

HIGHLIGHTS OF PERMANENT INJUNCTION AGAINST SUN HEALTHCARE GROUP, INC.

Under the permanent injunction, Sun Healthcare Group will make a range of specified changes to avoid elder abuse violations. Failure to comply could result in civil penalties of up to \$6,000 per violation, other sanctions deemed appropriate by the court and/or exclusion of the facility from the Medicaid and Medicare healthcare programs. The changes to be implemented would result in:

IMPROVED QUALITY OF CARE

- ▶ Ensure comfortable and safe temperature levels (i.e. 71° - 81° F);
- ▶ Ensure adequate staffing;
- ▶ Maintain adequate emergency medical supplies;
- ▶ Avoid dehydration of patients;
- ▶ Avoid patient malnutrition;
- ▶ Ensure adequate treatment and/or prevention of bed sores and related health problems;
- ▶ Ensure that patients are treated with dignity and respect;
- ▶ Provide for proper administration of drugs and other treatments;
- ▶ Conduct the planning of a patient's care, including the identification of care needs;
- ▶ Employ only qualified staff; and
- ▶ Develop – and revise when necessary – a comprehensive assessment of residents' needs, which include nutritional status and special treatments or procedures.

ADDITIONAL STAFF TRAINING

- ▶ Provide at least 2 hours of training on the new compliance program and the code of conduct;
- ▶ Provide at least 2 hours of training for every employee who is involved in the delivery of patient care covering topics such as the documentation and completion of medical records, the policies and procedures for appropriate admission and appropriate care of respiratory therapy patients and the coordinated interdisciplinary approach to providing care to residents;
- ▶ Provide semi-annual, or more frequently as needed, training on quality of care issues;
- ▶ In the spring of each year, provide training in each facility on identifying and treating residents at risk of heat and weather related problems; and
- ▶ Provide additional training that the newly required Compliance Officer deems necessary.

MORE OVERSIGHT AND COMPLIANCE MECHANISMS

- ▶ Establish a Compliance Committee of the Board of Directors and designate a Compliance Officer, a Corporate Compliance Committee, and Compliance Liaisons at every facility to ensure that required improvements are being done;
- ▶ Require Sun staff to report suspected violations of any Sun policy or procedure that involves allegations of patient harm;
- ▶ Provide an independent budget of up to \$2 million per year to a Compliance Monitor to foster the provision of high quality care at Sun. The Monitor must assess the effectiveness, reliability, and thoroughness of Sun's quality of care infrastructure and systems with respect to Sun's nursing facilities. The Monitor is responsible for investigating whether Sun has met its obligation to prepare its facilities to withstand weather related emergencies;

- ▶ Submit an Annual Report to the Bureau of Medi-Cal Fraud and Elder Abuse on compliance efforts; and
- ▶ The Attorney General's Office will have increased rights to inspect Sun facilities and be notified of potential cases of patient abuse.