



ADMINISTRATIVE MEMORANDUM # 2013-04

To: Executive Directors of Voluntary Provider Agencies
Directors of Developmental Disabilities Regional Offices
Directors of Developmental Disabilities State Operations Offices

From: Megan O'Connor-Hebert 
Deputy Commissioner
Division of Quality Improvement

Date: July 1, 2013

Re: Change in Communication Expectations Regarding
Exit Conference Form Deficiencies

Applicability: Programs, Supports and Services certified and/or reviewed by
OPWDD-Division of Quality Improvement

Suggested Distribution: Administrative staff
Program/Service Staff
Quality/Compliance Staff

Effective Date: July 01, 2013

Background: In order to ensure that people receive services and supports that result in quality outcomes, NYS OPWDD is responsible for quality improvement strategies which focus on standards and performance measures, a sampled review against the standards, and a continuous quality improvement process. The Centers for Medicare and Medicaid Service (CMS) in turn, require that states provide evidentiary based reports that demonstrate the state's monitoring of performance and actions taken to remediate issues identified both at the individual and systems levels. Much of the information gathering related to performance is accomplished through review of services, supports and sites by OPWDD-Division of Quality Improvement (DQI) staff. In addition, a mechanism to enable OPWDD reporting of all remediation activities is necessary. While a mechanism for provider agency communication of corrective actions/remediation has been in place for Statements of Deficiencies, one had to be created for deficiencies communicated on the Exit Conference Form.

Purpose and Specific Directive: The purpose of this memorandum is to inform Provider Agencies of new requirements related to deficiencies cited on the **Exit Conference Form only**. The process for Statements of Deficiencies is unchanged.

Exit Conference Form Deficiency Remediation Process

The Exit Conference Form (ECF) has been revised and reformatted. It includes instructions to the provider agency regarding the expectation for the correction of deficiencies and documentation to be provided to the Division of Quality Improvement regarding those corrections. Please refer to the attached document.

What Has Not Changed:

- DQI staff verbally communicate review findings as appropriate, with provider agency staff upon completion of the review either formally (exit conference) or informally dependent on the nature of the visit.
- The surveyor/survey team documents on the Exit Conference Form the deficiencies that will not be communicated via a Statement of Deficiencies.
- The ECF will continue to include recommendations and other noteworthy comments.
- While their value and benefit should be considered by the agency, no response to DQI is expected for recommendations identified on the ECF.
- The ECF is provided to the provider agency electronically or in paper form following the survey/review.
- An authorized agency representative acknowledges their receipt of the Exit Conference Form through signature or other means determined acceptable by BPC.
- The provider agency must ensure competent correction of deficiencies is completed within 30 calendar days of transmission of the ECF.
- A narrative POCA is not required.

What Has Changed – Provider Agency Communication of ECF Corrective Actions:

The Provider Agency must complete and return the Exit Conference Form to DQI as follows:

- The revised ECF includes a "Corrective Action" section corresponding to each deficiency. The section provides check-off boxes for eight (8) possible actions that are likely to be implemented depending on the nature of the deficiency. The provider must check off all the actions taken to address that deficiency.
- For each deficiency, provide the date when all of the identified corrective actions were completed.
- An Authorized Party must sign and date the ECF attestation statement or demonstrate attestation by other means determined acceptable by BPC.
- Return the document to BPC within 40 calendar days of the transmittal/provision of ECF to the provider agency representative. (i.e. 10 days after the corrections were to be completed) Secure e-mail transmittal is required.
- If the agency, despite rigorous effort, is unable to remediate a deficiency within 30 days the provider agency must attach an explanation, including barriers to correction and the planned timeline to correct.

In order to ensure appropriate communication of ECFs and corrections, Provider Agencies need to send the following information to the Area Director of their local BPC Office by July 12, 2013:

- List of the names and titles of staff members authorized to sign Exit Conference forms and the ECF Attestation Statement
- List of email addresses authorized to accept ECF and respond to BPC with attestation information.

Please Contact your local BPC office if you have any questions.