



State of Wisconsin
Department of Health Services

Tony Evers, Governor
Andrea Palm, Secretary

May 21, 2019

Jeff Renk
Senate Chief Clerk
B20 Southeast State Capitol
Madison, WI 53702

Patrick E. Fuller
Assembly Chief Clerk
17 West Main Street, Room 401
Madison, WI 53703

Dear Mr. Renk and Mr. Fuller:

Pursuant to Wis. Stat. § 50.04(5)(fr), I am submitting the Department of Health Services' (DHS) annual report to the Legislature related to Class A violations committed by nursing homes and forfeitures assessed on nursing homes for those violations. A Class A violation is defined as "a violation of this subchapter or of the rules promulgated thereunder which creates a condition or occurrence related to the operation and maintenance of a nursing home presenting a substantial probability that death or serious mental or physical harm to a resident will result therefrom."

On December 2, 2011, § 50.04(4)(am) was enacted to eliminate the issuance of a state violation, when a federal deficiency was issued for the same noncompliance factors, and states "Dual federal and state violations. 1. Notwithstanding s. 50.01(3), in this paragraph, 'nursing home' does not include a facility serving people with developmental disabilities. 2. If an act or omission constitutes a violation of this subchapter or the rules promulgated under this subchapter, s. 49.498, or requirements under 42 CFR 483 related to the operation of a nursing home, the department may not issue under s. 50.04(4)(a) a notice of violation of this subchapter, the rules promulgated under this subchapter, or s. 49.498 if the department has, in a statement of deficiency, cited the nursing home for the violation under requirements under 42 CFR 483 related to the operation of a nursing home".

DHS did not issue any Class A violations in calendar year 2018.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrea Palm", written over a horizontal line.

Andrea Palm
Secretary - designee

Mr. Renk
Mr. Fuller
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**Class A Violations for Nursing Homes and Facilities for the Developmentally Disabled
Division of Quality Assurance
May 2019**

Date Range	Class A Violations
1/1/2018 – 12/31/2018	0
1/1/2017 – 12/31/2017	0
1/1/2016 – 12/31/2016	0
1/1/2015 – 12/31/2015	0
1/1/2014 – 12/31/2014	1
1/1/2013 – 12/31/2013	1
1/1/2012 – 12/31/2012	0
1/1/2011 – 12/31/2011	12
1/1/2010 – 12/31/2010	19
1/1/2009 – 12/31/2009	28
1/1/2008 – 12/31/2008	32
1/1/2007 – 12/31/2007	33
1/1/2006 – 12/31/2006	43
1/1/2005 – 12/31/2005	34