint
 - Click on Health Agencies & Facilities

Thank You & Questions

As the Director of the Bureau of Community and Health Systems, responsible for regulating our state's nursing homes and other health care providers, I appreciate this opportunity to discuss our efforts during this unprecedented time.

In addition, the teams at the bureau have done a tremendous job. Specifically, our health care surveyors and inspectors have and continue to be on the frontlines during this pandemic to help ensure the safety of our senior residents and to them, I say thank you for their dedicated service and commitment.

To the members of this Committee and all our legislative leaders, thank you for your leadership and continued partnership.

Resources



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- State Coronavirus Site: <https://www.michigan.gov/coronavirus>
- CDC: <https://www.cdc.gov/>
- OSHA: <https://www.osha.gov/>
- MI Safe Start Map: <https://www.mistartmap.info/>
- Workplace Safety Guidance (Posters, Videos, Information): https://www.michigan.gov/leo/0,5863,7-336-100207---,00.html#comp_116642
- DHHS – Public Health Guidance: https://www.michigan.gov/coronavirus/0,9753,7-406-98178_98179---,00.html
- DHHS – Long Term Care Information: https://www.michigan.gov/coronavirus/0,9753,7-406-98178_100722---,00.html
- LARA: www.michigan.gov/lara (www.michigan.gov/bchs)
- How to find PPE: <https://www.michiganbusiness.org/services/pure-michigan-business-connect/ppe/>
- New MI Symptoms Web Application - [create a profile](#)
 - [Review the MI Symptoms app frequently asked questions](#)
 - [Read the full press release for additional information](#)