

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  555923	(X2) MULTIPLE CONSTRUCTION A. Building B. Wing	(X3) DATE SURVEY COMPLETED  08/29/2024
NAME OF PROVIDER OR SUPPLIER  Temecula Healthcare Center		STREET ADDRESS, CITY, STATE, ZIP CODE  44280 Campanula Way Temecula, CA 92592	

For information on the nursing home's plan to correct this deficiency, please contact the nursing home or the state survey agency.

(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (Each deficiency must be preceded by full regulatory or LSC identifying information)
<p>F 0573</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Few</p>	<p>Let each resident or the resident's legal representative access or purchase copies of all the resident's records.</p> <p><b>**NOTE- TERMS IN BRACKETS HAVE BEEN EDITED TO PROTECT CONFIDENTIALITY** 48240</b></p> <p>Based on interview and record review, the facility failed to provide copies of medical records upon request and within two business days after receiving the request from an attorney on behalf of the resident, for one of four residents reviewed, Resident 3.</p> <p>This failure is a violation of Resident 3 and the resident's representatives ' rights.</p> <p>Findings:</p> <p>On August 29, 2024, at 9:50 a.m., an unannounced visit was conducted at the facility to investigate a complaint allegation.</p> <p>On August 29, 2024, at 10:39 a.m., during an interview with Licensed Vocational Nurse (LVN) 1, LVN 1 stated residents, their responsible parties and durable power of attorney (DPOA - a legal document that allows someone to appoint another person to make medical decisions on their behalf if they are unable to do so) can request for medical records. LVN 1 stated if a resident or the family member requested for medical records, they are directed to the Medical Records (MR). LVN 1 stated the timeframe to fulfill a medical record request was 24 to 48 hours from the day it was requested, depending on the number of records requested.</p> <p>On August 29, 2024, at 10:51 a.m., during an interview with the MR, the MR stated anybody listed on a resident ' s face sheet can request for medical records. The MR stated the resident had to give an authorization to have family members request for their medical records. The MR stated anything that was legal, they would have to check for DPOA. The MR stated medical records request are to be processed and fulfilled within 24 to 48 hours. The MR stated she processed the medical record requests on a first come, first served basis. The MR stated there were a lot of legal medical records request right now for full charts, and she asked her assistants if there were any regular medical records requests. The MR stated regular medical record requests were if a resident wanted to see the medication list, physician ' s orders, laboratory, and x-ray results. The MR stated legal medical record requests were when they receive subpoenas, requests for full chart and requests from law firms. The MR stated she recalled receiving medical record requests from law firms for Resident 3 and two other residents.</p> <p>(continued on next page)</p>

Any deficiency statement ending with an asterisk (\*) denotes a deficiency which the institution may be excused from correcting providing it is determined that other safeguards 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.

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE	TITLE	(X6) DATE
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<p>F 0573</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Few</p>	<p>On August 29, 2024, at 11:18 a.m., during a follow up interview with the MR, the MR stated the medical records request for Resident 3 was sent to the corporate office because corporate was handling those requests now.</p> <p>On August 29, 2024, at 11:44 a.m., the Administrator (ADM) provided a copy of the letter sent by Resident 3 ' s attorney. The ADM stated the letter and medical record request of Resident 3 was from her attorney and it was dated August 19, 2024. The ADM stated he would have to check when the facility received the letter for the medical record request.</p> <p>A review of Resident 3 ' s medical records indicated Resident 3 was admitted to the facility on [DATE], with diagnoses which included fracture (break in the bone) of the left thigh and diabetes mellitus (high blood sugar level). A review of the Minimum Data Set (MDS- an assessment tool) dated June 3, 2024, indicated she had severe cognitive impairment. A further review of Resident 3 ' s medical record indicated Resident 3 was transferred out to a general acute care hospital on June 9, 2024, and did not return to the facility.</p> <p>A review of the letter sent by Resident 3 ' s attorney dated August 19, 2024 indicated .Please consider this as (name of Resident 3) request, by and through this office as a legal representative, that all writings related to her within your care, custody and control as to (name of Resident 3) and that they be made available within two working days from the receipt of this correspondence for photocopying . Attached to the letter was an AUTHORIZATION FOR THE RELEASE OF MEDICAL INFORMATION . that indicated the facility was authorized to disclose to (name of law firm) all medical records, business office files and writings related to Resident 3, for the period of first day of service to present, for legal matters and it was signed by Resident 3 ' s family member on August 15, 2024.</p> <p>On August 29, 2024, at 12:00 p.m., during a follow up interview with the MR, the MR stated she received the medical record request for Resident 3 on August 20, 2024, and she sent it to the corporate office via e-mail (electronic mail) on August 20, 2024. The MR stated the corporate office instructed her not to respond to the request and that the request will be communicated with the facility ' s attorney.</p> <p>A review of e-mail messages between the MR and the Risk Manager (RM), who is from the facility ' s corporate office, indicated the MR sent an email of medical record request for Resident 3 to the RM on April 20, 2024, and the RM replied .We will have our attorney respond to this request for records, please do not respond . on August 20, 2024.</p> <p>On August 29, 2024, at 12:29 p.m., during an interview with the ADM, the ADM stated when the facility received medical record requests from attorneys, the facility ' s legal department dealt with those requests. The ADM stated he was not sure when the facility ' s attorneys fulfill those requests. The ADM stated when residents or family members requests for medical record and there was no legal action, they can review the chart within 24 business hours or get a copy within 48 business hours. The ADM further stated it had been seven business days since the facility received the medical record request form for Resident 3.</p> <p>(continued on next page)</p>		

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<p>F 0573</p> <p>Level of Harm - Minimal harm or potential for actual harm</p> <p>Residents Affected - Few</p>	<p>A review of the facility ' s policy and procedure titled RESIDENT / PERSONAL REPRESENTATIVE ACCESS TO PROTECTED HEALTH INFORMATION dated June 6, 2016 indicated, .The facility shall allow an adult resident or his/her personal representative to inspect or receive copies of his/her protected health information (PHI) in a designated record set with an oral or written requests .The requested PHI shall be provided timely . Timing is critical since there is a short period to respond to resident/personal representative .</p>