

Inspections Report

Nursing Facility Emergency Preparedness

Villa Toscana at Cypress Woods



**Inspector
General**

Texas Health
and Human Services

September 28, 2022
OIG Report No. INS-23-002



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

NURSING FACILITY EMERGENCY PREPAREDNESS

Villa Toscana at Cypress Woods

September 28, 2022

Dear Maria Viray:

The Texas Health and Human Services (HHS) Office of Inspector General (OIG) Audit and Inspections Division (OIG Inspections) conducted an inspection to determine whether Villa Toscana at Cypress Woods (Villa Toscana) followed select state and federal requirements for emergency preparedness.

OIG Inspections conducted a site visit to Villa Toscana's facility and reviewed Villa Toscana's emergency preparedness plans and processes for compliance with 23 state and federal emergency preparedness requirements for nursing facilities. Based on the results of our testing, OIG Inspections determined that Villa Toscana's emergency preparedness plans and processes complied with the state and federal emergency preparedness requirements for nursing facilities reviewed as part of this inspection. As a result, no issues or opportunities for improvement were identified for this inspection.

Background

Villa Toscana, owned by South Limestone Hospital District and managed by Houston I Enterprises, LLC, is a skilled nursing facility located in Houston, Texas.

The attachment to this letter contains additional details on this inspection.

Sincerely,

A handwritten signature in blue ink that reads "Audrey O'Neill".

Audrey O'Neill, CIA, CFE, CGAP
Principal Deputy Inspector General, Chief of Audit and Inspections

Attachment

cc: Cecile Erwin Young, HHS Executive Commissioner
Sylvia Hernandez Kauffman, HHS Inspector General

Section 1: Summary of Inspection Results

OIG Inspections conducted a site visit to Villa Toscana's facility on May 24, 2022, and reviewed Villa Toscana's emergency preparedness plans and processes for compliance with 23 state and federal emergency preparedness requirements for nursing facilities related to:

- Emergency preparedness plans
- Emergency supplies and power
- Emergency communication plans
- Emergency preparedness plan training and testing

Villa Toscana had both printed and online versions of an updated emergency preparedness (a) plan, (b) communication plan, and (c) training and testing program. The availability of emergency preparedness documents in both printed and online forms should improve access to the information in an emergency and offers an electronic platform for reviewing and updating all elements within the plan. Villa Toscana also had updated procedures related to alternative power sources; subsistence needs for residents and staff; and documentation for past trainings and tests.

Additionally, during OIG Inspection's on-site visit to Villa Toscana's facility, inspectors saw multiple emergency preparedness elements, including a generator used as an alternate energy source and supplies for resident and staff subsistence. Villa Toscana's emergency preparedness plans and processes complied with the state and federal emergency preparedness requirements for nursing facilities reviewed as part of this inspection. OIG Inspections did not identify any issues or opportunities for improvement.

OIG Inspections thanks the management and staff at Villa Toscana for their cooperation and assistance during this inspection.

Emergency Preparedness Requirements

Nursing facilities are required to establish and maintain an emergency preparedness program,^{1,2} which includes, but is not limited to, the following emergency preparedness elements:

- Emergency preparedness plan
- Policies and procedures
- Communication plan
- Training and testing program
- Emergency and standby power systems

Each nursing facility's emergency preparedness plan must address emergency events identified by the facility's risk assessment, such as heating or cooling system failures, fires, power outages, extreme winter conditions, hurricanes, and tornadoes.

HHS Long Term Care Regulation (LTCR) is responsible for ensuring nursing facilities comply with state and federal laws and regulations. LTCR provides training and guidance, conducts annual emergency preparedness surveys, and performs a follow-up review of deficiencies identified to ensure compliance.

¹ 42 C.F.R. § 483.73 (Nov. 29, 2019).

² 26 Tex. Admin. Code § 554.1914 (Jan. 15, 2021).

Section 2: Objective, Scope, Methodology, Standards, and Criteria

Objective and Scope

The inspection objective was to determine whether Villa Toscana followed select state and federal requirements for emergency preparedness.

The inspection scope included Villa Toscana's (a) documentation of calendar year 2021 emergency preparedness training and testing and (b) emergency preparedness program in place as of May 2022.

Methodology

To achieve its inspection objective, OIG Inspections collected information through (a) discussions and interviews with LTCR staff and Villa Toscana staff, (b) a site visit to Villa Toscana's facility in Houston, Texas, on May 24, 2022, and (c) a review of:

- Regulations, policies, and procedures that address the objective.
- Villa Toscana's emergency preparedness plan, emergency supplies and power, communication plan, and training and testing records.

OIG Inspections selected the emergency preparedness requirements to test as part of this inspection after (a) discussions with LTCR and (b) review of prior deficiencies identified in both LTCR reviews and the U.S. Department of Health and Human Services Office of Inspector General's review of selected nursing facilities in Texas to evaluate compliance with life safety and emergency preparedness requirements.³

In March 2022, there were 1,154 nursing facilities participating in Texas Medicaid. To choose the nursing facility to inspect, OIG Inspections considered the following criteria:

- Location of the nursing facility.
- Date LTCR last inspected the nursing facility.
- Nursing facility incidents reported to HHS.

³ U.S. Department of Health and Human Services Office of Inspector General, *Life Safety and Emergency Preparedness Deficiencies Found at 18 of 20 Texas Nursing Homes*, A-06-19-08001 (Feb. 6, 2020).

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 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. § 483.73 (2019)
- 26 Tex. Admin. Code § 554.1914 (2021)

Section 3: Related Reports

- Nursing Facility Emergency Preparedness: Mystic Park Nursing and Rehabilitation Center, [INS-22-010](#), August 25, 2022

Section 4: Report Team and Distribution

Report Team

OIG staff members who contributed to this inspection report include:

- Kacy J. VerColen, CPA, Deputy Inspector General of Audit and Inspections
- Bruce Andrews, CPA, CISA, Director of Inspections
- James Aldridge, Manager of Inspections
- Marco Diaz, Lead Inspector
- Gabriella Berger, Inspector
- Ashley Rains, CFE, Senior Audit Operations Analyst

Report Distribution

Health and Human Services

- Cecile Erwin Young, Executive Commissioner
- Kate Hendrix, Chief of Staff
- Maurice McCreary, Jr., Chief Operating Officer
- Jordan Dixon, Chief Policy and Regulatory Officer
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- Michelle Alletto, Chief Program and Services Officer
- Nicole Guerrero, Chief Audit Executive
- Jose Garcia, Deputy Director of Compliance Division
- Stephen Pahl, Deputy Executive Commissioner for Regulatory Services
- Michelle Dionne-Vahalik, Associate Commissioner for Long Term Care Regulation

Villa Toscana at Cypress Woods

- Maria Viray, Administrator
- Roderick Dichoso, Director of Maintenance

Section 5: **OIG Mission, Leadership, and Contact Information**

The mission of OIG is to prevent, detect, and deter fraud, waste, and abuse through the audit, investigation, and inspection of federal and state taxpayer dollars used in the provision and delivery of health and human services in Texas. The senior leadership guiding the fulfillment of OIG's mission and statutory responsibility includes:

- Sylvia Hernandez Kauffman, Inspector General
- Audrey O'Neill, Principal Deputy Inspector General, Chief of Audit and Inspections
- Susan Biles, Chief of Staff, Chief of Policy and Performance
- Erik Cary, Chief Counsel
- Christine Maldonado, Chief of Operations and Workforce Leadership
- Steve Johnson, Chief of Investigations and Reviews

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- Email: OIGCommunications@hhs.texas.gov
- Mail: Texas Health and Human Services
Office of Inspector General
P.O. Box 85200
Austin, Texas 78708-5200
- Phone: 512-491-2000