

1.	12.2.13	Unknown
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15-1595 CA 01; AQM v. Tower East

PRINTED ON RECYCLED PAPER APPROVED

<b>TYPE OF PROVIDER</b> REG. PLAN OR CONTRACT	<b>AC PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:</b>  <b>AC13960105</b>	<b>IS MULTIPLE CONSTRUCTION</b> A. BUILDING _____  B. WING _____	<b>DATE SURVEY COMPLETED</b>  _____
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<b>NAME OF PROVIDER OR SUPPLIER</b>  <b>TODAY'S WOMEN MEDICAL CENTER</b>	<b>STREET ADDRESS, CITY, STATE, ZIP CODE</b> <b>3250 S DIXIE HIGHWAY</b> <b>MIAMI, FL 33133</b>
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<b>(K6) ID PREFIX TAG</b>	<b>SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)</b>	<b>ID PREFIX TAG</b>	<b>PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)</b>	<b>(K6) COMPLETE DATE</b>
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**A 000 INITIAL COMMENTS**

A Relicensure survey was conducted on 24, 2016. Today's Women Medical Center, license #998, had deficiencies found at the time of the visit.

**AZB14 435.12(2)(b-d), FS Background Screening Clearinghouse**

435.12(2) Care Provider Background Screening Clearinghouse.-  
 (b) Until such time as the fingerprints are enrolled in the national retained print notification program at the Federal Bureau of Investigation, an employee with a break in service of more than 90 days from a position that requires screening by a specified agency must submit to a national screening if the person returns to a position that requires screening by a specified agency.  
 (c) An employer of persons subject to screening by a specified agency must register with the clearinghouse and maintain the employment status of all employees within the clearinghouse. Initial employment status and any changes in status must be reported within 10 business days.  
 (d) An employer must register with and initiate all criminal history checks through the clearinghouse before referring an employee or potential employee for electronic fingerprint submission to the Department of Law Enforcement. The registration must include the employee's full first name, middle initial, and last name; social security number; date of birth; mailing address; and race. Individuals, persons, applicants, and controlling interests that cannot legally obtain a social security number must provide an individual taxpayer identification number.

This Statute or Rule is not met as evidenced by: Based on interview and record review, the

**A 000**

RECEIVED

DEC 6 2016

AHCA HQ-11 MIAMI

*12/19/16 accepted*

**AZB14**

Background screening will be done by \_\_\_\_\_, 2016.

No patients were affected by this deficiency.

Future compliance will be checked by administrator every 5 years and during every renewal of the AHCA licence.

*Background screening done Nov. 24/2016 waiting for processing clearinghouse will be done by 12/16/2016*

AHCA Form 3020-0001  
 LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

TITLE \_\_\_\_\_  
 DATE *12/6/2016*

STATE FORM

28F111

If continuation sheet 1 of 9

*u*

*Dele 11/5/2016*

*(administrator)*

## Agency for Health Care Administration

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  AC13960105	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____  B. WING: _____	(X3) DATE SURVEY COMPLETED  10/24/2016
NAME OF PROVIDER OR SUPPLIER  TODAY'S WOMEN MEDICAL CENTER		STREET ADDRESS, CITY, STATE, ZIP CODE 3260 S DIXIE HIGHWAY MIAMI, FL 33133		
(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)	(X6) COMPLETE DATE
AZ814	Continued From page 1  provider failed to ensure the administrator/chief financial officer are listed on the Background screening clearinghouse roster.  Findings include:  On _____, 2016 at 10:27 AM, the administrator acknowledged being the chief financial officer.  Record review revealed the administrator/ chief financial officer was not listed on the Background screening clearinghouse roster.	AZ814		
AZ815	408.809; 435.02(2); 435.06 FS Background Screening; Prohibited Offenses  408.809 Background screening; prohibited offenses - (1) Level 2 background screening pursuant to chapter 435 must be conducted through the agency on each of the following persons, who are considered employees for the purposes of conducting screening under chapter 435: (a) The licensee, if an individual. (b) The administrator or a similarly titled person who is responsible for the day-to-day operation of the provider. (c) The financial officer or similarly titled individual who is responsible for the financial operation of the licensee or provider. (d) Any person who is a controlling interest if the agency has reason to believe that such person has been convicted of any offense prohibited by s. 435.04. For each controlling interest who has been convicted of any such offense, the licensee shall submit to the agency a description and explanation of the conviction at the time of license application.	AZ815	Background screening will be done by _____, 2016.  No patients were affected by this deficiency.  Future compliance will be checked by administrator every 5 years and during every renewal of the AHCA licence.	

*[Handwritten Signature]*  
*[Handwritten Signature]*  
 11/5/2016

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NAME OF PROVIDER OR SUPPLIER  
**TODAY'S WOMEN MEDICAL CENTER**

STREET ADDRESS, CITY, STATE, ZIP CODE  
**3250 S DIXIE HIGHWAY  
MIAMI, FL 33133**

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AZ815 Continued From page 2

(e) Any person, as required by authorizing statutes, seeking employment with a licensee or provider who is expected to, or whose responsibilities may require him or her to, provide personal care or services directly to clients or have access to client funds, personal property, or living areas; and any person, as required by authorizing statutes, contracting with a licensee or provider whose responsibilities require him or her to provide personal care or personal services directly to clients. Evidence of contractor screening may be retained by the contractor's employer or the licensee.

(3) All fingerprints must be provided in electronic format. Screening results shall be reviewed by the agency with respect to the offenses specified in s. 435.04 and this section, and the qualifying or disqualifying status of the person named in the request shall be maintained in a database. The qualifying or disqualifying status of the person named in the request shall be posted on a secure website for retrieval by the licensee or designated agent on the licensee's behalf.

(4) In addition to the offenses listed in s. 435.04, all persons required to undergo background screening pursuant to this part or authorizing statutes must not have an \_\_\_\_\_ awaiting final disposition for, must not have been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, and must not have been adjudicated delinquent and the record not have been sealed or expunged for any of the following offenses or any similar offense of another jurisdiction:

(a) Any authorizing statutes, if the offense was a felony.

(b) This chapter, if the offense was a felony.

(c) Section 409.920, relating to Medicaid provider

AZ815

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AZ815	<p>Continued From page 3</p> <p>fraud.</p> <p>(d) Section 409.9201, relating to Medicaid fraud.</p> <p>(e) Section 741.28, relating to domestic violence.</p> <p>(f) Section 777.04, relating to attempts, solicitation, and conspiracy to commit an offense listed in this subsection.</p> <p>(g) Section 817.034, relating to fraudulent acts through mail, wire, radio, electromagnetic, photoelectronic, or photooptical systems.</p> <p>(h) Section 817.234, relating to false and fraudulent insurance claims.</p> <p>(i) Section 817.481, relating to obtaining goods by using a false or expired credit card or other credit device, if the offense was a felony.</p> <p>(j) Section 817.50, relating to fraudulently obtaining goods or services from a health care provider.</p> <p>(k) Section 817.505, relating to patient brokering.</p> <p>(l) Section 817.566, relating to criminal use of personal identification information.</p> <p>(m) Section 817.60, relating to obtaining a credit card through fraudulent means.</p> <p>(n) Section 817.61, relating to fraudulent use of credit cards, if the offense was a felony.</p> <p>(o) Section 831.01, relating to forgery.</p> <p>(p) Section 831.02, relating to uttering forged instruments.</p> <p>(q) Section 831.07, relating to forging bank bills, checks, drafts, or promissory notes.</p> <p>(r) Section 831.09, relating to uttering forged bank bills, checks, drafts, or promissory notes.</p> <p>(s) Section 831.30, relating to fraud in obtaining medicinal drugs.</p> <p>(t) Section 831.31, relating to the sale, manufacture, delivery, or possession with the intent to sell, manufacture, or deliver any counterfeit controlled substance, if the offense was a felony.</p> <p>(u) Section 895.03, relating to racketeering and</p>	AZ815		
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AZ815 Continued From page 4

collection of unlawful debts.  
(v) Section 896.101, relating to the Florida Money Laundering Act.

if, upon rescreening, a person who is currently employed or contracted with a licensee as of 2014, and was screened and qualified under ss. 435.03 and 435.04, has a disqualifying offense that was not a disqualifying offense at the time of the last screening, but is a current disqualifying offense and was committed before the last screening, he or she may apply for an exemption from the appropriate licensing agency and, if agreed to by the employer, may continue to perform his or her duties until the licensing agency renders a decision on the application for exemption if the person is eligible to apply for an exemption and the exemption request is received by the agency no later than 30 days after receipt of the rescreening results by the person.

(5) A person who serves as a controlling interest of, is employed by, or contracts with a licensee on 2010, who has been screened and qualified according to standards specified in s. 435.03 or s. 435.04 must be rescreened by 31, 2015, in compliance with the following schedule. If, upon rescreening, such person has a disqualifying offense that was not a disqualifying offense at the time of the last screening, but is a current disqualifying offense and was committed before the last screening, he or she may apply for an exemption from the appropriate licensing agency and, if agreed to by the employer, may continue to perform his or her duties until the licensing agency renders a decision on the application for exemption if the person is eligible to apply for an exemption and the exemption request is received by the agency within 30 days after receipt of the rescreening results by the person. The rescreening schedule

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AZ815	<p>Continued From page 5</p> <p>shall be:</p> <p>(a) Individuals for whom the last screening was conducted on or before _____, 2004, must be rescreened by _____, 2013.</p> <p>(b) Individuals for whom the last screening conducted was between _____, 2005, and _____, 2008, must be rescreened by _____, 2014.</p> <p>(c) Individuals for whom the last screening conducted was between _____, 2009, through _____, 2011, must be rescreened by _____, 2015.</p> <p>(6) The costs associated with obtaining the required screening must be borne by the licensee or the person subject to screening. Licensees may reimburse persons for these costs. The Department of Law Enforcement shall charge the agency for screening pursuant to s. 943.053(3). The agency shall establish a schedule of fees to cover the costs of screening.</p> <p>(7)(a) As provided in chapter 435, the agency may grant an exemption from disqualification to a person who is subject to this section and who:</p> <ol style="list-style-type: none"> <li>Does not have an active professional license or certification from the Department of Health; or</li> <li>Has an active professional license or certification from the Department of Health but is not providing a service within the scope of that license or certification.</li> </ol> <p>(b) As provided in chapter 435, the appropriate regulatory board within the Department of Health, or the department itself if there is no board, may grant an exemption from disqualification to a person who is subject to this section and who has received a professional license or certification from the Department of Health or a regulatory board within that department and that person is providing a service within the scope of his or her licensed or certified practice.</p>	AZ815		

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AZ815: Continued From page 6

(8) The agency and the Department of Health may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this section, chapter 435, and authorizing statutes requiring background screening and to implement and adopt criteria relating to retaining fingerprints pursuant to s. 943.05(2).

(9) There is no reemployment assistance or other monetary liability on the part of, and no cause of action for damages arising against, an employer that, upon notice of a disqualifying offense listed under chapter 435 or this section, terminates the person against whom the report was issued, whether or not that person has filed for an exemption with the Department of Health or the agency.

435.06 Exclusion from employment -

(1) If an employer or agency has reasonable cause to believe that grounds exist for the denial or termination of employment of any employee as a result of background screening, it shall notify the employee in writing, stating the specific record that indicates noncompliance with the standards in this chapter. It is the responsibility of the affected employee to contest his or her disqualification or to request exemption from disqualification. The only basis for contesting the disqualification is proof of mistaken identity.

(2)(a) An employer may not hire, select, or otherwise allow an employee to have contact with any person that would place the employee in a role that requires background screening until the screening process is completed and demonstrates the absence of any grounds for the denial or termination of employment. If the screening process shows any grounds for the denial or termination of employment, the employer may not hire, select,

AZ815

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AZ815	<p>Continued From page 7</p> <p>or otherwise allow the employee to have contact with any person that would place the employee in a role that requires background screening unless the employee is granted an exemption for the disqualification by the agency as provided under s. 435.07.</p> <p>(b) If an employer becomes aware that an employee has been [redacted] for a disqualifying offense, the employer must remove the employee from contact with any [redacted] person that places the employee in a role that requires background screening until the [redacted] is resolved in a way that the employer determines that the employee is still eligible for employment under this chapter.</p> <p>(c) The employer must terminate the employment of any of its personnel found to be in noncompliance with the minimum standards of this chapter or place the employee in a position for which background screening is not required unless the employee is granted an exemption from disqualification pursuant to s. 435.07.</p> <p>(d) An employer may hire an employee to a position that requires background screening before the employee completes the screening process for training and orientation purposes. However, the employee may not have direct contact with [redacted] persons until the screening process is completed and the employee demonstrates that he or she exhibits no behaviors that warrant the denial or termination of employment.</p> <p>(3) Any employee who refuses to cooperate in such screening or refuses to timely submit the information necessary to complete the screening, including fingerprints if required, must be disqualified for employment in such position or, if employed, must be dismissed.</p> <p>(4) There is no reemployment assistance or other</p>	AZ815		
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AZ815	<p>Continued From page 8</p> <p>monetary liability on the part of, and no cause of action for damages against, an employer that, upon notice of a conviction or for a disqualifying offense listed under this chapter, terminates the person against whom the report was issued or who was , regardless of whether or not that person has filed for an exemption pursuant to this chapter.</p> <p>435.02 Definitions.-For the purposes of this chapter, the term:</p> <p>(2) "Employee" means any person required by law to be screened pursuant to this chapter, including, but not limited to, persons who are contractors, licensees, or volunteers.</p> <p>This Statute or Rule is not met as evidenced by: Based on interview and record review, the provider failed to ensure the administrator/chief financial officer completed a Level 2 background rescreening.</p> <p>Findings include:</p> <p>On , 2016 at 10:27 AM, the administrator acknowledged being the chief financial officer.</p> <p>Record review showed the administrator/ chief financial officer required a new level 2 screening.</p>	AZ815		
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RICK SCOTT  
GOVERNOR

JUSTIN M. SENIOR  
INTERIM SECRETARY

....., 2016

Administrator  
Today's Women Medical Center  
3250 S Dixie Highway  
Miami, FL 33133

Dear Administrator:

This letter reports the findings of a state licensure survey that was conducted on  
2016 by representative(s) of this office.

Attached is the provider's copy of the State (3020) Form, which indicates the deficiencies that  
were identified on the day of the visit.

Please provide a plan of correction to this Field Office, in accordance with enclosed  
instructions, for the identified deficiencies **within ten calendar days of receipt of this faxed  
report**. You will not receive a copy of this report in the mail; you will only receive this faxed  
report. **All deficiencies shall be corrected no later than** , 2016.

**The plan of correction must include the following:**

1. Identify how corrective action will be accomplished for those residents found to have been affected by the deficient practice.
2. Describe how the facility will identify other residents having the potential to be affected by the same deficient practice.
3. Explain measures to be put into place or systemic changes made to ensure that the deficient practice will not recur.
4. Identify how the facility will monitor its corrective action to ensure the deficient practice is being corrected and will not recur; i.e., what program will be put into place to monitor the continued effectiveness of the systemic change.
5. Ensure that no protected or other confidential information (i.e., resident or staff names) are included in the plan.
6. State the completed date; the date that the facility identifies compliance can be achieved, which must be after the exit date.
7. You must sign the bottom of page 1 of the statement of deficiencies; include your title and date.

The Quality Assurance Questionnaire has long been employed to obtain your feedback following survey activity. This form has been placed on the Agency's website at <http://ahca.myflorida.com/Publications/Forms.shtm> as a first step in providing a web-based

Miami Field Office  
..... N.W. 53rd Street, Suite 300  
Miami, FL 33166  
Phone:(305) 593-3100, Fax:(305) 593-3121  
AHCA.MyFlorida.com



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Youtube.com/AHCAFlorida  
Twitter.com/AHCA\_FL  
SlideShare.net/AHCAFlorida

interactive consumer satisfaction survey system. You may access the questionnaire through the link under Health Facilities and Providers on this page. Your feedback is encouraged and valued, as our goal is to ensure the professional and consistent application of the survey process.

Thank you for the assistance provided to the surveyor. Should you have any questions, please contact Faith Randolph, Registered Nurse Consultant at (305) 593-3100.

Sincerely,

  
Arlene Mayo-Davis (RN)  
Field Office Manager, Area 11

Enclosure: State (3020) Form, and POC guidelines