

KDHE Update

Cecilia Sherraden | April 9, 2025

Introduction

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Objectives

- 1. Discuss the recent trends in Risk Management reporting**
- 2. Discuss the recent trends in Risk Management survey results**

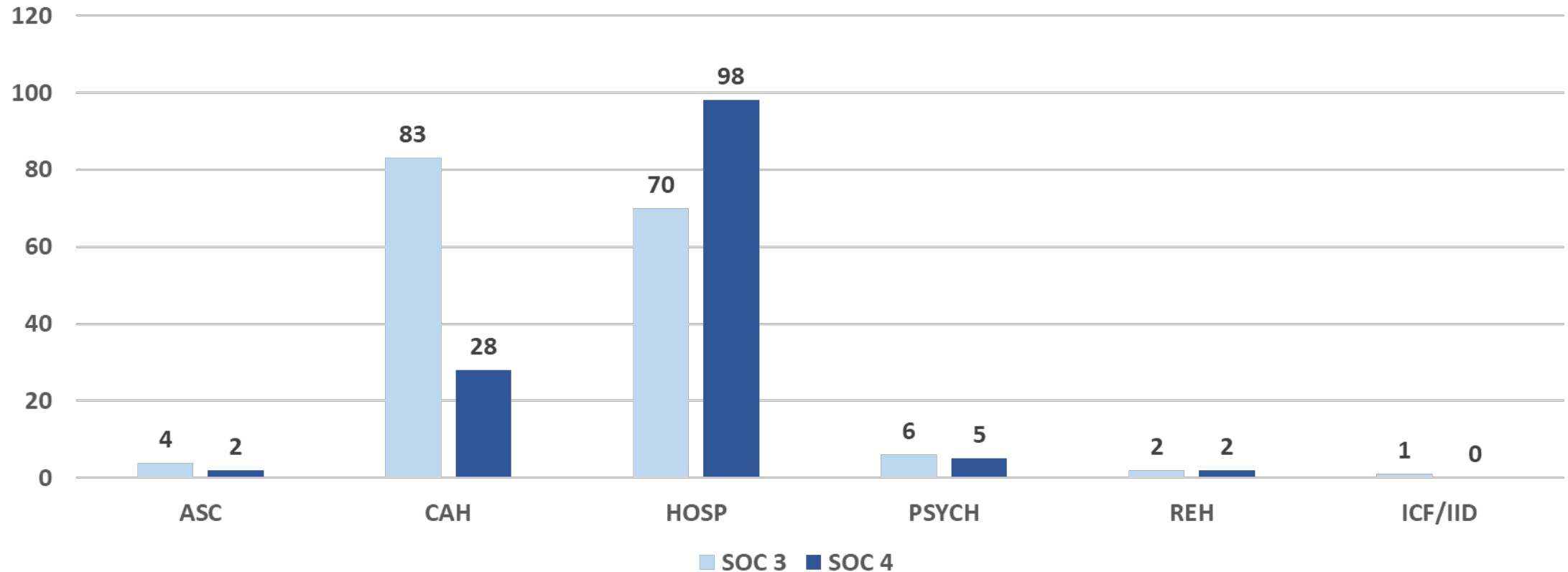
Trends in Risk Management Reporting

Trends in Risk Management Reporting

- First Quarter 2024: 33 out of 226 reports included reportable incidents
- Second Quarter 2024: 44 out of 227 reports included reportable incidents
- Third Quarter 2024: 43 out of 229 reports included reportable incidents
- Fourth Quarter 2024: 32 out of 229 reports included reportable incidents

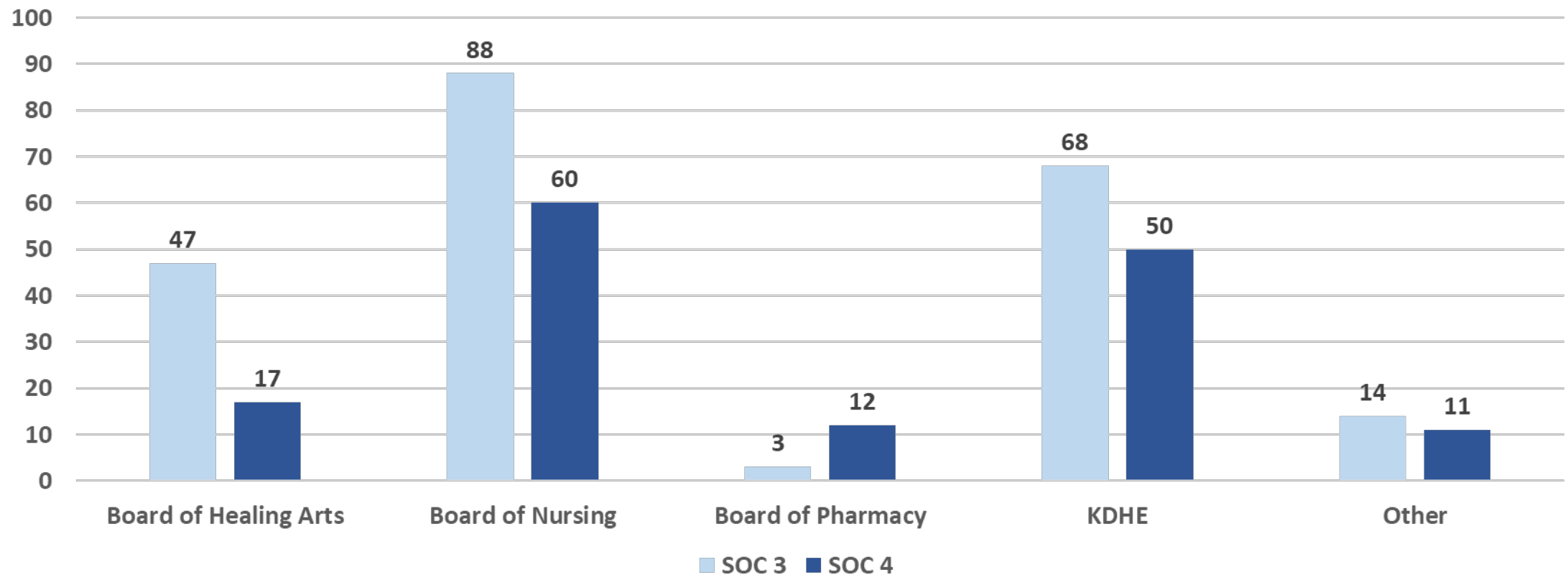
2024 Quarterly Reporting

Final SOC Determinations Reported by Facility Type in 2024



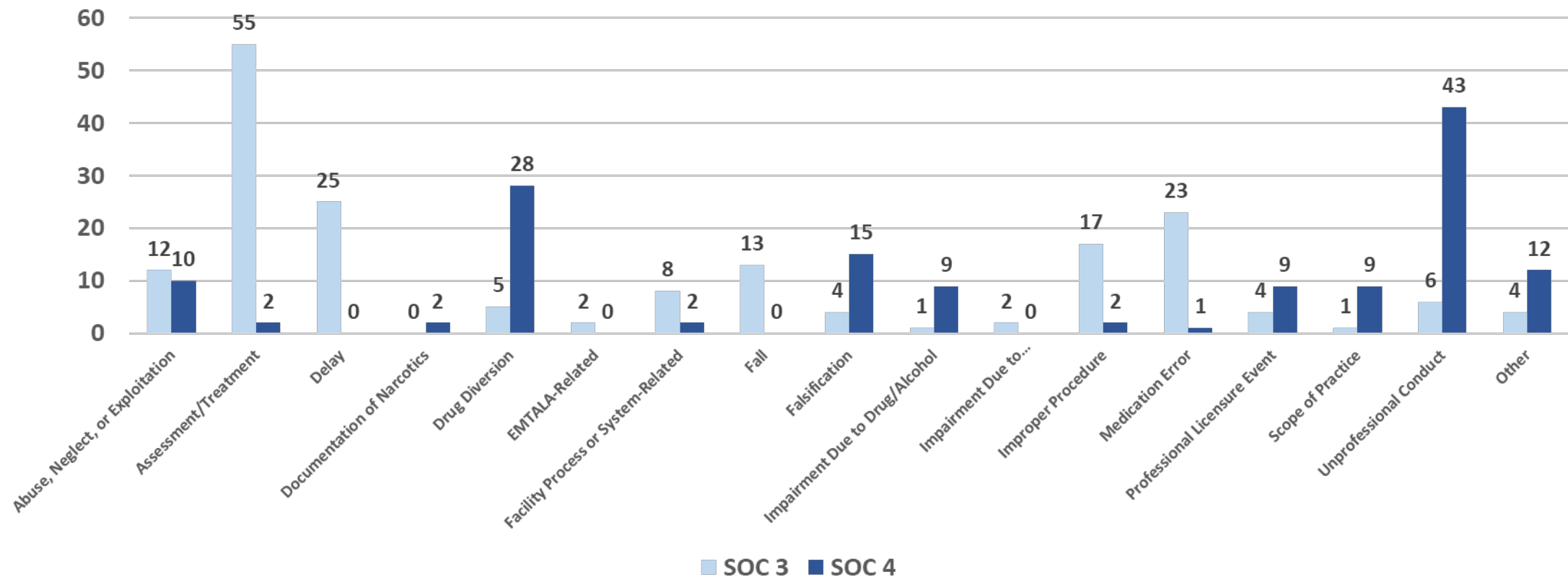
2024 Quarterly Reporting

2024 Incidents Reported to Licensing Agencies

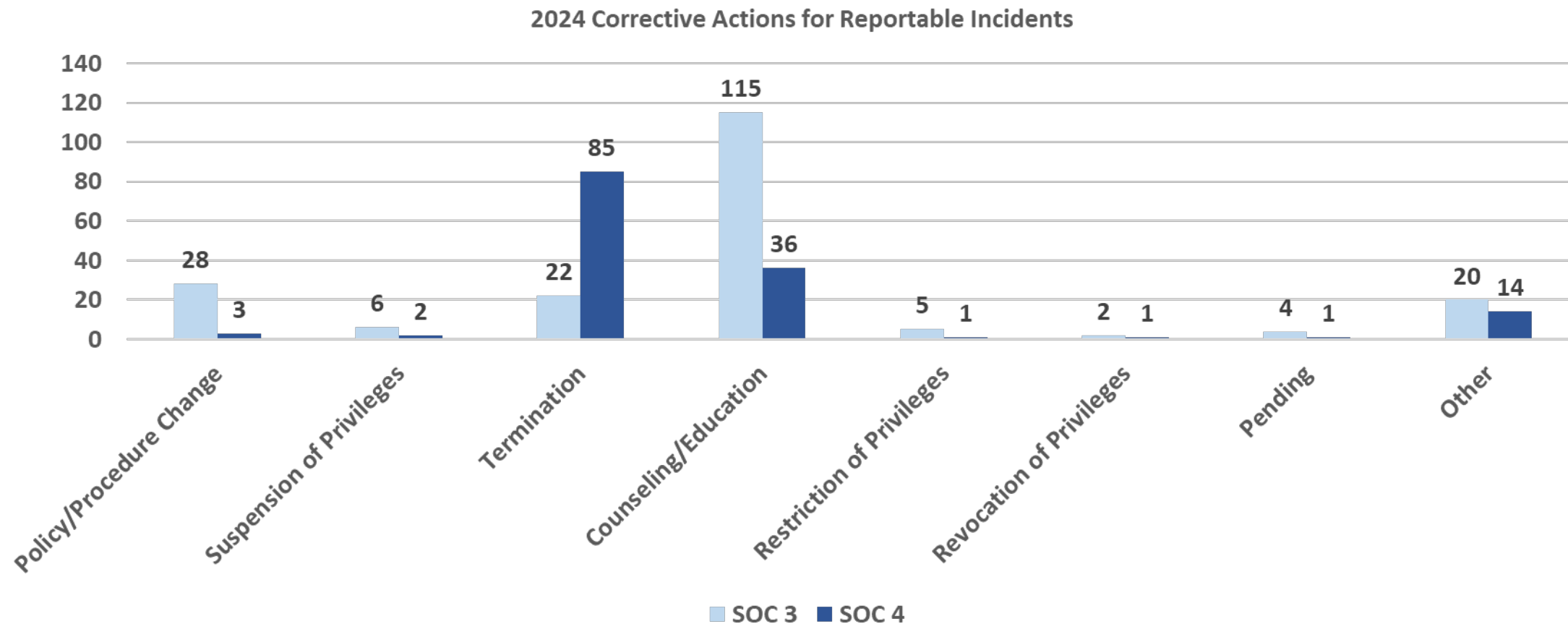


2024 Quarterly Reporting

Incident Category Types Reported 2024

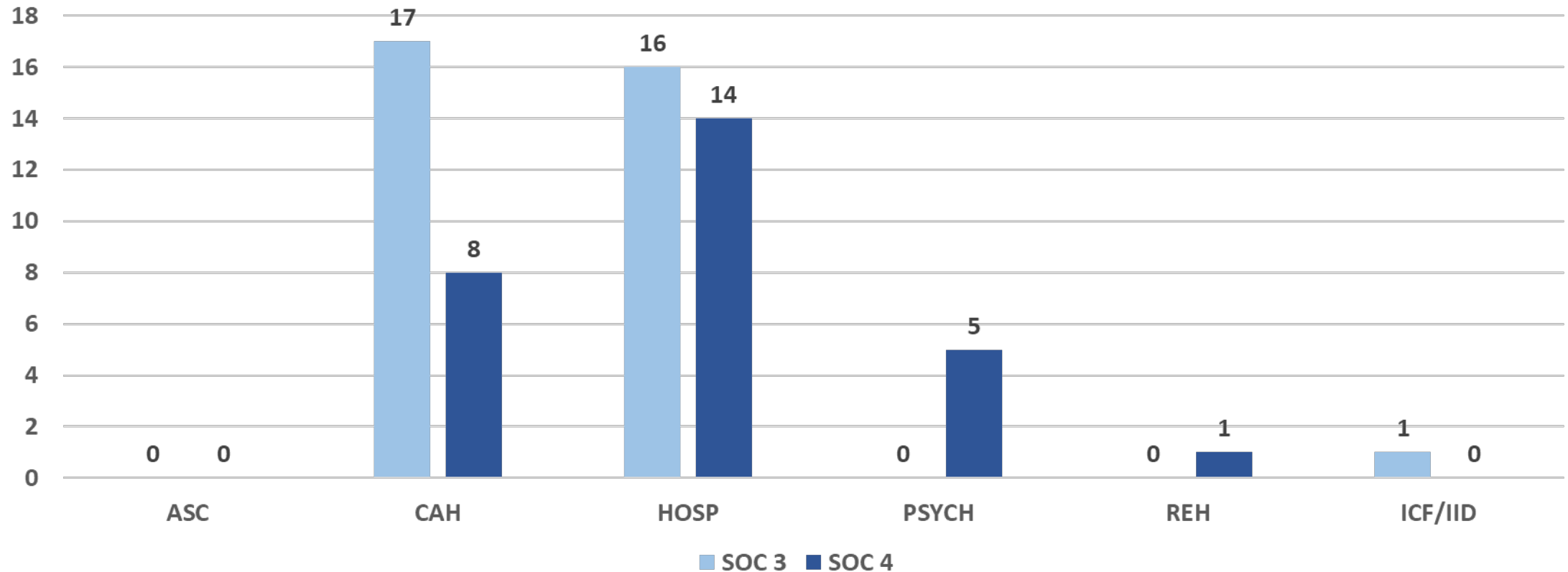


2024 Quarterly Reporting



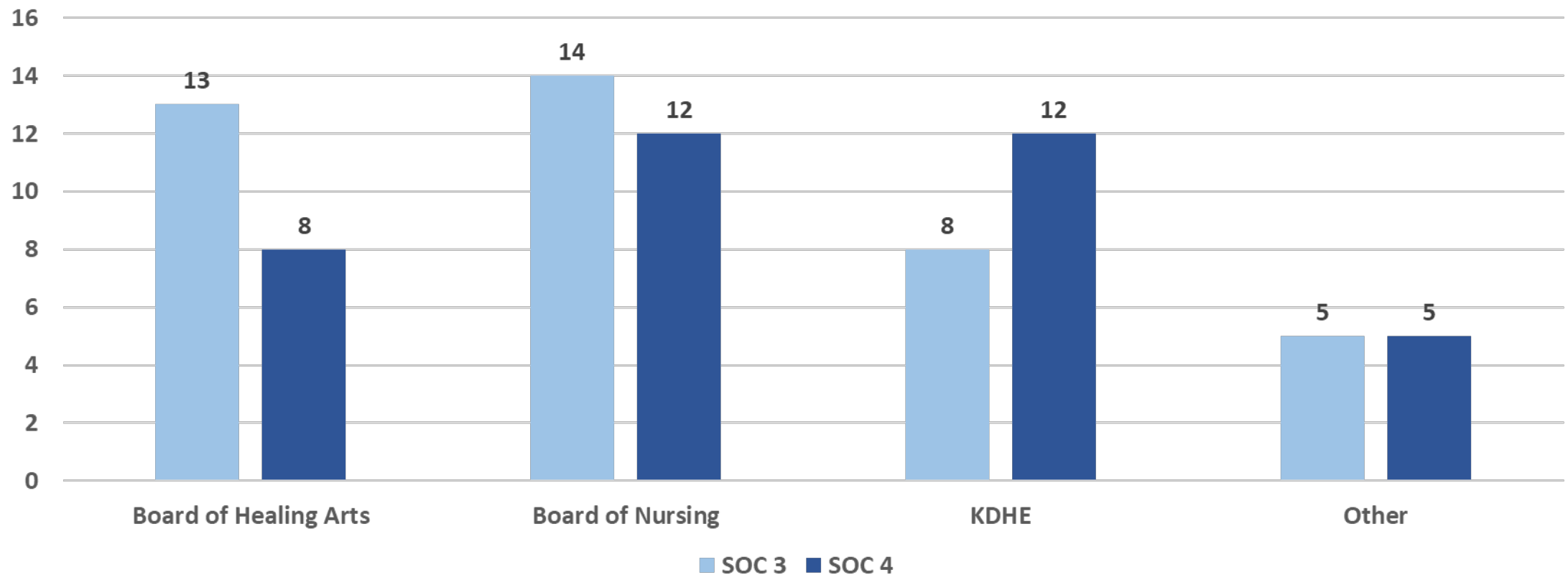
2024 Quarter 1 Reporting

Final SOC Determinations Reported in Q1 2024



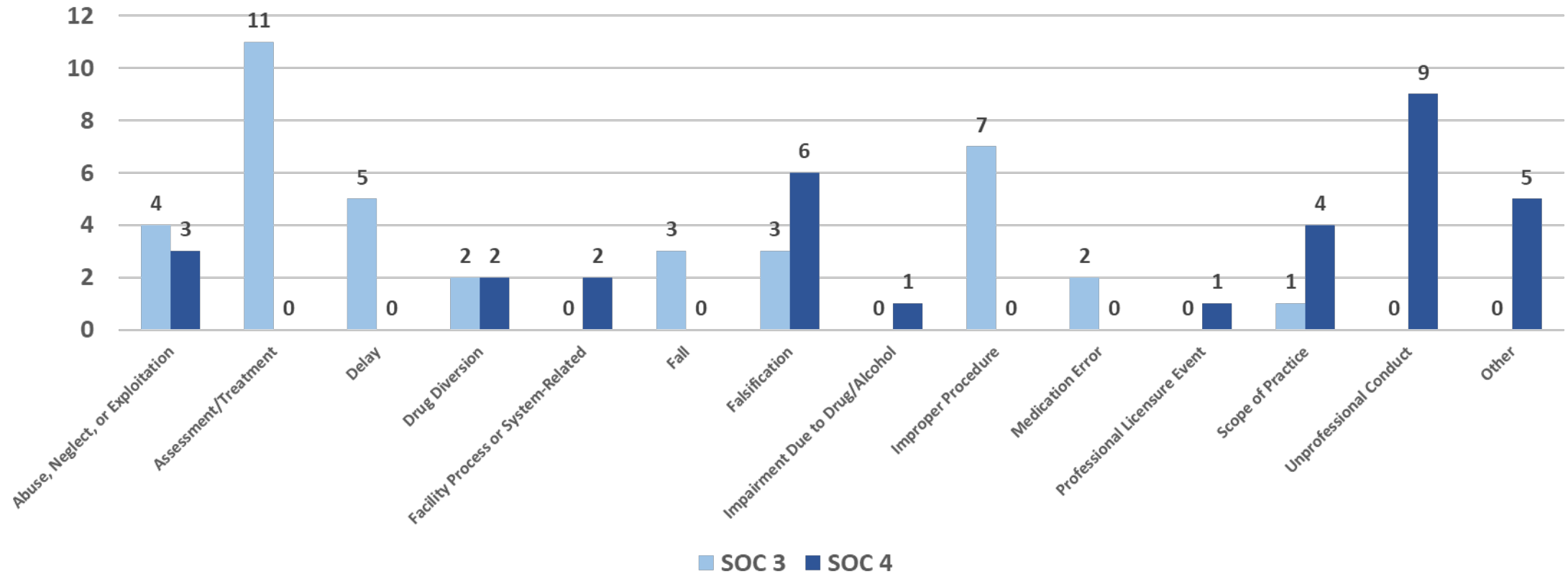
2024 Quarter 1 Reporting

Q1 2024 Incidents Reported to Licensing Agencies



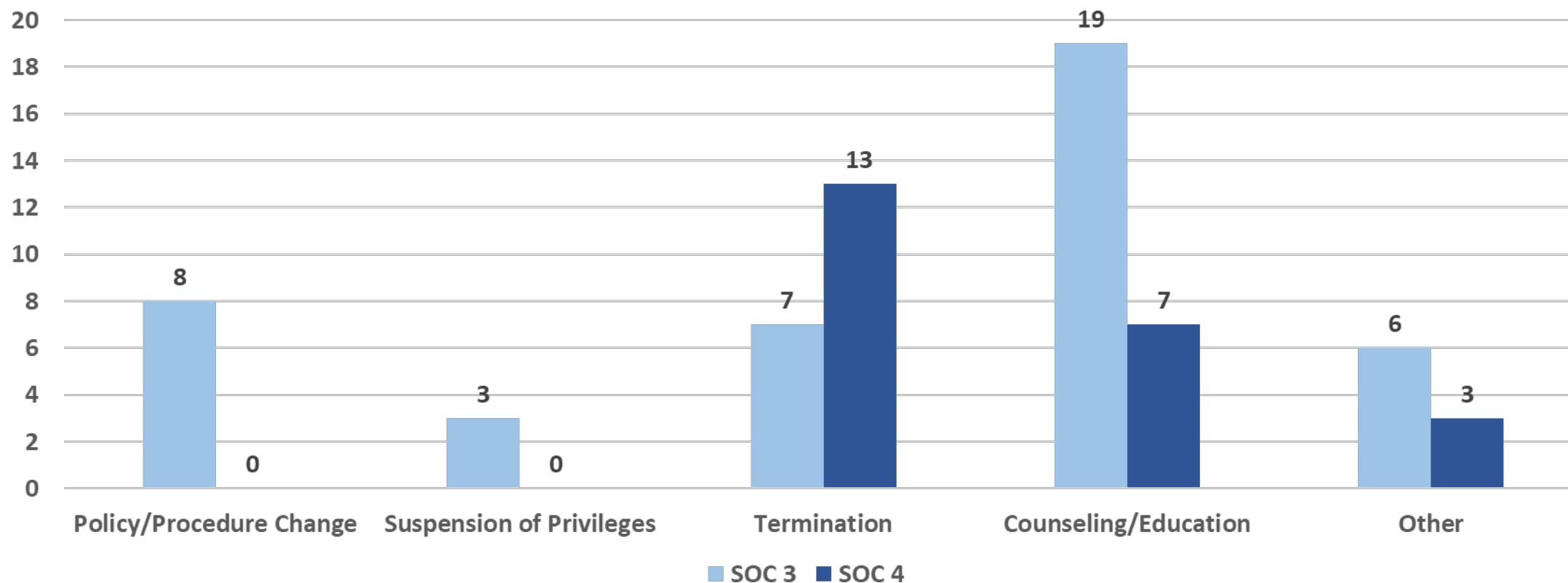
2024 Quarter 1 Reporting

Incident Category Types Reported Q1 2024



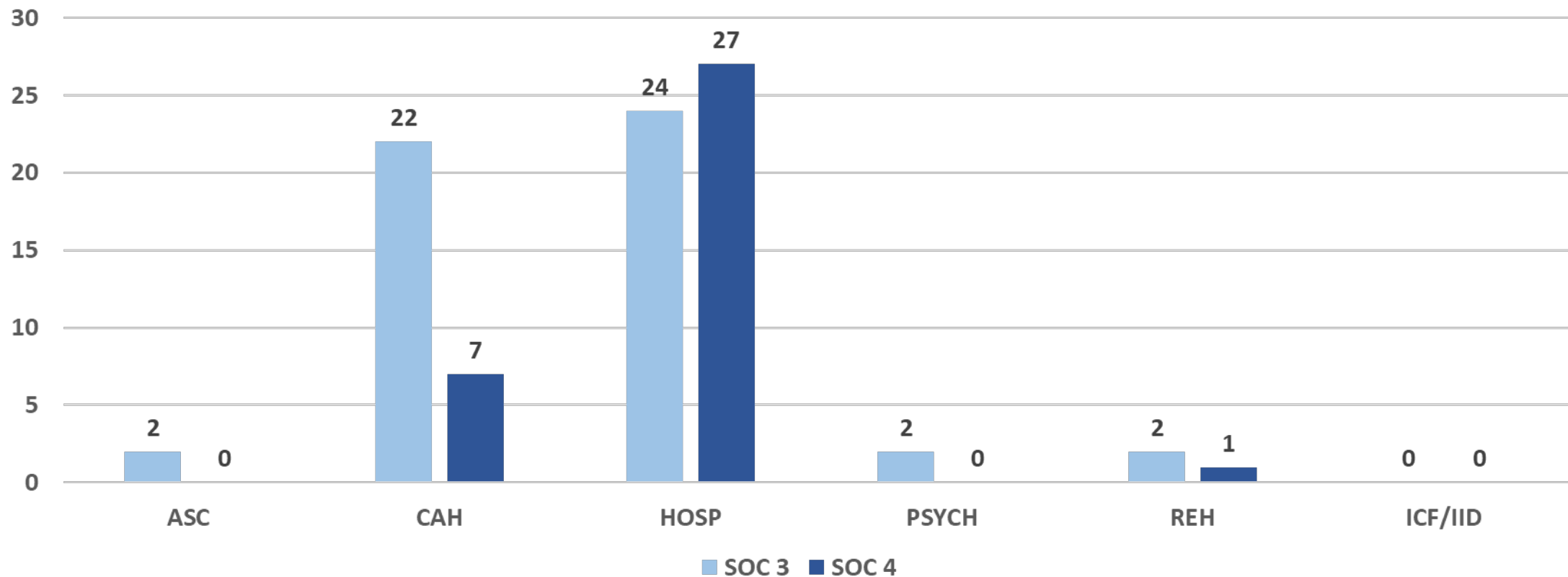
2024 Quarter 1 Reporting

Q1 2024 Corrective Actions for Reportable Incidents



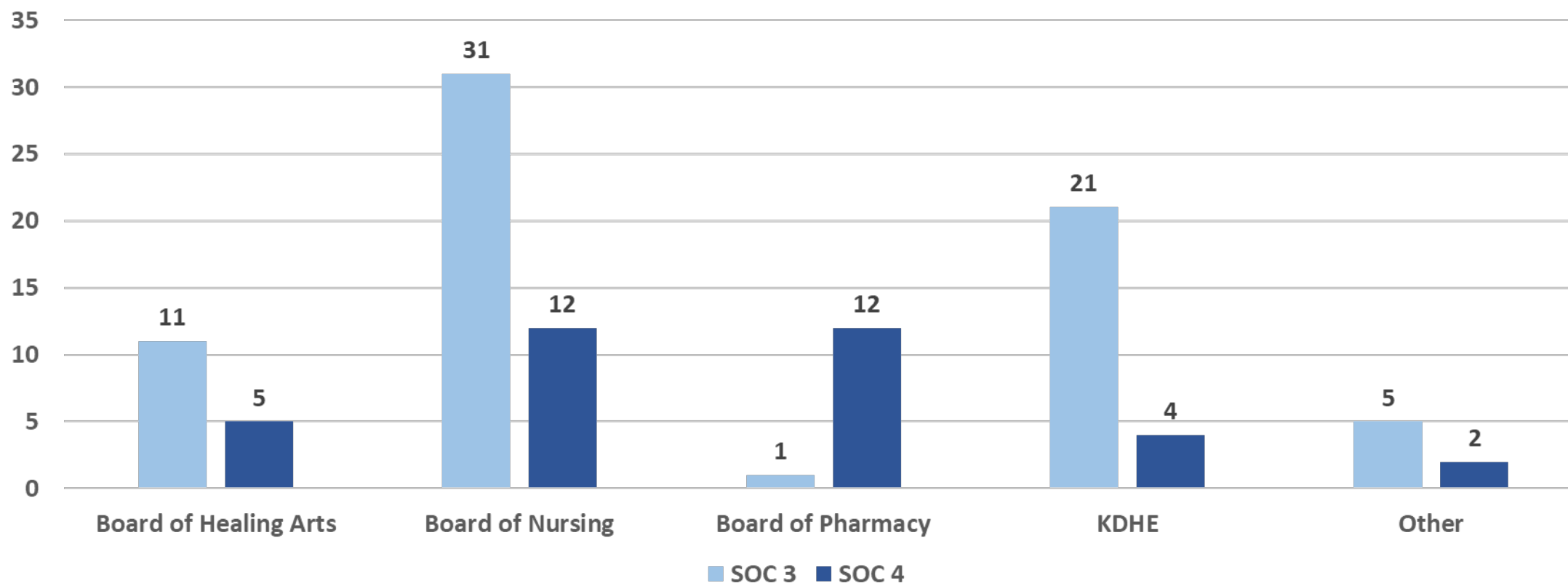
2024 Quarter 2 Reporting

Final SOC Determinations Reported in Q2 2024



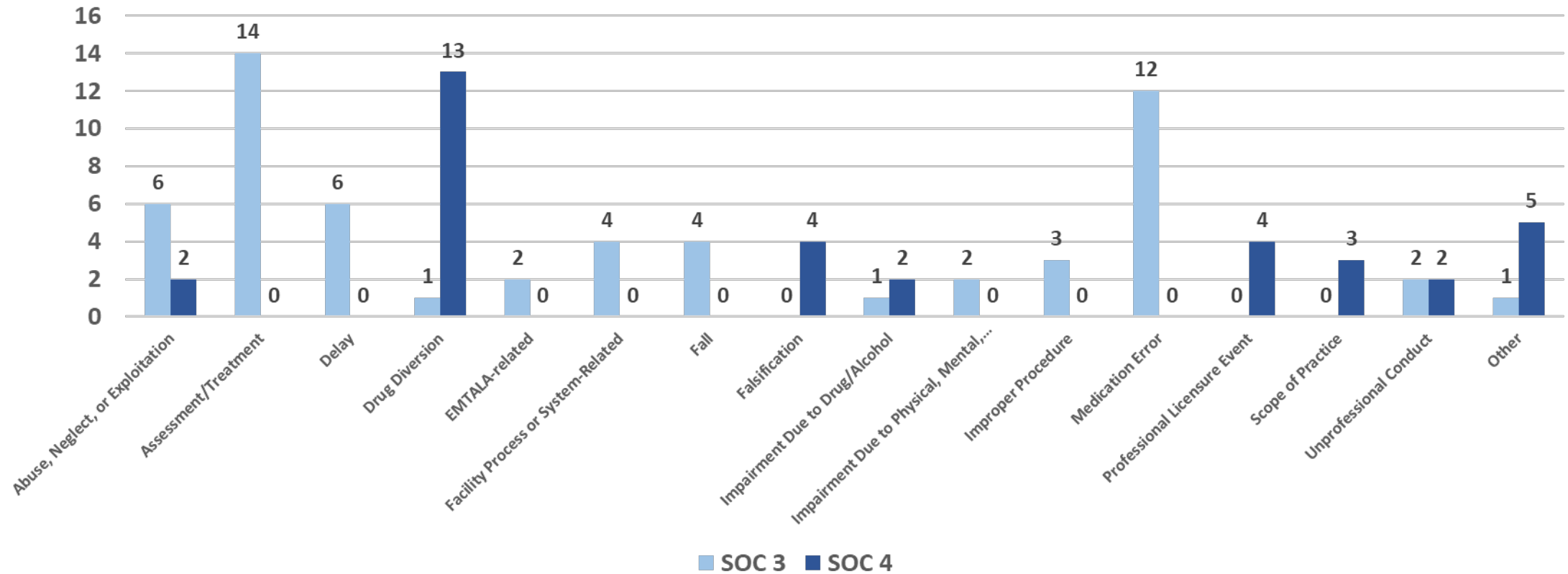
2024 Quarter 2 Reporting

Q2 2024 Incidents Reported to Licensing Agencies

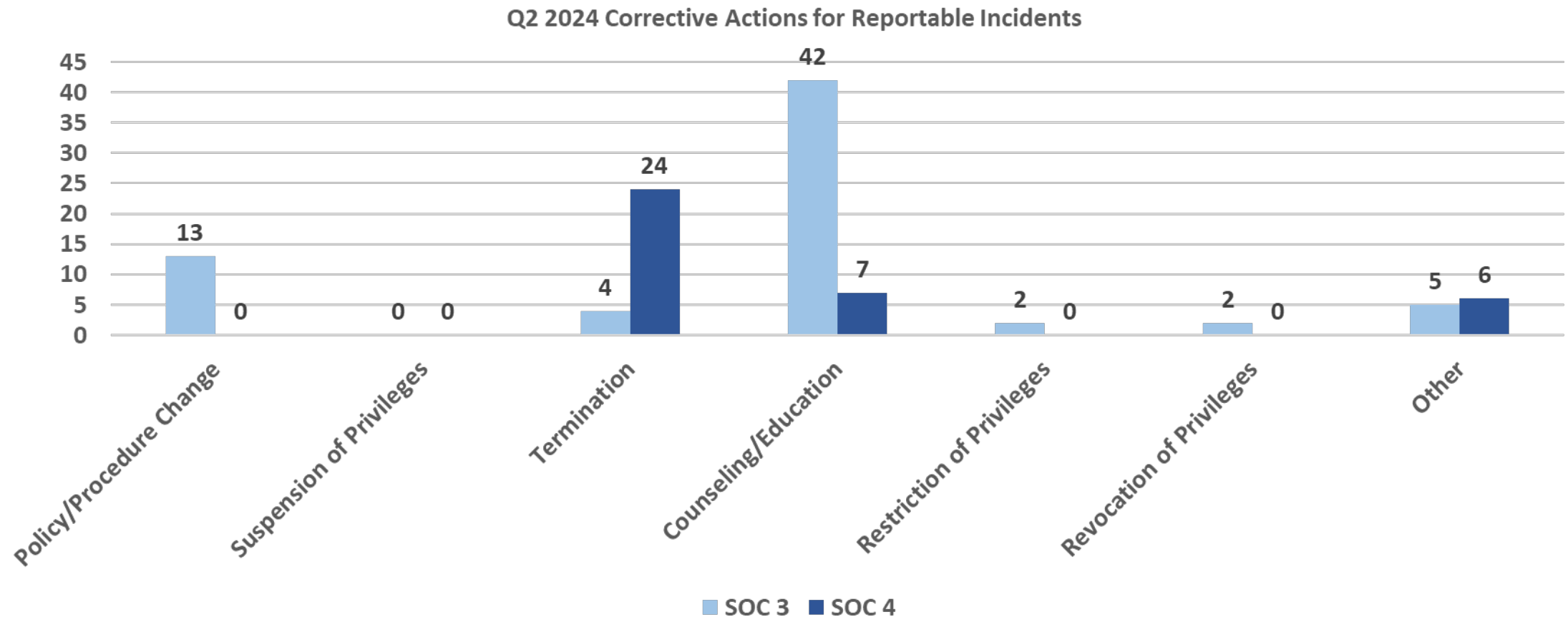


2024 Quarter 2 Reporting

Incident Category Types Reported Q2 2024

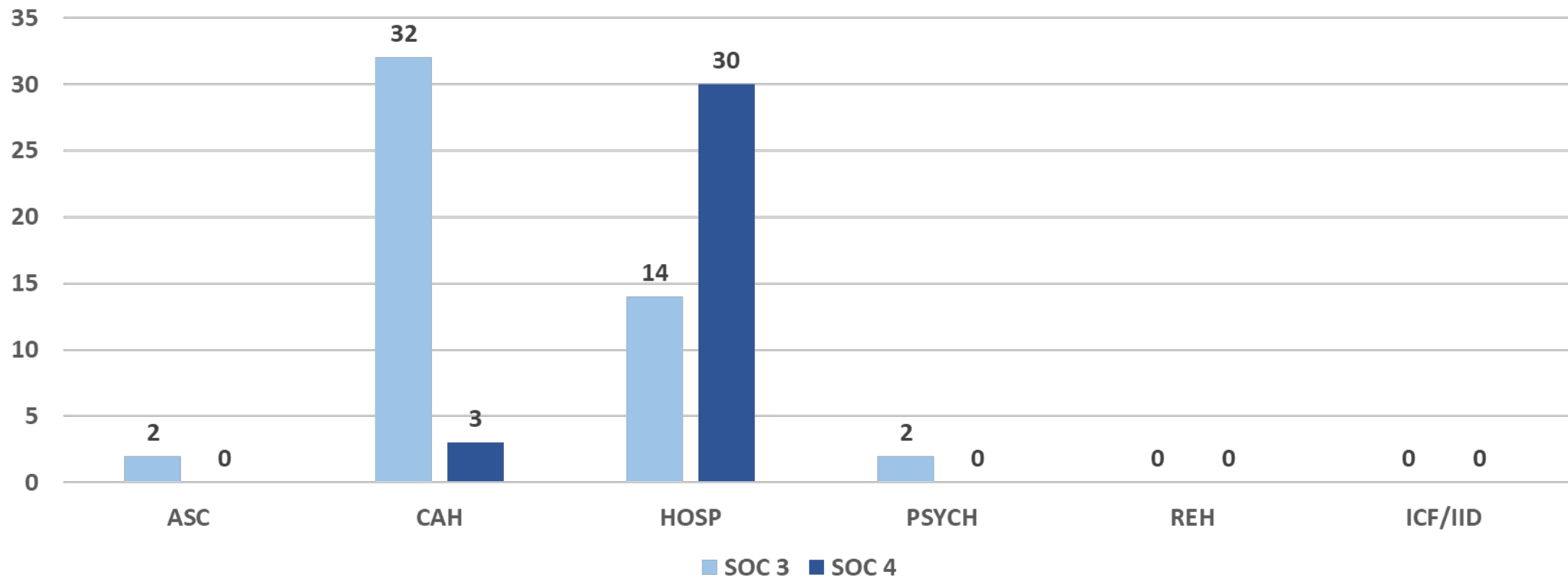


2024 Quarter 2 Reporting



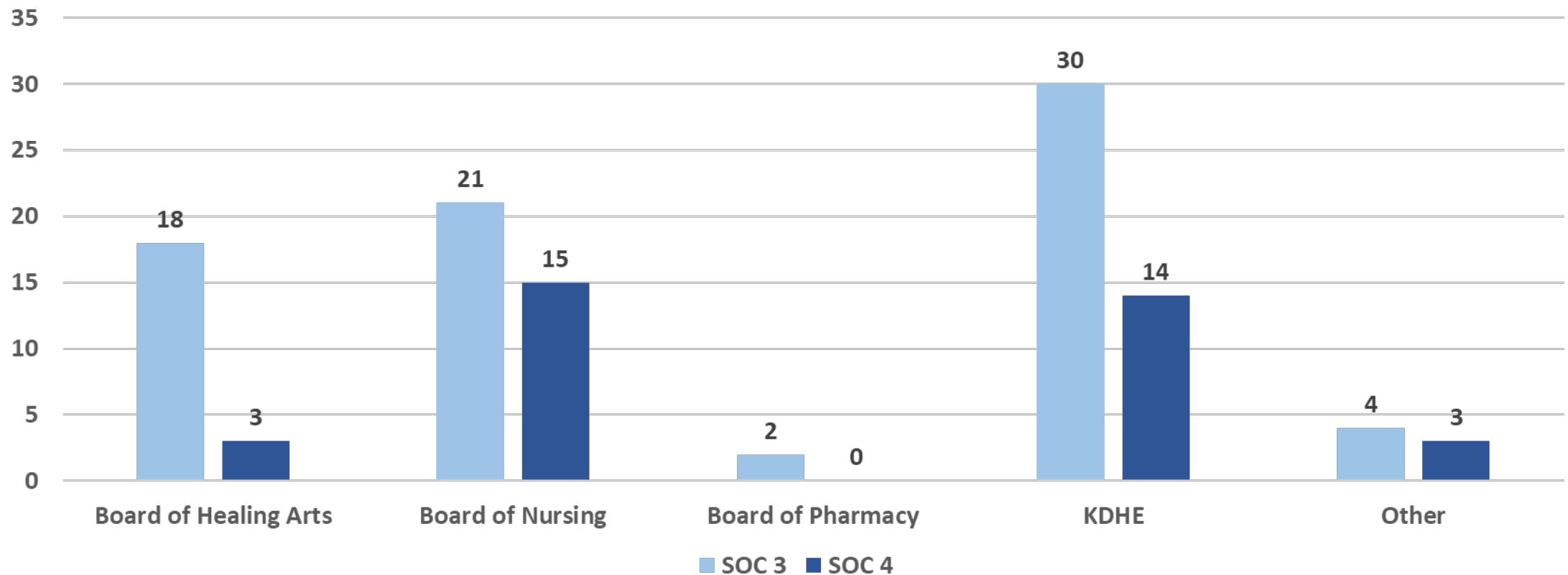
2024 Quarter 3 Reporting

Final SOC Determinations Reported in Q3 2024



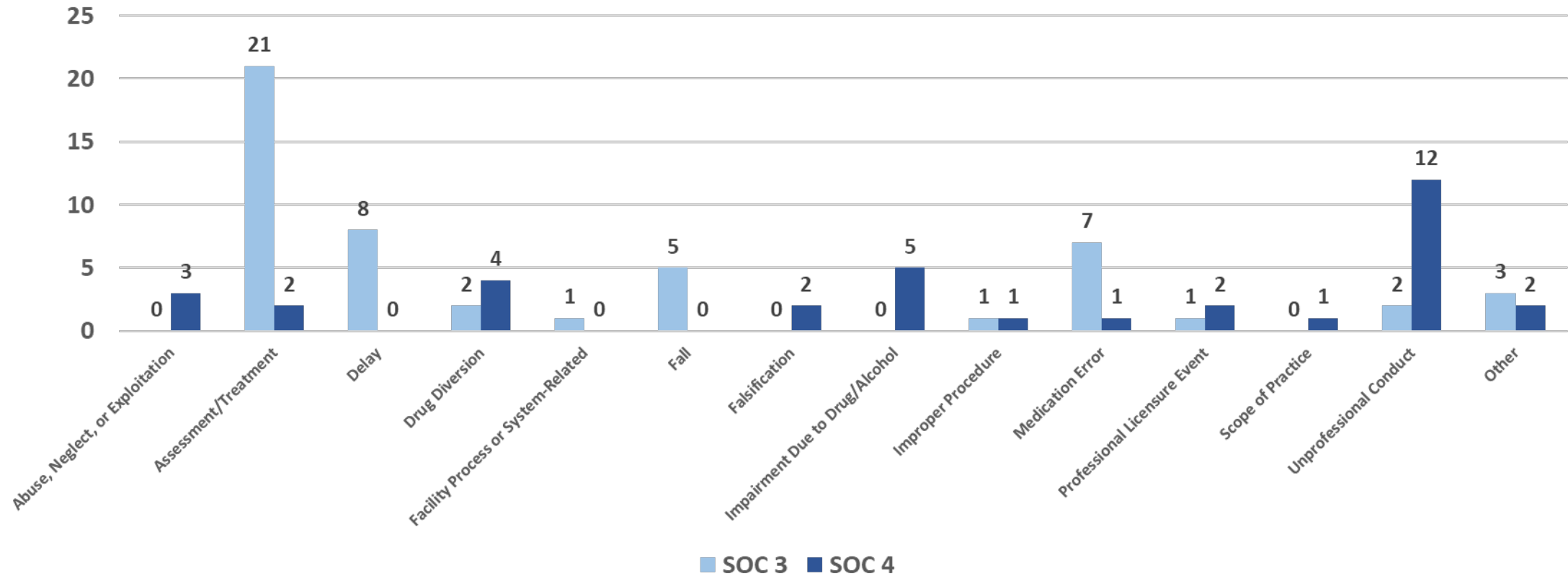
2024 Quarter 3 Reporting

Q3 2024 Incidents Reported to Licensing Agencies

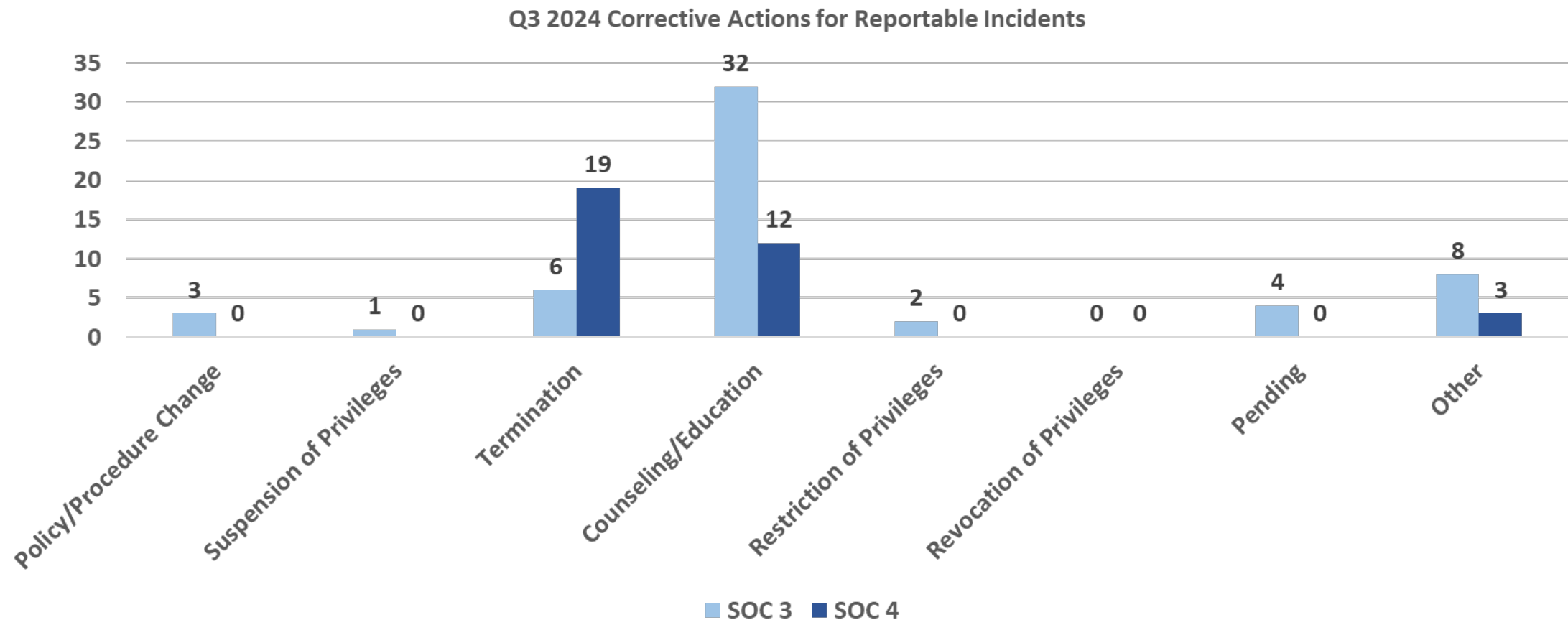


2024 Quarter 3 Reporting

Incident Category Types Reported Q3 2024

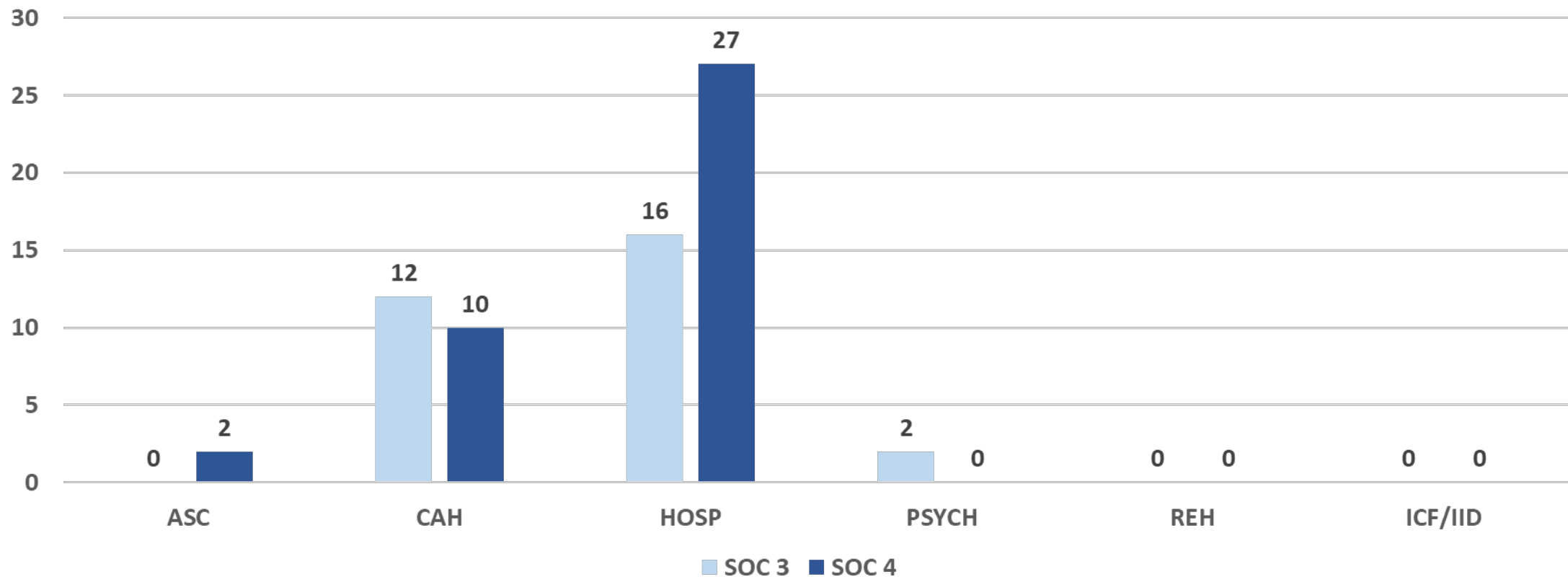


2024 Quarter 3 Reporting



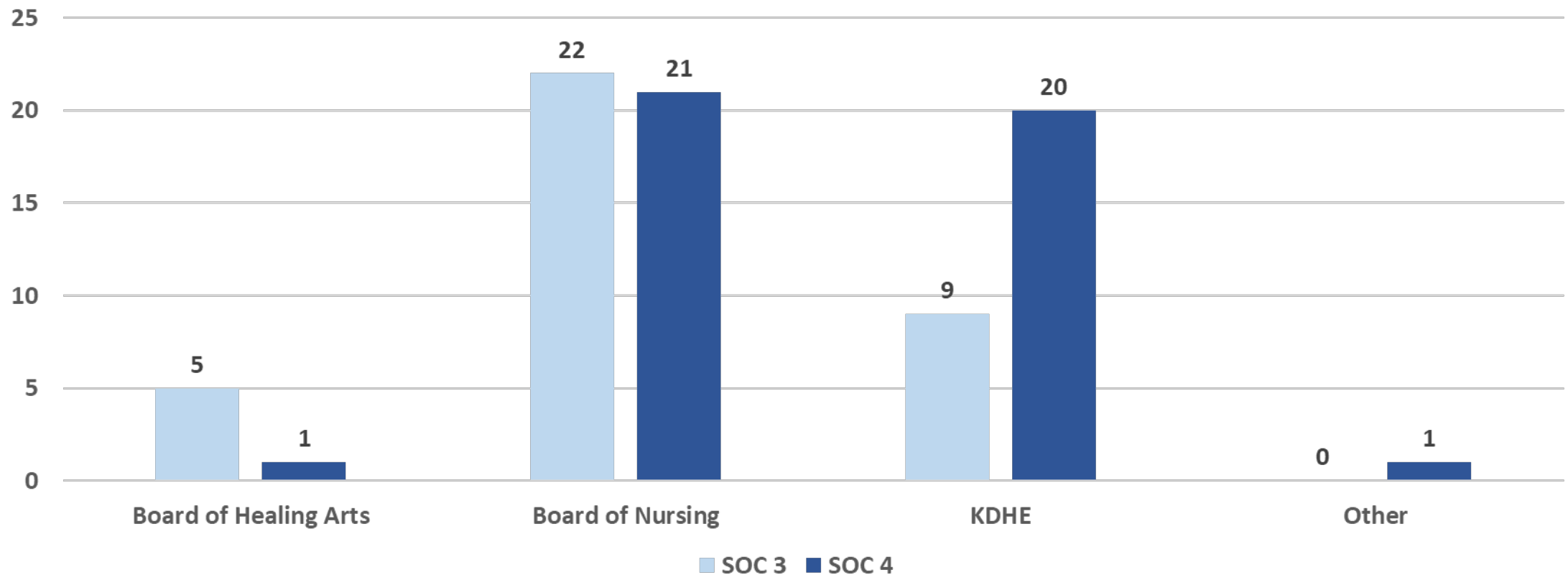
2024 Quarter 4 Reporting

Final SOC Determinations Reported in Q4 2024



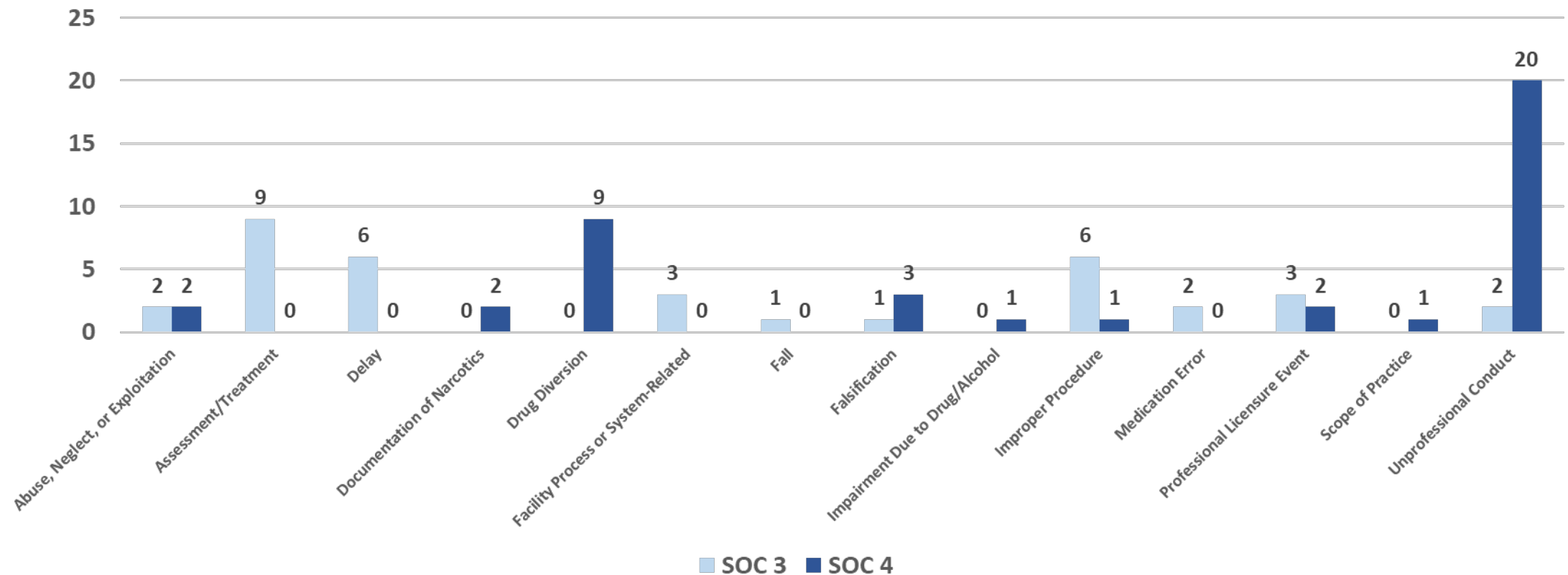
2024 Quarter 4 Reporting

Q4 2024 Incidents Reported to Licensing Agencies

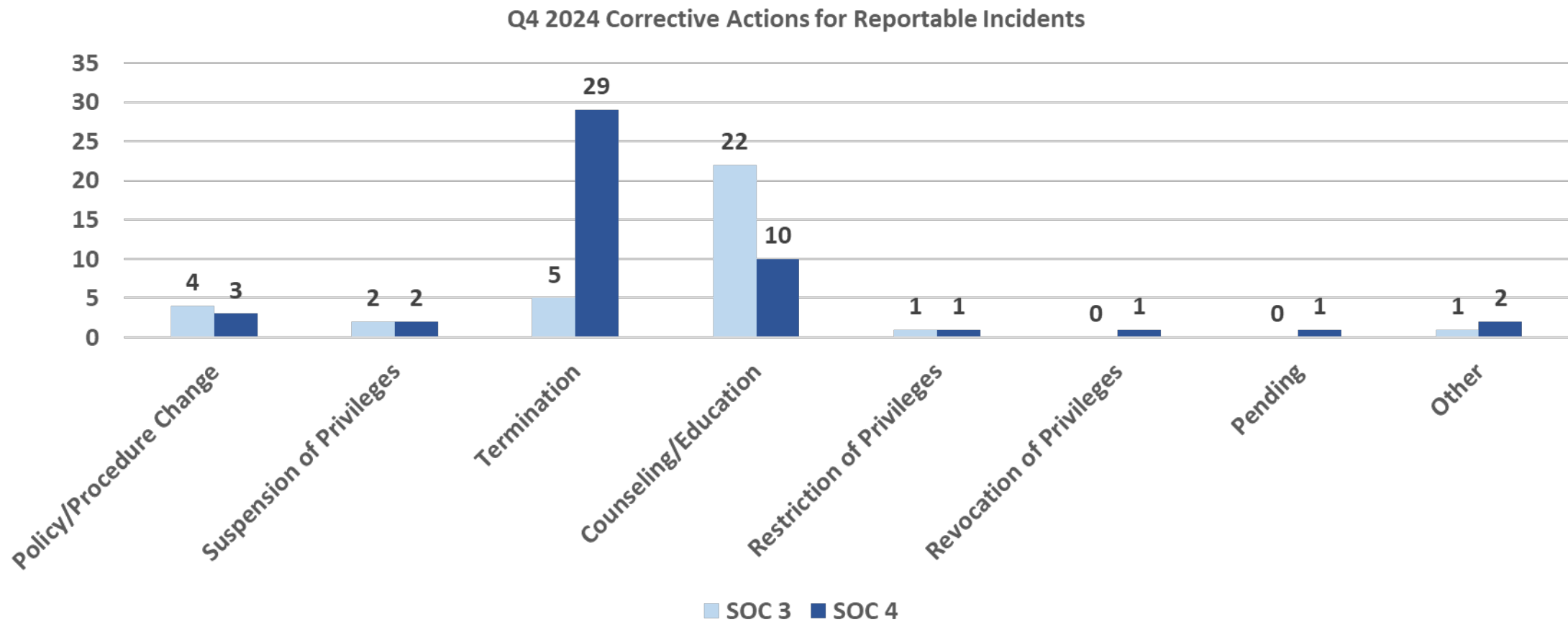


2024 Quarter 4 Reporting

Incident Category Types Reported Q4 2024



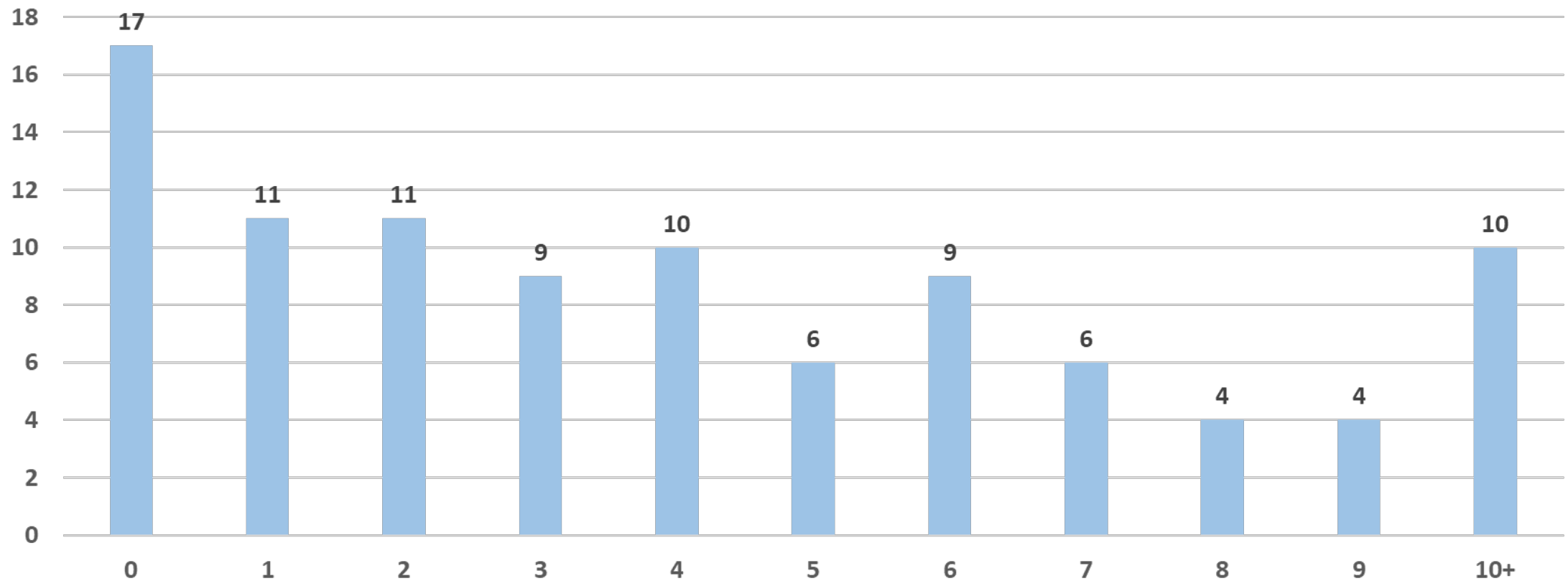
2024 Quarter 4 Reporting



Trends in Risk Management Surveys

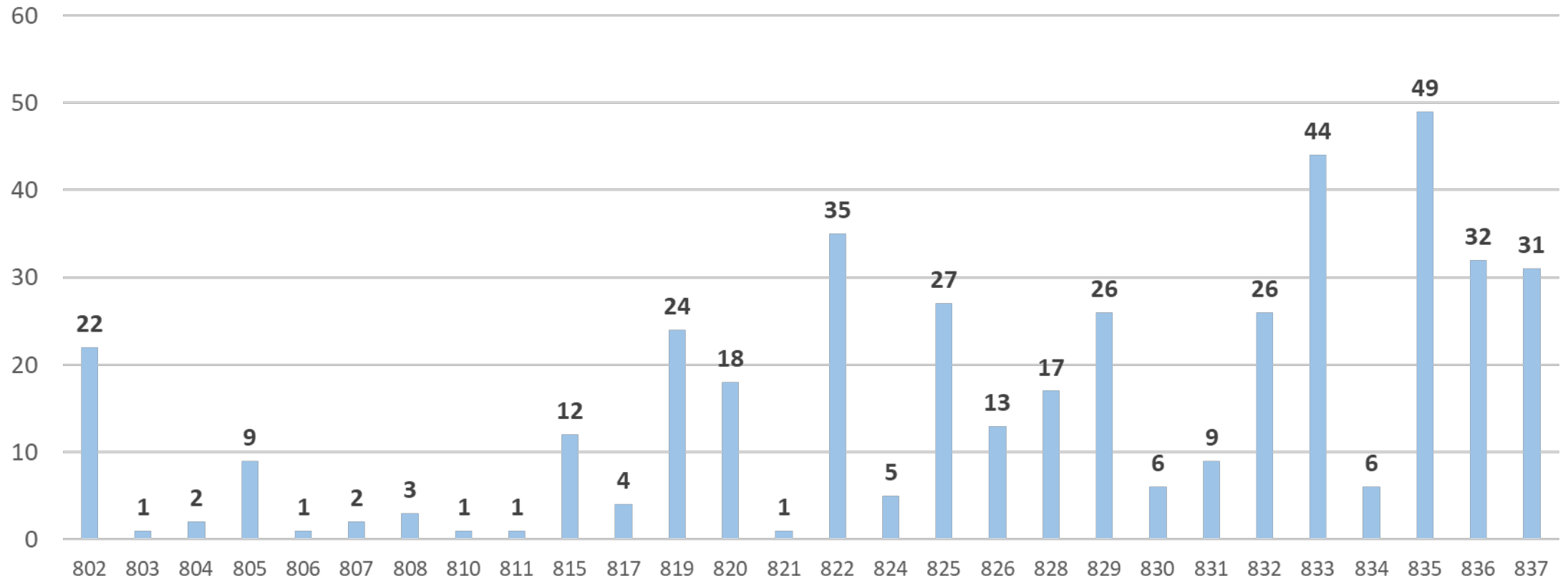
2024 Risk Management Survey Results

Number of Deficiencies Per Survey



2024 Risk Management Survey Results

2024 Risk Management Survey Citations



2024 Risk Management Survey Results

- Tag Number: R 802
- Number of Citations in 2024: 22
- Corresponding regulation: KAR 28-52-1(c)
- Regulation verbiage: “Findings, conclusions, recommendations, actions taken, and results of actions taken shall be documented and reported through procedures established within the risk management plan.”

2024 Risk Management Survey Results

- Tag Number: R 803
- Number of Citations in 2024: 1
- Corresponding regulation: KAR 28-52-1(d)
- Regulation verbiage: “All patient services, including those part- time services provided by outside contractors or consultants shall be periodically reviewed and evaluated in accordance with the plan.”

2024 Risk Management Survey Results

- Tag Number: R 804
- Number of Citations in 2024: 2
- Corresponding regulation: KAR 28-52-1(e)(1)
- Regulation verbiage: “Section I- A description of the system implemented by the facility for investigation and analysis of frequency and causes of reportable incidents within the facility.”

2024 Risk Management Survey Results

- Tag Number: R 805
- Number of Citations in 2024: 9
- Corresponding regulation: KAR-28-52-1(e)(2)
- Regulation verbiage: “Section II- A description of measurers used by the facility to minimize the occurrence of reportable incidents and the resulting injuries within the facility.”

2024 Risk Management Survey Results

- Tag Number: R 806
- Number of Citations in 2024: 1
- Corresponding regulation: KAR-28-52- 1(e)(3)
- Regulation verbiage: “Section III- A description of the facility’s implementation of a reporting system based upon the duty of all health care providers staffing the facility and all agents and employees of the facility directly involved in the delivery of health care services to report reportable incidents to the chief of medical staff, chief administrative officer, or risk manager of the facility”

2024 Risk Management Survey Results

- Tag Number: R 807
- Number of Citations in 2024: 2
- Corresponding regulation: KAR-28-52-1(e)(4)(A)(B)
- Regulation verbiage: “Section IV, organization - a description of the organization elements of the plan including:
 - (A) Name and address of the facility
 - (B) Name and title of the facility's Risk Manager”

2024 Risk Management Survey Results

- Tag Number: R 808
- Number of Citations in 2024: 3
- Corresponding regulation: KAR-28-52-1(e)(4)(C)
- Regulation verbiage: “Section IV, organization - a description of the organization elements of the plan including: (C) description of involvement and organizational structure of medical staff as related to risk management program, including names and titles of medical staff members involved in investigation and review of reportable incidents.”

2024 Risk Management Survey Results

- Tag Number: R 810
- Number of Citations in 2024: 1
- Corresponding regulation: KAR-28-52-1(e)(4)(E)
- Regulation verbiage: “Section IV, organization - a description of the organization elements of the plan including:
 - (E) Mechanism for ensuring quarterly reporting of incident reports to proper licensing agency”

2024 Risk Management Survey Results

- Tag Number: R 811
- Number of Citations in 2024: 1
- Corresponding regulation: KAR-28-52-1(e)(5)
- Regulation verbiage: “Section V - a description of the facility’s resources allocated to implement the plan.”

2024 Risk Management Survey Results

- Tag Number: R 815
- Number of Citations in 2024: 12
- Corresponding regulation: KAR-28-52-1(i)
- Regulation verbiage: “The plan shall be disseminated to personnel in accordance with the plan.”

2024 Risk Management Survey Results

- Tag Number: R 817
- Number of Citations in 2024: 4
- Corresponding statute: KSA-65-4921(g)
- Statute verbiage: “As used in K.S.A. 65-4921 through 65-4930, and amendments thereto:

(g) “Risk manager” means the individual designated by a medical care facility to administer its internal risk management program and to receive reports of reportable incidents within the facility.”

2024 Risk Management Survey Results

- Tag Number: R 819
- Number of Citations in 2024: 24
- Corresponding statute: KSA-65-4923(a)(2)
- Statute verbiage: “(a) If a health care provider, or a medical care facility agent or employee who is directly involved in the delivery of health care services, has knowledge that a health care provider has committed a reportable incident, such health care provider, agent, or employee shall report such knowledge as follows: (2) If the reportable incident occurred within a medical care facility, the report shall be made to the chief of the medical staff, chief administrative officer, or risk manager of the facility. The chief of the medical staff, chief administrative officer or risk manager shall refer the report to the appropriate executive committee or professional practices peer review committee which is duly constituted pursuant to the bylaws of the facility. The committee shall investigate all such reports and take appropriate action, including recommendation of a restriction of privileges at the appropriate medical care facility. In making its investigation, the committee may also consider treatment rendered by the health care provider outside the facility. The committee shall have the duty to report to the appropriate state licensing agency any finding by the committee that a health care provider acted below the applicable standard of care which action had a reasonable probability of causing injury to a patient, or in a manner which may be grounds for disciplinary action by the appropriate licensing agency, so that the agency may take appropriate disciplinary measures.”

2024 Risk Management Survey Results

- Tag Number: R 820
- Number of Citations in 2024: 18
- Corresponding statute: KSA-65-4923(d)
- Statute verbiage: “(d) Each review and executive committee referred to in subsection (a) shall submit to the secretary of health and environment, on a form promulgated by such agency, at least once every three months, a report summarizing the reports received pursuant to subsections (a)(2) and (a)(3) of this section. The report shall include the number of reportable incidents reported, whether an investigation was conducted, and any action taken.”

2024 Risk Management Survey Results

- Tag Number: R 821
- Number of Citations in 2024: 1
- Corresponding statute: KSA 65-4924(a)
- Statute verbiage: “(a) If a report to a state licensing agency pursuant to subsection (a)(1) or (2) of K.S.A. 65-4923 or any other report or complaint filed with such agency relates to a health care provider's inability to practice the provider's profession with reasonable skill and safety due to physical or mental disabilities, including deterioration through the aging process, loss of motor skill or abuse of drugs or alcohol, the agency may refer the matter to an impaired provider committee of the appropriate state or county professional society or organization.”

2024 Risk Management Survey Results

- Tag Number: R 822
- Number of Citations in 2024: 35
- Corresponding statute: KSA-65-4925(a)
- Statute verbiage: “(a) The reports and records made pursuant to K.S.A. 65-4923 or 65-4924, and amendments thereto, shall be confidential and privileged, including: (1) Reports and records of executive or review committees of medical care facilities or of a professional society or organization; (2) reports and records of the chief of the medical staff, chief administrative officer or risk manager of a medical care facility; (3) reports and records of any state licensing agency or impaired provider committee of a professional society or organization; and (4) reports made pursuant to this act to or by a medical care facility risk manager, any committee, the board of directors, administrative officer, or any consultant. Such reports and records shall not be subject to discovery, subpoena, or other means of legal compulsion for their release to any person or entity and shall not be admissible in any civil or administrative action other than a disciplinary proceeding by the appropriate state licensing agency.”

2024 Risk Management Survey Results

- Tag Number: R 824
- Number of Citations in 2024: 5
- Corresponding regulation: KAR-28-52-2(a)
- Regulation verbiage: “(a) Each medical care facility shall identify a written form on which employees and health care providers shall report clinical care concerns to the risk manager, chief of staff, or administrator.”

2024 Risk Management Survey Results

- Tag Number: R 825
- Number of Citations in 2024: 27
- Corresponding regulation: KAR-28-52-2(a)
- Regulation verbiage: “The original or complete copy of the incident report shall be sent directly to the risk manager, chief of staff, or administrator, as authorized in the facility's risk management plan.”

2024 Risk Management Survey Results

- Tag Number: R 826
- Number of Citations in 2024: 13
- Corresponding regulation: KAR-28-52-2(b)
- Regulation verbiage: “The risk manager, chief of staff, or administrator shall acknowledge the receipt of each incident report in writing. This acknowledgment may be made in the following manner: (1) file stamping each report; (2) maintaining a chronological risk management reporting log; (3) signing or initialing each report in a consistent fashion; or (4) entering pertinent information into a computer database.”

2024 Risk Management Survey Results

- Tag Number: R 828
- Number of Citations in 2024: 17
- Corresponding regulation: KAR-28-52-3 (a)
- Regulation verbiage: “Each medical care facility shall designate one or more executive committees responsible for making and documenting standard-of-care determinations with respect to each incident report, pursuant to K.A.R. 28-52-2. The jurisdiction of each risk management committee shall be clearly delineated in the facility's risk management plan, as approved by the facility’s governing body.”

2024 Risk Management Survey Results

- Tag Number: R 829
- Number of Citations in 2024: 26
- Corresponding regulation: KAR-28-52-3 (b)
- Regulation verbiage: “The activities of each risk management committee shall be documented in its minutes at least quarterly, and this documentation shall demonstrate that the committee is exercising overall responsibility for standard- of- care determinations delegated by the committee to individual clinical reviewers and subordinate committees.”

2024 Risk Management Survey Results

- Tag Number: R 830
- Number of Citations in 2024: 6
- Corresponding regulation: KAR-28-52-4(a)
- Regulation verbiage: “Each facility shall assure that analysis of patient care incidents complies with the definition of a "reportable incident" set forth at K.S.A. 65-4921.”

2024 Risk Management Survey Results

- Tag Number: R 831
- Number of Citations in 2024: 9
- Corresponding regulation: KAR-28-52-4(a)(1) thru (4)
- Regulation verbiage: “Each facility shall use categories to record its analysis of each incident, and those categories shall be in substantially the following form: (1) Standards of care met; (2) standards of care not met, but with no reasonable probability of causing injury; (3) standards of care not met, with injury occurring or reasonably probable; or (4) possible grounds for disciplinary action by the appropriate licensing agency.”

2024 Risk Management Survey Results

- Tag Number: R 832
- Number of Citations in 2024: 26
- Corresponding regulation: KAR-28-52-4(b)
- Regulation verbiage: “Each reported incident shall be assigned an appropriate standard-of-care determination under the jurisdiction of a designated risk management committee.”

2024 Risk Management Survey Results

- Tag Number: R 833
- Number of Citations in 2024: 44
- Corresponding regulation: KAR-28-52-4(b)
- Regulation verbiage: “Separate standard-of-care determinations shall be made for each involved provider and each clinical issue reasonably presented by the facts.”

2024 Risk Management Survey Results

- Tag Number: R 834
- Number of Citations in 2024: 6
- Corresponding regulation: KAR-28-52-4(b)
- Regulation verbiage: “Any incident determined by the designated risk management committee to meet category (a) (3) or (a) (4) shall be considered a “reportable incident” and reported to the appropriate licensing agency in accordance with KSA 65-4923.”

2024 Risk Management Survey Results

- Tag Number: R 835
- Number of Citations in 2024: 49
- Corresponding regulation: KAR-28-52-4(c)
- Regulation verbiage: “Each standard-of-care determination shall be dated and signed by an appropriately credentialed clinician authorized to review patient care incidents on behalf of the designated committee.”

2024 Risk Management Survey Results

- Tag Number: R 836
- Number of Citations in 2024: 32
- Corresponding regulation: KAR-28-52-4(c)
- Regulation verbiage: “In those cases in which documented primary review by individual clinicians or subordinate committees does not occur, standard-of-care determinations shall be documented in the minutes of the designated committee on a case-specific basis.”

2024 Risk Management Survey Results

- Tag Number: R 837
- Number of Citations in 2024: 31
- Corresponding regulation: KAR-28-52-4(c)
- Regulation verbiage: “Standard-of-care determinations made by individual clinicians and subordinate committees shall be approved by the designated risk management committee on at least a statistical basis.”

Thank you