



Brinton Woods
Health & Rehabilitation Center at Dupont Circle

February 21, 2012

Dr. Saul Levin

Interim Director

Department of Health

899 North Capitol Street NE- 5th Floor

Washington, DC 20002

Dear Dr. Levin,

Brinton Woods Health and Rehabilitation Center at Dupont Circle would like to request a waiver for the DC Municipal Regulation (DCMR) Chapter 32, Title 22B, Subsection 3211.5. This Subsection states “Beginning January 1, 2012, each facility shall provide a minimum daily average of four and one tenth (4.1) hours of direct nursing care per resident per day, of which at least six tenths (0.6) hours shall be provided by an advanced practice registered nurse or registered nurse, which shall be in addition to any coverage required by subsection 3211.4”.

DCMR Chapter 32, Title 22B, Subsection 3211.4 states “Beginning January 1, 2011, each facility shall have either a physician, physician assistant, or an advanced practice nurse, excluding hours per week attributed to medical director duties, available on-site for a minimum of two tenths (0.2) hours per week for each resident at the facility”.

DCMR Chapter 32, Title 22B, Subsection 3211.6 states “The Director may adjust the staffing requirements and formulas set forth in subsections 3211.4 and 3211.5 based on the individual needs of a nursing facility; provided, that the staffing requirements of subsection 3211.5 shall not be reduced to less than three and half (3.5) hours of direct nursing care per resident per day”.

We believe we have strong justifications on which this request is based and present the following:

Culture Change

Effective April 1, 2012, Brinton Woods came under new ownership. We also had a change of Administrator on July 11, 2012 and a change in Director of Nursing effective September 25, 2012. We also have a new Medical Director effective October 1, 2012. The new team is focused on customer service and improved care. The new Administrator initiated a new customer service procedure where all department heads are to meet new residents within 24 hours of admission to see how they can assist these new residents and to let them know what their function is. All department heads are to sign the “Meet and Greet” book located at each Nursing Station where the new resident resides. The Administrator

collects these sheets regularly to make sure all department heads have met the new resident and that any issues they had have been resolved. ~~After discharge,~~ Our facility Administrative Assistant follows up with all residents or their responsible parties within 48 hours of discharge to see if they had any concerns during their stay and a report is sent off to the Administrator and any department heads where there may be an opportunity to improve our services based on the previous residents responses. On top of this, we offer a welcome folder to all new residents with valuable information about the facility along with a care package which is something we didn't do in the past. New residents love this personal touch and attention to detail.

The Administrator meets with the Resident Council President every Monday and Friday at 3:00 PM to go over any issues residents have. The proper follow-up is done by the Administrator after these meetings and communicated to any affected residents and to the Resident Council President during the next meeting.

Effective October 18th, a Nurse Practitioner will be at the facility from 9-5 Monday-Friday. This will be in addition to Subsection 3211.4's requirement of 0.2 hours minimum requirement for a physician, physician assistant, or advanced practice nurse. We feel that having this Nurse Practitioner here on a full-time basis will help us to continue to improve our level of care.

Resident Acuity

Attached is the MDS 3.0 Facility Quality Measure Report for the time period of 4/1/2012-9/30/2012. As you can see, we are below the DC average in 13 of 16 categories related to the percentage of our residents who suffer from the conditions in the report. We have put some programs on hold we were planning on implementing since we have gone through leadership changes at the facility. We want to continue to focus on providing excellent service and care to our residents which is why we have decided not to pursue adding additional services until we have the proper staff in place to do so. We continue to add nursing staff, but as you can see, we are doing a great job with our current staffing level, which has increased substantially since April.

Hospital Discharges

We have seen a decrease in hospital discharges from July 2012-September 2012. We have gone from 15 in July to 12 in August to just 7 in September.

Previous survey results

We have increased our staffing levels in order to continuously offer better care for our residents. Since staffing didn't play a role in our most recent survey in February 2012 we're confident we offer great services with our current staffing pattern.

Employee Stability Rate

75% of our employee's have been here for one year or longer, 59% have been here for over 2 years, and 49% have been here for over 3 years. Our proven track record of maintaining employee's allows us to provide continuous care to our residents without having to train new staff members frequently. This is especially important for our residents since they have the same care givers over a long period of time. This allows our residents and employee's to have long standing working relationships with each other.

In conclusion, we believe our proven track record demonstrates we have the capacity to provide quality care to our residents. The Administrator has begun tracking Nursing PPD starting 10/5/2012. We have also asked the department if additional staff members can be added to our Nursing PPD, which include the In-Service Nurse, MDS Nurse, and Assistant Director of Nursing and are awaiting their response.

We are requesting a staffing ratio of 3.5 hours of direct nursing care per resident per day. Right now we exceed this ratio, but we have consistently performed well at this ratio and ask that you grant us a waiver at this level.

We appreciate your consideration of our request for waiver. I would be happy to answer any questions or concerns you may have in this regard.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ronald L. Cheli, Jr.", written in dark ink.

Ronald L. Cheli, Jr

Administrator