



Texas Health and Human Services Office of Inspector General Audit and Inspections Division

## FOLLOW-UP ASSESSMENT ON PREVIOUSLY ISSUED INSPECTIONS RECOMMENDATION

Nursing Facility Staffing Hours Verification: Mira Vista Court

INS-24-005

January 12, 2024

Dear Mack Baldrige:

The Texas Health and Human Services (HHS) Office of Inspector General (OIG) Audit and Inspections Division (OIG Inspections) conducted a follow-up assessment of the previously issued inspection report titled "Nursing Facility Staffing Hours Verification: Mira Vista Court" to determine whether the recommendation previously issued by OIG Inspections was implemented.

Based on the results of our assessment, OIG Inspections determined that Mira Vista Court fully implemented the recommendation. As a result, OIG has no additional recommendations at this time.

OIG Inspections thanks management at Mira Vista Court for their responsiveness, cooperation, and assistance during this assessment. The attachment to this letter contains additional details on the assessment.

Sincerely,

Anton Dutchover, CPA

Deputy Inspector General of Audit and Inspections

Attachment

cc: Cecile Erwin Young, HHS Executive Commissioner  
Raymond Charles Winter, HHS Inspector General

### Background

The previously issued inspection report was published on August 16, 2022. The objective of the original inspection was to determine whether the direct care licensed nursing hours recorded at Mira Vista Court supported the hours reported to the U.S. Centers for Medicare and Medicaid Services (CMS) in compliance with federal requirements.


The scope of the original inspection was January 1, 2021, through June 30, 2021.

# Attachment

Figure 1 summarizes the implementation status of the recommendation included in the previously issued inspection report, "Nursing Facility Staffing Hours Verification: Mira Vista Court," [INS-22-008](#), issued August 16, 2022.

Mira Vista Court successfully implemented the recommendation.

**Figure 1: Implementation Status of Inspection Recommendation to Mira Vista Court**

	Implementation Status	Recommendation
	Fully Implemented	1 Mira Vista Court should program Kronos <sup>1</sup> to deduct one hour for meal breaks when a staff member works a shift of 16 hours or more to conform to the CMS requirement.

Source: OIG Inspections

Through its implementation of the inspection recommendation, Mira Vista Court more effectively (a) reported accurate and complete direct care licensed nursing hours to CMS and (b) reduced its risk of noncompliance.

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<sup>1</sup> Mira Vista Court uses Kronos, an electronic timekeeping system, to capture staff time entries through a fingerprint scan. Timekeeping records from Kronos automatically interface with the Payroll-Based Journal system.

# Objective, Scope, Methodology, Standards, and Criteria

## Objective and Scope

The objective of this follow-up assessment was to determine whether Mira Vista Court implemented the OIG Inspections previously issued recommendation.

The scope of the assessment was limited to reviewing the implementation status of the recommendation identified in the previously issued inspection report.

## Methodology

To achieve the assessment objective, OIG Inspections:

- Reviewed the previously issued inspection report.
- Examined Mira Vista Court's policies and procedures.
- Conducted interviews.
- Examined timesheets.
- Compared the data submitted by Mira Vista Court with the information in the Payroll-Based Journal system for the period January 1, 2023, through March 31, 2023, which was the most recent quarter available during the inspection.<sup>2</sup>

Additionally, OIG Inspections reviewed documentation of updates to Kronos to deduct a one-hour meal break for a shift of 16 hours or more and communications by Mira Vista Court personnel discussing the data and systems. OIG Inspections tested a sample of 22 timesheets for three days selected from the period January 1, 2023, through March 31, 2023, to determine whether Kronos deducted meal breaks as required. Inspectors randomly selected one day from each month in the period.

## Standards

OIG Inspections conducts inspections of Texas HHS programs, systems, and functions. Inspections are designed to be expeditious, targeted examinations into specific programmatic areas to identify systemic trends of fraud, waste, or abuse. Inspection reports present factual data accurately, fairly, and objectively, and present findings, conclusions, and recommendations in a persuasive manner to strengthen program

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<sup>2</sup> Nursing facilities electronically submit quarterly payroll data to CMS through the Payroll-Based Journal system, which is a web-based system developed by CMS that documents nursing facility payroll data.

effectiveness and efficiency. OIG Inspections conducted the inspection in accordance with *Quality Standards for Inspection and Evaluation* issued by the Council of the Inspectors General on Integrity and Efficiency.

## Criteria

OIG Inspections used the following criteria to evaluate the information provided:

- 42 C.F.R. §§ 483.70(q) (2019)
- The U.S. Centers for Medicare and Medicaid Services, Electronic Staffing Data Submission Payroll-Based Journal: Long-Term Care Facility Policy Manual, v. 2.5 (2018)
- The U.S. Centers for Medicare and Medicaid Services, Electronic Staffing Data Submission Payroll-Based Journal (PBJ) Frequently Asked Questions (2018)