STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 151567	(X2) MULTIPLE CONSTRUCTION A. BUILDING 00 B. WING	(X3) DATE SURVEY COMPLETED 11/05/2012

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
FAMILY HOSPICE & PALLIATIVE CARE	265 W WATER ST BERNE, IN 46711

(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) COMPLETION DATE
L0000	This was a federal and state home health complaint investigation. Unrelated deficiencies are cited. Complaint # IN00117858 - Unsubstantiated: Lack of sufficient evidence. Survey date: November 1-5, 2012 Facility #: 010212 Medicaid #: 200163790A Surveyor: Miriam Bennett, RN, BSN, PHNS Quality Review: Joyce Elder, MSN, BSN, RN November 13, 2012	L0000		

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE | TITLE | (X6) DATE

Any defiencystatement ending with an asterisk (*) denotes a deficency which the institution may be excused from correcting providing it is determined that other safegaurds provide sufficient protection to the patients. (see instructions.) Except for nursing homes, the findings stated above are disclosable 90 days following the date of survey whether or not a plan of correction is provided. For nursing homes, the above findings and plans of correction are disclosable 14 days following the date these documents are made available to the facility. If deficiencies are cited, an approved plan of correction is requisite to continued program participation.

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L0506	418.52(b)(2) EXERCISE OF RIGHTS/RESPECT FOR PROPRTY/PERSON (2) If a patient has been adjudged incompetent under state law by a court of proper jurisdiction, the rights of the patient are exercised by the person appointed pursuant to state law to act on the patient's behalf. Based on policy review, admission packet review, clinical record review, and interview, the hospice failed to ensure the patient was informed of the right that if a patient has been adjudged incompetent under state law by a court of proper jurisdiction, the rights of the patient are exercised by the person appointed pursuant to state law to act on the patient's behalf for 2 of 2 clinical records reviewed with the potential to affect all the agency's patients. (#1 and 2) Findings include: 1. Clinical record #1 contained a Patient Rights and Responsibilities form signed by the patient and dated 9/26/12 that failed to evidence the patient was informed of the right that if a patient has been adjudged incompetent under state law by a court of proper jurisdiction, the rights of the patient are exercised by the person appointed pursuant to state law to act on the patient's behalf. 2. Clinical record #2 contained a Patient	L0506	L0506 CEO revised Patient Rights & Responsibilitites form for Family Hospice so that the first bullet now reads, "The patient's family or legal representative may exercise the patient's rights as permitted by law." (11.20.12) The revised form was placed in all enrollment packets and electronic files for off-site access when performing impromptu enrollments and/or admissions. (11.20.12) CEO forwarded an all-staff email alert to Family Hospice instructing staff who perform enrollments/admissions that the Patient Rights & Responsibilities form for Family Hospice has been revised to reflect, "The patient's family or legal representative may exercise the patient's rights as permitted by law." effective November 20, 2012, to review and implement utilization of revised form on November 21, 2012. (11.20.12) All current hospice patients or their representatives will be issued a revised Patient Rights & Responsibilities form, to review, sign and receive a copy. A copy will be placed in the hospice patient's medical record.	12/05/2012

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NAME OF PROVIDER OR SUPPLIER FAMILY HOSPICE & PALLIATIVE CARE		STREET ADDRESS, CITY, STATE, ZIP CODE 265 W WATER ST BERNE, IN 46711	

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	Rights and Responsibilities form signed by the patient's and dated 8/14/12 that failed to evidence the patient was informed of the right that if a patient has been adjudged incompetent under state law by a court of proper jurisdiction, the rights of the patient are exercised by the person appointed pursuant to state law to act on the patient's behalf. 3. The admission packet contained the agency form titled "Patient Rights and Responsibilities." This form failed to evidence the right of a person appointed by the patient may exercise the patient's rights if the patient has been adjudged incompetent. 4. On 11/1/12 at 12:30 PM, employee B indicated they took the patient's rights from the regulations and printed them up on this form. 5. The agency's policy titled "Patient's Rights and Responsibilities," #EBR.P10, no date, states, "1. If the patient is incapacitated, the patient's representative may exercise the patient's rights in accordance with and to the extent allowed by State laws."		(12.5.12)10% of the hospice's average daily census's clinical records will be audited quarterly for evidence that the revised Rights & Responsibilities form was provided to the patient or representative prior to care.The Patient Care Director will be responsibile for monitoring these corrective actions to ensure that this deficiency is corrected and will not occur.	

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L0507	418.52(b)(3) EXERCISE OF RIGHTS/RESPECT FOR PROPRTY/PERSON (3) If a state court has not adjudged a patient incompetent, any legal representative designated by the patient in accordance with state law may exercise the patient's rights to the extent allowed by state law. Based on policy review, admission packet review, clinical record review, and interview, the hospice failed to ensure the patient was informed of the right that if a state court has not adjudged a patient incompetent, any legal representative designated by the patient in accordance with state law may exercise the patient's rights to the extent allowed by state law for 2 of 2 clinical records reviewed with the potential to affect all the agency's patients. (#1 and 2) Findings include: 1. Clinical record #1 contained a Patient Rights and Responsibilities form signed by the patient and dated 9/26/12 that failed to include the right that if a state court has not adjudged a patient incompetent, any legal representative designated by the patient in accordance with state law may exercise the patient's rights to the extent allowed by state law. 2. Clinical record #2 contained a Patient Rights and Responsibilities form signed	L0507	L0507 CEO revised Patient Rights & Responsibilitites form for Family Hospice so that the first bullet now reads, "The patient's family or legal representative may exercise the patient's rights as permitted by law." (11.20.12) The revised form was placed in all enrollment packets and electronic files for off-site access when performing impromptu enrollments and/or admissions. (11.20.12) CEO forwarded an all-staff email alert to Family Hospice instructing staff who perform enrollments/admissions that the Patient Rights & Responsibilities form for Family Hospice has been revised to reflect, "The patient's family or legal representative may exercise the patient's rights as permitted by law." effective November 20, 2012, to review and implement utilization of revised form on November 21, 2012. (11.20.12) All current hospice patients or their representatives will be issued a revised Patient Rights & Responsibilities form, to review, sign and receive a copy. A copy will be placed in the hospice patient's medical record.	12/05/2012

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