

COUNTY OF MILWAUKEE
Department of Health and Human Services

INTER-OFFICE COMMUNICATION

DATE: April 29, 2013

TO: Supervisor Peggy Romo West, Chairperson, Health and Human Needs Committee

FROM: Hector Colon, Director, Department of Health and Human Services
Prepared by Kathie Eilers ,Interim Administrator, Behavioral Health Division

SUBJECT: An Informational Report from the Director, Department of Health and Human Services, presenting a status update on the 2012 plan of correction for the Behavioral Health Division

Issue

Per the request of the Health and Human Needs Committee Chairperson, in response to an article in the Milwaukee Journal Sentinel on April 6, 2013 titled "Milwaukee Mental Health Complex faces more state scrutiny," the Director, Department of Health and Human Services (BHD) and the Interim Administrator, Behavioral Health Division (BHD) are submitting a status report regarding the 2012 plan of correction.

Discussion

Below is a detailed timeline and description of the events related to the 2012 plan of correction:

- On October 18, 2012, the Centers for Medicare and Medicaid Services (CMS) informed Milwaukee County that they were terminating the psychiatric hospital's participation in the Medicare program due to noncompliance with the federal Condition of Participation of Nursing Services. CMS identified the deficiencies generated from the October 12, 2012 complaint to be so serious that it constituted an Immediate Jeopardy (IJ) to patient health and safety.
- Per a letter from CMS, "An acceptable plan of correction was received (from the psychiatric hospital) on October 26, 2012." The Wisconsin Department of Health Services (DHS), Division of Quality Assurance (DQA) completed a revisit of the psychiatric hospital on November 1, 2012. CMS indicated that, "The (state) revisit found that the deficiencies which led to our (federal) termination action have been corrected. Therefore, the termination action, which was to be effective November 04, 2012, is rescinded."
- On November 13, 2012 the Wisconsin Bureau of Health Services Division of Quality Assurance also approved the plan of correction for state level of deficiencies related to the October 12,

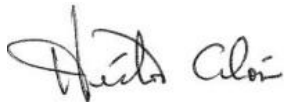
2012 complaint survey. DQA noted that they may conduct an unannounced visit to verify that the psychiatric hospital corrected these deficiencies.

- On December 13, 2012, the psychiatric hospital received a letter dated December 11, 2012 from DQA that stated, "Due to the seriousness of deficiencies and concern for patient safety DHS has determined that it is necessary to conduct brief unannounced state monitoring visits for the foreseeable future."
- Since that time, the psychiatric hospital has cooperated with all DHS state monitoring visits which include the following nine unannounced visits: December 13, 2012, January 11, 2013, January 17, 2013, January 24, 2013, February 07, 2013, February 22, 2013, March 07, 2013, March 21, 2013 and April 05, 2013. Another monitoring visit is expected the week of April 15, 2013. As a result of all of these visits, no additional or continued concerns or complaint reviews have been identified.

It is the Behavioral Health Division's understanding that the state final verification for state deficiencies has not concluded. The Behavioral Health Division continues to cooperate with all state monitoring visits as to ensure compliance with all conditions of participation.

Recommendation

This is an informational report. No action is necessary.



Héctor Colón, Director
Department of Health and Human Services

Cc: County Executive Chris Abele
Raisa Koltun, County Executive's Office
Kelly Bablich, Chief of Staff, County Board
Don Tyler, Director, DAS
Josh Fudge, Interim Fiscal & Budget Administrator, DAS
CJ Pahl, Assistant Fiscal & Budget Administrator, DAS
Matthew Fortman, Fiscal & Budget Analyst, DAS
Jennifer Collins, County Board Analyst