



Department of Health

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SALLY DRESLIN, M.S., R.N.
Executive Deputy Commissioner

December 18, 2019

Mr. Brian Reilly, Audit Director
Office of the State Comptroller
Division of State Government Accountability
110 State Street – 11th Floor
Albany, New York 12236-0001

Dear Mr. Reilly:

Enclosed are the Department of Health's comments on the Office of the State Comptroller's Follow-Up Audit Report 2019-F-35 entitled, "Oversight of Resident-Care Related Medical Equipment in Nursing Homes". (2016-S-80)

Thank you for the opportunity to comment.

Sincerely,

Sally Dreslin, M.S., R.N.
Executive Deputy Commissioner

Enclosure

cc: Marybeth Hefner
Diane Christensen
Jeffrey Hammond
Jill Montag
Keith Servis
Mark Hennessey
Mary Jo Vogel
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**Department of Health
Comments on the
Office of the State Comptroller's
Follow-Up Audit Report 2019-F-35 entitled,
"Oversight of Resident Care-Related Medical Equipment in Nursing
Homes"**

The following are the Department of Health's (Department) comments in response to the Office of the State Comptroller's (OSC) Follow-Up Audit Report 2019-F-35 entitled, "Oversight of Resident Care-Related Medical Equipment in Nursing Homes."

Recommendation #1

Improve oversight of nursing home resident care medical equipment by:

- *Periodically updating the Inventory Form to add types of medical equipment known to be in use at nursing home facilities, such as DME items identified in this report;*
- *Using inventories of nursing home facility resident care equipment, if applicable, to identify whether there are types of equipment in use that are not on the Inventory Form to aid in sample selection; and*
- *Requiring surveyors to document their equipment samples.*

Status – Partially Implemented

Agency Action – The Department updated its Inventory Form to include a space for surveyors to document whether or not a nursing home has an inventory list. If a nursing home does maintain a list, the surveyor incorporates it into the review of the nursing home's equipment. However, the Department does not periodically update the Inventory Form with types of medical equipment known to be in use at nursing home facilities. In addition, the Department did not agree that documenting equipment reviewed would improve the survey process by helping identify noncompliance with electrical equipment testing and maintenance regulations.

Response #1

As the Department stated in the initial response to the audit, "There is no evidence to support that documenting equipment reviewed which is not required under the federally prescribed survey process would improve the survey process in identifying facility noncompliance with electrical equipment testing and maintenance regulation." The Department is continuing its actions and sees no need for further action on its part.

Recommendation #2

Formally evaluate whether equipment sample sizes should be based on factors such as the size of a facility's medical equipment inventory and facility prior survey histories.

Status – Not Implemented

Agency Action – In our initial audit, we found that the Department's equipment sample sizes were very small relative to number of equipment pieces in the facilities. The Department did not agree with this recommendation at the time of our initial audit and has not changed its position. As such, it did not take any actions to implement it.

Response #2

As the Department stated in the initial response to the audit, “There is nothing in Federal regulations based on either NFPA 99 or 101 that specifies the number of pieces of equipment that should be reviewed on survey. The selection of a specific number of Resident Care Related Electrical equipment to review on survey was established by a workgroup of federally trained Department Sanitarians. As with all other federal survey tasks, a sample is chosen for review. Facility census is already currently factored into the selection sample size.” The Department is continuing its actions and sees no need for further action on its part.

Recommendation #3

Remind facilities of the requirements for preventive maintenance of medical equipment and generator tests and record keeping of these activities.

Status – Implemented

Agency Action – The Department reissued its Inspection & Maintenance of Patient Care Related Electrical Equipment and Generator Testing policy in August 2018 reminding nursing homes of the requirements specifically related to the preventive maintenance of medical equipment and generator tests and record keeping of these activities. The policy requires nursing homes to inspect generators weekly and run them under load for at least 30 minutes monthly and for 4 continuous hours once every 36 months. Complete documentation of all inspections, maintenance, and testing must be maintained at the facility. In addition, nursing homes are required to test and inspect patient care-related electrical equipment before it is put into service and after any repairs or modifications are made.

Response #3

The Department is continuing its actions and sees no need for further action on its part.