

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 675924	(X2) MULTIPLE CONSTRUCTION A. Building B. Wing	(X3) DATE SURVEY COMPLETED 07/17/2024
NAME OF PROVIDER OR SUPPLIER Regent Care Center of Woodway		STREET ADDRESS, CITY, STATE, ZIP CODE 7801 Woodway Dr Waco, TX 76712	

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>**NOTE- TERMS IN BRACKETS HAVE BEEN EDITED TO PROTECT CONFIDENTIALITY** 47772</p> <p>Based on interview and record review, the facility failed to provide a reasonable cost-based fee for the provision of medical records for 1 of 2 residents (Resident #1) who were reviewed for access to medical records.</p> <p>The facility failed to charge the RP, for Resident #1, reasonable prices for medical records cost determined in the Texas Health and Safety Code, Title 4. Health Facilities; Subtitle B. Licensing of Health Facilities; Chapter 241. Hospitals; Subchapter A. General Provisions; Section 241.154 (THSC 241.154.)</p> <p>This failure placed residents, or their RP, at risk for complications with continuity of care and financial hardship.</p> <p>Findings included:</p> <p>Record review of Resident #1's Discharge MDS, dated [DATE], reflected the Resident was a [AGE] year-old female who admitted to the facility on [DATE]. She was diagnosed with peripheral vascular disease (which was slow and progressive circulation disorder caused by narrowing of the blood vessels.) Section C., Cognitive Patterns: Indicated Resident #1's short-term memory was appropriate; independent decisions were consistent and reasonable. Staff assessed BIMS.</p> <p>Record review of a release of information request, dated 2/12/2024, reflected RP #2's request for Resident #1's medical records from the facility.</p> <p>Record review of an invoice, dated 3/8/2024, reflected a cost breakdown for the medical records requested on 2/12/2024. The total cost was \$274.28 for 216 pages. The invoice was sent by MRC A to RP #2. The cost breakdown reflected:</p> <ol style="list-style-type: none"> 1. Pages 1-10 = \$52.12 (search fee); 10 pages; Cost equaled \$52.12 2. Pages 11-60 = \$1.76 (per page); 50 pages; Cost equaled \$88.00 3. Pages 61-400 = .86 (per page); 156 pages; Cost equaled \$134.16 <p>Invoice to RP #2, dated 3/8/2024, reflected \$52.12 + \$88.00 + \$134.16= \$274.28</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>Record review on 7/17/2024 of Texas Health and Safety Code, Title 4. Health Facilities; Subtitle B. Licensing of THSC 241.154, effective date 5/27/2023, reflected: (1) a basic retrieval or processing fee, which must include the fee for providing the first 10 pages of the copies and which may not exceed \$30; and (A) a charge for each page of: (i) \$1 for the 11th through the 60th page of the provided copies; (ii) .50 cents for the 61st through the 400th page of the provided copies.</p> <p>Having used a calculator on a state issued iPhone on 7/17/2024: Calculations for the 216 pages of Resident #1's medical record copies, based on THSC 241.154 reflected:</p> <ol style="list-style-type: none"> 1. Pages 1-10 = \$30.00 (basic retrieval and processing fee); 10 pages; Cost equaled \$30.00 2. Pages 11-60 = \$1.00 (per Page); 50 pages; Cost equaled \$50.00 3. Pages 61-400 = .50 (per page; 156 pages; Cost equaled \$78.00 <p>Calculations with THSC 241.154 reflected \$30.00 + \$50.00 + \$78.00= \$158.00</p> <p>Having used a calculator on a state issued iPhone on 7/17/2024: \$274.28 - \$158.00 = \$116.28 of an inflated cost.</p> <p>Interview on 7/17/2024 at 9:45 AM with MRC B revealed the invoice for Resident #1's medical record copies was created on 3/8/2024, and sent to RP #2, by MRC A, who no longer worked at the facility. MRC B stated the CCO, from the corporate offices was the person who calculated the prices for medical records and calculated the amount of \$274.28 for Resident #1's medical record copies.</p> <p>Interview on 7/17/2024 at 10:15 AM with RP #2 revealed the facility was unjust in asking for \$274.28 for copies of Resident #1's medical records. Upon his own research with RP #3, he stated the cost was supposed to had been much lower. He had hoped the matter could be resolved so he could have attained the medical records at a reasonable cost.</p> <p>Interview on 7/17/2024 at 10:25 AM with RP #3 revealed the facility had charged inflated rates for Resident #1's medical record copies. RP #3 stated she researched Texas law and determined the rates for medical records were supposed to be a basic retrieval or processing fee, which must include the fee for providing the first 10 pages of the copies and which may not exceed \$30; and a charge of \$1.00 for the 11th through the 60th page; and .50 cents for the 61st through the 400th page. RP #3 wanted the discrepancy addressed and the facility to follow the guidance she discovered through her own research of Texas law.</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>Interview on 7/17/2024 at 11:13 AM with the CCO revealed she was the Chief Compliance Officer for the facility's corporate offices. She stated the corporate offices followed the guidelines in THSC 241.154 when having determined reasonable cost for medical record copies; however, the invoice of cost provided to RP #2, dated 3/8/2024, for Resident #1's medical record copies was not correct. The CCO stated THSC 241.154 was utilized for the reasonable cost of medical records in the facility's Release of Medical Records Policy, dated January 2023. The THSC 241.154 was updated, on 5/27/2023, to reflect a reduction of reasonable cost, but the facility's Release of Medical Records Policy, dated January 2023, was not updated to reflect the new reasonable cost. Resident #1's medical record copies invoice, dated 3/8/2024, utilized calculations with the outdated version of THSC 241.154. The CCO stated the cost for Resident #1's medical record copies, calculated on the invoice on 3/8/2024, was based on an outdated THSC 241.154, prior to the 5/27/2023 update, and on the facility's Release of Medical Records Policy dated January 2023, which she should have reflected the update. She stated she discovered the discrepancy in April 2024 and updated the facility's Release of Medical Records Policy on 4/29/2024 to reflect the new THSC 241.154 guidelines for reasonable cost for medical records, effective 5/27/2023. The CCO stated the corporate offices did not reach out to RPs, who had requested copies of medical records between 05/27/2023 and 4/29/2024, to inform them they had been charged inflated prices.</p> <p>Interview on 7/17/2024 at 1:25 PM with MRC B revealed she took the position over as medical records coordinator about a month ago with a Release of Medical Records Policy, dated 4/29/2024. MRC B stated RP #2 or RP #3 had not contacted the facility to address the cost provided in the invoice, dated 3/8/2024, for Resident #1's medical record copies. MRC B stated she had no knowledge that the prices in the invoice, dated 3/8/2024, were calculated with prices from an outdated version of THSC 241.154, prior to 5/27/2023, or a non-updated facility policy, dated January 2023. MRC B stated the failure to have updated prices and an updated policy, at the time the medical records were requested on 2/12/2024, fell upon communication, not checking the policy, or verifying the prices. MRC B stated access to medical record was important for residents who needed to continue care elsewhere. As well, the inflated cost \$116.28 was a lot of money and could have gone elsewhere for better use.</p> <p>Interview on 7/17/2024 at 1:37 PM with the CCO stated the costs associated with copies of medical records came from the corporate offices. The failure for the facility to have the correct information fell at the corporate level. There was a leadership change, and the failure was human error on behalf of corporate. Safeguards in place to avoid this type of this failure were policy reviews and meetings with the compliance teams. The CCO stated the addition expenses for the medical records copies placed the requestor at risk for financial hardship.</p> <p>Interview on 7/17/2024 at 2:20 PM with the ADM revealed medical record release, and reasonable medical record release cost, were important for continued care. She expressed dissatisfaction the facility was being held responsible for a failure at the corporate level.</p> <p>Record review of the facility's Release of Medical Records Policy, dated January 2023, reflected basic retrieval and processing fee not to exceed \$52.12 for the first 10 pages. \$1.76 per page for pages 11-60.86 cents per page for pages 61-400.47 cents per page for any remaining.</p> <p>Record review of the facility's Release of Medical Records Policy, dated April 29, 2024, reflected basic retrieval and processing fee not to exceed \$30.00 for the first 10 pages. \$1.00 per page for pages 11-60.50 cents per page for pages 61-400.25 cents per page for any remaining.</p>		