

Alabama Department of Public Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: C4910	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED 10/19/2006
NAME OF PROVIDER OR SUPPLIER CENTER FOR CHOICE		STREET ADDRESS, CITY, STATE, ZIP CODE 328 SOUTH SAGE AVENUE #100 MOBILE, AL 36606		
(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)	(X5) COMPLETE DATE
L 100	<p>ALABAMA LICENSURE DEFICIENCIES</p> <p>THE FOLLOWING ARE LICENSURE DEFICIENCIES AND REQUIRE A PLAN OF CORRECTION.</p> <p>This Rule is not met as evidenced by: 420-5-1-.02 Administration</p> <p>(1) Governing Authority.</p> <p>(a) Responsibility. The governing authority is the persons responsible for the management, control, and operation of the facility, including appointment of persons to fill the minimum staffing requirements. The governing body shall ensure that the facility is organized, equipped, staffed and administered in a manner to provide adequate care for each patient admitted.</p> <p>Based on a licensure survey conducted at this facility, it was determined the Governing Authority did not properly manage this facility, thereby causing violations of rules governing abortion or reproductive health centers, including: medical assistants giving medication to patients, counseling done by medical assistants, no documentation by the physicians regarding viability of the fetus, not assuring the physician stayed on the premises until all patients were ready for discharge and not having an infection control committee.</p> <p>*****</p> <p>420-5-1-.02 Administration</p> <p>(5) Personnel.</p> <p>(b) Personnel Files. There shall be a personnel file for each employee which shall include:</p>	L 100		

Health Care Facilities

TITLE

(X6) DATE

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

Alabama Department of Public Health

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L 100	<p>Continued From page 1</p> <p>1. Job Description 2. Application 3. Orientation</p> <p>This regulation is not met as evidenced by:</p> <p>Based on the review of personnel records and interview with the administrator, it was determined the agency failed to ensure that 1 of 2 Registered Nurses' personnel records contained a job description, application, and orientation.</p> <p>Findings include:</p> <p>Review of RN# 1's personnel record revealed a current Nursing license and documentation that the CPR license expired in August of 2006. There was no documentation of a job description, application, and orientation.</p> <p>An interview was conducted with the administrator on October 18,2006. The surveyor requested the job description, application, and orientation. The administrator then replied that the nurse was an agency nurse and no job description, application, or orientation was available for review.</p> <p>*****</p> <p>420-5-1-.03 Patient Care</p> <p>(1) Patient Care Policies and Procedures. Patient Care Policies and Procedures shall be developed, reviewed yearly, and revised as necessary. Patient care policies and procedures shall be consistent with professionally recognized standards of practice and shall be in accordance with the Alabama Nurse Practice Act. Copies of</p>	L 100		

Alabama Department of Public Health

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L 100	Continued From page 2 the policy and procedure manual shall be available to the nursing staff. This regulation is not met as evidenced by: Based on record review and interview, it was determined the agency failed to follow the Alabama Board of Nursing Chapter 610-X-6-, Standards of Nursing Practice in 13 of 18 patients. . 610-X-6-.03 Practice of Professional Nursing (2) Competence in the practice of nursing by a registered nurse shall include, but is not limited to: (e) Delegation of selected nursing functions to others in accordance with the education and demonstrated competence of the persons. Tasks delegated to unlicensed assistive personnel shall not require the exercise of independent nursing judgement or intervention. Selected nursing functions that may not be delegated include but are not limited to performance of invasive or sterile procedure or administration of medication except as provided in Rule 610-X-6-.06 and 610-X-06-.07. 1. Patient # 06-489 was seen at the facility on June 27, 2006 for pre-abortion counseling. Review of the form entitled, "Medical Abortion" dated June 28, 2006 revealed the Medical Assistant administered Mifeprex 200 milligram (mg) by mouth to the patient at 3:24. The patient was seen at the facility on July 27,2006 for a surgical procedure due to a failed medical abortion. Review of the Pre Operative information dated July 27, 2006 revealed the	L 100			

Alabama Department of Public Health

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L 100	Continued From page 3 Medical Assisntant administered Naproxen Sodium 500 mg and Hydroxyzine Pamoate 50 mg. at 7:35 AM. 2. Patient # 06-524 was seen at the facility on July 12, 2006. Review of the form entitled,"Medical Abortion" dated July 12, 2006 revealed the Medical Assistant administered Mifeprex 200 mg by mouth to the patient at 3:09 pm. 3. Patient # 06-552 was seen at the facility on July 26, 2006. Review of the form entitled,"Medical Abortion" dated July 26, 2006 revealed the Medical Assistant administered Mifeprex 200 mg by mouth to the patient at 3:13 pm. 4. Patient # 06-544 was seen at the facility on July 19, 2006. Review of the medical record revealed the Medical Assistant administered "Meclizine per S.O.(Standing Order) for nausea." There was no documentation of the dosage that was administered, nor was there documentation of the date or time in which this medication was administered. An interview with the Administrator on October 19th, 2006 at 1:20 PM verified the Medical Assistant administered the Meclizine to Patient #06-544 on the day of the procedure, July 19, 2006 prior to the procedure. 5. Patient # 06-580 was seen in the facility on August 2, 2006 for a surgical procedure. Review of the Pre-operative information revealed that a Medical Assistant administered Naproxen Sodium 500 mg and Hydroxyzine Pamoate 50 mg at 1:56 PM.	L 100		

Alabama Department of Public Health

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L 100	Continued From page 4 6. Patient # 06-628 was seen in the facility on August 24, 2006 for a surgical procedure. Review of the Pre-operative information revealed that a Medical Assistant administered Naproxen Sodium 500 mg and Hydroxyzine Pamoate 50 mg at 8:07. 7. Patient # 06-667 was seen in the facility on September 7, 2006 for a surgical procedure. Review of the Pre-operative information revealed that a Medical Assistant administered Naproxen Sodium 500 mg and Hydroxyzine Pamoate 50 mg at 9:50. 8. Patient # 06-741 was seen in the facility on October 12, 2006 for a surgical procedure. Review of the Pre-operative information revealed that a Medical Assistant administered Naproxen Sodium 500 mg and Hydroxyzine Pamoate 50 mg at 8:48. 9. Patient # 06-714 was seen in the facility on September 28, 2006 for a surgical procedure. Review of the Pre-operative information revealed that a Medical Assistant administered Naproxen Sodium 500 mg and Hydroxyzine Pamoate 50 mg at 7:43. 10. Patient # 06-545 was seen in the facility on July 18, 2006 for a surgical procedure. Review of the Pre-operative information revealed that a Medical Assistant administered Naproxen Sodium 500 mg and Hydroxyzine Pamoate 50 mg at 1:40 P.M. 11. Patient # 06-674 was seen in the facility on September 15, 2006 for a surgical procedure. Review of the Pre-operative information revealed that a Medical Assistant administered Naproxen Sodium 500 mg and Hydroxyzine Pamoate 50 mg	L 100		

Alabama Department of Public Health

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L 100	<p>Continued From page 5</p> <p>at 8:33 A.M.</p> <p>12. Patient # 06-727 was seen in the facility on October 3, 2006 for a surgical procedure. Review of the Pre-operative information revealed that a Medical Assistant administered Naproxen Sodium 500 mg and Hydroxyzine Pamoate 50 mg at 8:47.</p> <p>13. Patient # 06-468 was seen in the facility on June 29, 2006 for a surgical procedure. Review of the Pre-operative information revealed that a Medical Assistant administered Naproxen Sodium 500 mg and Hydroxyzine Pamoate 50 mg at 8:00 A.M.</p> <p>*****</p> <p>420-5-1-.03 Patient Care</p> <p>(3) Admission and Examination Procedures.</p> <p>(f)(2) Prior to an abortion, the physician who is to perform the abortion, the referring physician, or a qualified counselor has informed the woman in person:</p> <p>This regulation is not met as evidenced by:</p> <p>Based on record review and interview, it was determined the agency failed to provided a qualified counselor in 18 of 18 records.</p> <p>1. Patient # 06-489 was seen at the facility on June 27, 2006 for pre-abortion counseling. Review of the facility form entitled "Counseling" dated June 27, 2006 revealed the counseling was performed by a Medical Assistant. This "Counseling" form also documented the following: "Counselor Notes and Assessment of Emotional</p>	L 100		

Alabama Department of Public Health

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L 100	<p>Continued From page 6</p> <p>Condition: Stable." Review of the form entitled "Informed Consent to Voluntary Abortion and The Performance of Other Related Medical Services" also revealed the Medical Assistant signed the document as the "Counselor". A medical abortion procedure was done on June 28, 2006.</p> <p>A surgical abortion was performed on July 27, 2006 after a failed medical abortion on June 28, 2006. No documentation of additional counseling was present for the surgical abortion procedure.</p> <p>2. Patient # 06-544 was seen at the facility on July 19, 2006. Review of the form entitled "Counseling" dated July 19, 2006 revealed the counseling was performed by a Medical Assistant. This "Counseling" form also documented the following: "Counselor Notes and Assessment of Emotional Condition: Stable." A surgical abortion procedure was done on July 19, 2006.</p> <p>3. Patient # 06-524 was seen at the facility on July 12, 2006. Review of the form entitled "Counseling" dated July 5, 2006 revealed the counseling was performed by a Medical Assistant. This "Counseling" form also documented the following: "Counselor Notes and Assessment of Emotional Condition: Stable." A medical abortion was done on July 12, 2006.</p> <p>4. Patient # 06-552 was seen at the facility on July 26, 2006. Review of the form entitled "Counseling" dated July 25, 2006 revealed the counseling was performed by a Medical Assistant. This "Counseling" form also documented the following: "Counselor Notes and Assessment of Emotional Condition: Stable." A medical abortion was done on July 26, 2006.</p>	L 100		

Alabama Department of Public Health

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L 100	Continued From page 7 5. Patient # 06-714 was seen at the facility on September 28, 2006. Review of the form entitled "Counseling" dated September 26, 2006 revealed the counseling was performed by a Medical Assistant. The surgical abortion was done on September 28, 2006. 6. Patient # 06-742 was seen at the facility on October 12, 2006. Review of the form entitled "Counseling" dated October 3, 2006 revealed the counseling was performed by a Medical Assistant. This "Counseling" form also documented the following: "Counselor Notes and Assessment of Emotional Condition: Stable." A medical abortion was done on October 12, 2006. 7. Patient # 06-744 was seen at the facility on October 19, 2006. Review of the form entitled "Counseling" dated October 17, 2006 revealed the counseling was performed by a Medical Assistant. A medical abortion was done on October 19, 2006. 8. Patient # 06-512 was seen at the facility on July 5 and 6, 2006. Review of the form entitled "Counseling" dated July 5, 2006 revealed the counseling was performed by a Medical Assistant. This "Counseling" form also documented the following: "Counselor Notes and Assessment of Emotional Condition: Stable." A medical abortion was done on July 6, 2006. 9. Patient # 06-741 was seen at the facility on October 10 and 12, 2006. Review of the form entitled "Counseling" dated October 10, 2006 revealed the counseling was performed by a Medical Assistant. A medical abortion was done on October 12, 2006. 10. Patient # 06-667 was seen at the facility on	L 100		

Alabama Department of Public Health

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L 100	Continued From page 8 September 5 and 7, 2006. Review of the form entitled "Counseling" dated September 5, 2006 revealed the counseling was performed by a Medical Assistant. A medical abortion was done on September 7, 2006. 11. Patient # 06-743 was seen at the facility on October 17 and 19, 2006. Review of the form entitled "Counseling" dated October 17, 2006 revealed the counseling was performed by a Medical Assistant. A medical abortion was done on October 19, 2006. 12. Patient # 06-628 was seen at the facility on August 22 and 24, 2006. Review of the form entitled "Counseling" dated August 22, 2006 revealed the counseling was performed by a Medical Assistant. A medical abortion was done on August 24, 2006. 13. Patient # 06-580 was seen at the facility on August 1 and 2, 2006. Review of the form entitled "Counseling" dated August 1, 2006 revealed the counseling was performed by a Medical Assistant. A medical abortion was done on August 2, 2006. 14. Patient # 06-468 was seen at the facility on June 20, 2006. Review of the form entitled "Counseling" dated June 20, 2006 revealed the counseling was performed by a Medical Assistant. A medical abortion was done on June 21, 2006 and a surgical abortion was performed on June 29, 2006. 15. Patient # 06-727 was seen at the facility on October 3, 2006. Review of the form entitled "Counseling" dated October 3, 2006 revealed the counseling was performed by a Medical Assistant. A surgical abortion was done on	L 100		

Alabama Department of Public Health

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L 100	Continued From page 9 October 5, 2006. 16. Patient # 06-674 was seen at the facility on September 12, 2006. Review of the form entitled "Counseling" dated September 12, 2006 revealed the counseling was performed by a Medical Assistant. A surgical abortion was done on September 15, 2006. 17. Patient # 06-643 was seen at the facility on August 29, 2006. Review of the form entitled "Counseling" dated August 29, 2006 revealed the counseling was performed by a Medical Assistant. A medical abortion was done on August 30, 2006. 18. Patient # 06-545 was seen at the facility on July 18, 2006. Review of the form entitled "Counseling" dated July 18, 2006 revealed the counseling was performed by a Medical Assistant. A surgical abortion was done on July 19, 2006 ***** 420-5-1-.03 Patient Care (4) Operative Procedures (c) Before a physician performs an abortion, the physician shall examine the fetus by use of ultrasound and by such other techniques as to produce a reasonably accurate method of determining the gestational age and viability of the fetus. After such examination, the physician shall enter into the patient's medical record the test or examinations performed, and his findings regarding viability. This regulation is not met as evidenced by:	L 100		

Alabama Department of Public Health

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L 100	<p>Continued From page 10</p> <p>Based on record review and interview with agency staff, it was determined the facility failed to assure the viability of the fetus was documented by the physician in 11 of 18 medical records reviewed.</p> <p>Findings include:</p> <ol style="list-style-type: none"> 1. Patient # 06-580 was seen at the facility on August 2, 2006 An ultrasound done on August 2, 2006 revealed the estimated gestational age as eleven weeks. There was no documentation in the record by the physician regarding viability of the fetus. The abortion procedure was done on August 2, 2006. 2. Patient # 06-512 was seen at the facility on July 6, 2006 An ultrasound done on July 6, 2006 revealed the estimated gestational age as eleven weeks. There was no documentation in the record by the physician regarding viability of the fetus. The abortion procedure was done on July 6, 2006. 3. Patient # 06-489 was seen at the facility on June 28, 2006. An ultrasound done on June 28, 2006 revealed the estimated gestational age as seven weeks. There was no documentation in the record by the physician regarding viability of the fetus. A medical abortion procedure was done on June 28, 2006. <p>The patient returned to the clinic on July 20, 2006 for a follow up appointment which revealed a faint positive pregnancy test and an ultrasound which revealed intact Intrauterine Pregnancy was visualized. An ultrasound done on July 27, 2006 revealed the estimated gestational age was eleven to twelve weeks. There was no documentation in the medical record by the</p>	L 100		

Alabama Department of Public Health

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L 100	Continued From page 11 physician regarding viability of the fetus. A surgical abortion was performed on July 27, 2006. 4. Patient # 06-544 was seen at the facility on July 19, 2006. An ultrasound done on July 19, 2006 revealed the estimated gestational age as nine weeks. There was no documentation in the record by the physician regarding the viability of the fetus. The surgical abortion procedure was done on July 19, 2006. 5. Patient # 06-524 was seen at the facility on July 12, 2006. An ultrasound done on July 12, 2006 revealed the estimated gestational age as five weeks. There was no documentation in the record by the physician regarding the viability of the fetus. A medical abortion was done on July 12, 2006. 6. Patient # 06-552 was seen at the facility on July 26, 2006. An ultrasound done on July 26, 2006 revealed the estimated gestational age as six weeks. There was no documentation in the record by the physician regarding the viability of the fetus. A medical abortion was done on July 26, 2006. 7. Patient # 06-714 was seen at the facility on September 28, 2006. An ultrasound done on September 28, 2006 revealed the estimated gestational age as eleven to 12 weeks. There was no documentation in the record by the physician regarding the viability of the fetus. The surgical abortion was done on September 28, 2006. 8. Patient # 06-468 was seen at the facility on September 21, 2006 for a medical abortion and on September 29, 2006 for a surgical abortion.	L 100		

Alabama Department of Public Health

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L 100	<p>Continued From page 12</p> <p>An ultrasound done on September 20, 2006 revealed the estimated gestational age as seven to eight weeks. There was no documentation in the record by the physician regarding the viability of the fetus.</p> <p>9. Patient # 06-727 was seen at the facility on October 5, 2006. An ultrasound done on October 3, 2006 revealed the estimated gestational age as ten to eleven weeks. There was no documentation in the record by the physician regarding the viability of the fetus. The surgical abortion was done on October 5, 2006.</p> <p>10. Patient # 06-674 was seen at the facility on September 12, 2006. An ultrasound done on September 12, 2006 revealed the estimated gestational age as ten to eleven weeks. There was no documentation in the record by the physician regarding the viability of the fetus. The surgical abortion was done on September 15, 2006.</p> <p>11. Patient # 06-545 was seen at the facility on July 11, 2006. An ultrasound done on July 11, 2006 revealed the estimated gestational age as eleven to twelve weeks. There was no documentation in the record by the physician regarding the viability of the fetus. The surgical abortion was done on July 19, 2006.</p> <p>***** 420-5-1-.03 Patient Care</p> <p>(6) Pharmaceuticals Services.</p> <p>(b) Administering, Dispensing, and Prescribing Drugs and Medications. All oral or telephone orders for medications shall be received by a physician, a registered professional nurse,</p>	L 100		

Alabama Department of Public Health

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L 100	<p>Continued From page 13</p> <p>licensed practical nurse, or a registered pharmacist and shall be reduced to writing on the physician's order reflecting the prescribing physician and the name and title of the person who wrote the order.Drugs and medications shall not be dispensed, except by or under the supervision of a physician or pharmacist. Any patient requiring medications outside the facility shall be given a written prescription permitting her to obtain the medication from a licensed pharmacy.</p> <p>The regulation is not met as evidenced by:</p> <p>Based on record review and interview with the staff, it was determined that the agency failed to ensure there was a physician's order for meclizine prior to the administration in 1 of 2 patient who received Meclizine.</p> <p>Findings include:</p> <p>1. Patient # 06-743 was seen in the facility on October 19, 2006 for a medical procedure. Review of the Diagnostic Evaluation revealed the Medical Assistant administered Meclizine 25 mg chewable tablets on October 19, 2006 for vomiting. There was no documentation of a physician's order for the administration of Meclizine 25 mg.</p> <p>An interview with the administrator on October 19, 2006 at 10:25 AM verified there was no documentation of a physician's order to administer the Meclizine 25 mg.</p> <p>*****</p> <p>420-5-1-.03(7)(a) State Board of Health Rule</p>	L 100		

Alabama Department of Public Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: C4910	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED 10/19/2006
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L 100	<p>Continued From page 14</p> <p>requires,</p> <p>"1. There shall be an infection control committee composed of a physician and registered nurse who shall be responsible for investigating, controlling, and preventing infections in the facility."</p> <p>Based on an interview with the facility Administrator, it was determined the facility failed to assure there was an infection control committee or meeting minutes from the infection control committee in place.</p> <p>An interview with the Administrator on 10/19/06 at 2:00 P.M. revealed there were no meeting minutes from the infection control committee. The Administrator stated : "We don't have any infections."</p> <p>*****</p> <p>420-5-1-.03(5)(c) State Board of Health Rule, Post Operative Procedures, requires, "A physician must remain on the premises until all patients are stable, and are ready for discharge. A physician must sign the discharge order."</p> <p>Based on observation and medical record review of procedures performed October 19, 2006, it was determined the physician failed to stay on the premises until all of the patients were ready for discharge.</p> <p>Findings include:</p> <p>1. The last surgical patient of the day arrived in the recovery room at 1:05 P.M. This made a total of 4 patients in the recovery room. The physician was observed leaving the building for the day at 1:10 P.M. by the surveyor.</p>	L 100		