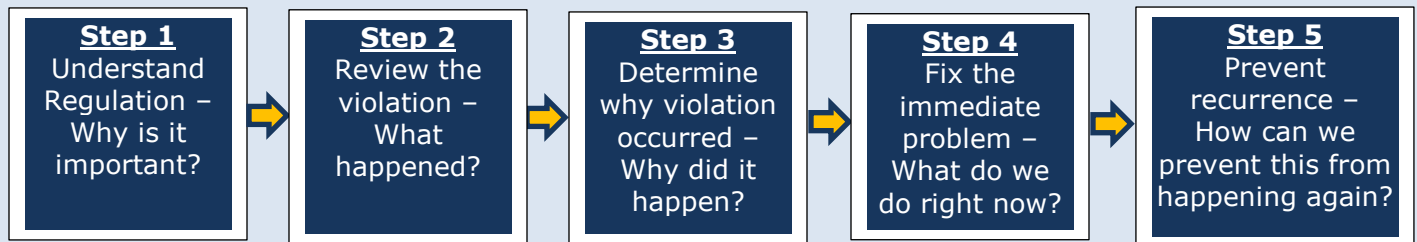


# Developing Good Plans of Correction Office of Developmental Programs

Providers must submit an acceptable plan of correction for violations identified during inspections in order to receive or maintain a license. The plan of correction is one of the most important parts of the licensing process. Good plans of correction are the key to obtain and maintain a regular license. This tipsheet will help you produce effective plans.

## The 5-Step Roadmap to a Good Plan of Correction



Step	What You Should Do
<b>Why is the regulation important?</b>	<p>Read the regulation and ask yourself: Why does this regulation exist? How does it protect people?</p> <p><b>Example: § 6400.68(b) - Hot water temperatures in bathtubs and showers may not exceed 120°F.</b></p> <p>This regulation is important because it protects people from accidental scalding, which could lead to serious injury or death.</p>
<b>What happened?</b>	<p>Review the specific violation on the Licensing Inspection Summary (LIS) to determine exactly what happened.</p> <p><b>Example A:</b> The shower's water temperature in Individual #1's bathroom was 135°F.</p> <p><b>Example B:</b> The water temperature in all bathrooms used by individuals was 135°F.</p>
<b>Why did it happen?</b>	<p>Conduct a root cause analysis to find out why the violation occurred.</p> <p><b>Example A:</b> The anti-scald protective device on the shower was malfunctioning.</p> <p><b>Example B:</b> A new hot water heater was installed the week before the inspection. The hot water heater was set to 135°F.</p>
<b>What do we do right now?</b>	<p>Take necessary steps to correct the specific problem identified on the LIS.</p> <p><b>Example A:</b> The anti-scald protective device on the shower was repaired immediately. The water temperature was tested three times and did not exceed 120°F.</p>

Step	What You Should Do
	<b>Example B:</b> The water main to the home was turned off and all faucets were drained. The hot water heater was reset to 120°F. Water was restored to the home and temperature was tested at all faucets. Water did not exceed 120°F at any faucet.
<b>How do we prevent this from happening again?</b>	<p>Make a plan to prevent the conditions that led to the violation from happening again.</p> <p><b>Example A:</b> All anti-scald protective devices will be checked for functionality upon installation and monthly thereafter.</p> <p><b>Example B:</b> The hot water heater has been equipped with a device that will not allow water temperature to be set above 120°F. Access to the device is limited to the agency's physical plant operations staff.</p>

Plan of Correction Do's and Don'ts	
DO's	DON'T
<p><b>Be specific in your description of what was/will be done immediately.</b></p> <p><b>Example:</b> The anti-scald protective device on the shower was repaired immediately. The water temperature was tested three times and did not exceed 120°F.</p>	<p><b>Be vague in your description of what was/will be done immediately.</b></p> <p><b>Example:</b> Water temperature was lowered.</p>
<p><b>Include actions to identify identical violations elsewhere.</b></p> <p><b>Example:</b> All other anti-scald devices used in other homes were checked for functionality and were in good repair.</p>	<p><b>Ignore the possibility of identical violations elsewhere.</b></p> <p><b>Example:</b> Water temperature was lowered.</p>
<p><b>Be specific in your description of the actions that will be taken to prevent recurrence.</b></p> <p><b>Example:</b> All anti-scald protective devices will be checked for functionality upon installation and monthly thereafter.</p>	<p><b>Be vague in your description of the actions that will be taken to prevent recurrence.</b></p> <p><b>Example:</b> Water temperature will be monitored.</p>

## Plan of Correction Do's and Don'ts

DO's	DON'T
<p><b>Designate a <u>person</u> who is responsible for enacting the plan.</b></p> <p><b>Example:</b> Anti-scald devices will be checked by the Agency Maintenance Supervisor.</p>	<p><b>Write a general statement that doesn't clearly establish who is responsible.</b></p> <p><b>Example:</b> Water temperature will be lowered and monitored.</p>
<p><b>Include specific dates or time periods by which corrections were/will be accomplished.</b></p> <p><b>Example: July 20, 2018</b> - The anti-scald protective device on the shower was repaired immediately. The water temperature was tested three times and did not exceed 120°F.</p> <p>All other anti-scald devices used in other homes were checked for functionality and were in good repair.</p> <p><b>When new anti-scald protective devices are installed</b> - Devices will be checked for functionality before any individual uses the sink.</p> <p><b>On the First Day of Every Month</b> - All anti-scald protective devices will be checked for functionality monthly.</p>	<p><b>Omit dates or timeframes for when corrections were/will be accomplished.</b></p> <p><b>Example:</b> Water temperature will be monitored.</p>

Below is an example of what a plan of correction looks like when all of the tips are applied:

### Regulation: § 6400.68(b)

Hot water temperatures in bathtubs and showers may not exceed 120°F.

### Violation:

The shower's water temperature in Individual #1's bathroom was 135°F.

### Acceptable Plan of Correction (DO)

### Unacceptable Plan of Correction (DON'T)

**July 20, 2018** - The anti-scald protective device on the shower was repaired immediately. The water temperature was tested three times and did not exceed 120°F.

All other anti-scald devices used in other homes were checked for functionality and were in good repair.

**When new anti-scald protective devices are installed** - Devices will be checked for functionality before any individual uses the shower.

**On the First Day of Every Month** - All anti-scald protective devices will be checked for functionality monthly.

Anti-scald devices will be monitored by the Agency Maintenance Supervisor.

Temperature was lowered and will be monitored going forward.

## Things to Avoid when Developing Plans of Correction

ODP has received and reviewed thousands of plans of correction. ODP recognizes that provider agencies are structured differently and manage operations in different ways. There is no "standard" plan of correction that's effective for all providers; what works for one provider may not always work for another provider. Nevertheless, ODP has identified several recurring elements in providers' plans of corrections that have shown to be ineffective to achieve and maintain compliance. Below are things to avoid when developing plans of correction.

**Overreliance on Policy and Procedures for Corrective Action.** Policies and procedures can be effective components of a plan of correction, but they shouldn't be the primary solution. In some cases, creating additional policies sets the provider up for failure, because they create additional (self-imposed) standards that must be adhered to above and beyond regulatory requirements. Specific actions are much more effective than written policies. If a new policy or procedure is necessary to prevent recurrence of a violation, make sure it fits into your existing policies and operations.

**New Checklists, Forms, and "Tickler Files."** Many providers elect to create new forms and tracking mechanisms to monitor ongoing compliance with a regulatory requirement. Creating additional document beyond regulatory requirements may result in unnecessary administrative burdens for the provider. Before creating new forms and tracking mechanisms, ask yourself: Are we really going to do this in the long term? Will it really help? If additional documentation is required, make it as simple and as operationally feasible as possible. Whenever possible, incorporate forms and tracking systems into documents or systems that already exist.

**Nonspecific Staff Trainings and Training Plans.** Staff training is usually necessary to prevent recurrence of a violation, but such trainings must be targeted to the staff who need them. A plan reading "All staff will be trained" implies that every staff person will receive the same training, even if the training doesn't relate to their job duties. For example, violations relating to record content may require staff training, but only for staff who manage records. Also, when training staff on a new requirement or procedure, it's a good idea to have a training specific to the topic as opposed to incorporating it into a regularly-occurring staff meeting where other topics will be discussed.

**Not Considering the Violations in Totality when Developing the Plan.** Plans of correction almost always address each violation individually, even when different violations result from the same root cause. If multiple physical site violations are found during an inspection, it's likely the result of operational gaps in physical site maintenance, so one long-term plan to prevent recurrence – such as hiring a physical plant manager or clarifying his duties – may be sufficient to prevent all types of physical site violations in the future. This is especially important when violations for failure to meet individuals' needs are found for multiple individuals. While person-centered responses are very important, providers should always be mindful of potential systematic issues that could compromise individuals' health and safety.

## What to Submit with your Plan of Correction

ODP takes steps to verify whether an acceptable plan of correction has been implemented as part of making a decision on what type of license is issued - a regular license, a provisional license, or no license at all. Submitting evidence of plan implementation along with the plan of correction can expedite the licensing process and may minimize the number of times licensing staff return to the homes to verify compliance. The more evidence a setting submits, the easier it will be to determine compliance and issue a license. Some types of evidence are very useful to determine compliance; other types are not useful at all.

Useful Evidence	Evidence that is <b>Not</b> Useful
<p><b>Documentation produced by the provider.</b> This evidence type includes updated policies, documentation of staff-specific training, updated assessments and support plans, maintenance logs, and any other internal documents.</p> <p><b>Documentation produced by an external source.</b> This evidence type is extremely reliable, as it is generated by impartial third parties. Examples include bills and invoices for equipment, materials, or labor; written statements or letters from professionals who participated in the plan's implementation (such as fire-safety experts or outside training sources); and documents confirming future appointments (such as medical appointments or on-site repair work).</p> <p><b>Photographic and video evidence.</b> Pictures and videos are good sources of evidence that the setting has made repairs or improvements to the physical site and grounds.</p>	<p><b>Statements of support from individuals, family members, or public officials.</b> While feedback from the community may be valuable to the setting, it does not serve as evidence of regulatory compliance.</p> <p><b>Promises to comply.</b> Written statements from the setting where a promise is made to comply with the regulation is not factual evidence.</p> <p><b>The plan of correction alone.</b> Some providers believe that submitting a plan to correct violations is sufficient to demonstrate compliance. This is not the case. Following the plan leads to compliance, so evidence of following the plan is required.</p>

## **Don't Be Afraid to Ask for Help!**

ODP wants you to succeed, so don't hesitate to ask us for technical assistance with developing a plan or submitting evidence! You may ask for help at any time, but it's extremely beneficial to seek assistance before submitting your plans of correction in the Certification and Licensing System (CLS). This will minimize ongoing back-and-forth correspondence and excessive system updates through CLS. Licensing supervisors and inspectors are always willing and able to help you.