



State of Wisconsin
Department of Health Services

Tony Evers, Governor
Kirsten L. Johnson, Secretary

June 12, 2023

Michael Queensland
Senate Chief Clerk
Room B20 Southeast, State Capitol
Madison, WI 53701

Edward Blazel
Assembly Chief Clerk
17 West Main, Suite 401
Madison, WI 53703

Dear Mr. Queensland and Mr. Blazel:

Pursuant to Wis. Stat. § 50.04(5)(fr), I am submitting the Wisconsin 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, Wis. Stat. § 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 Wis. Stat. § 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, Wis. Stat. § 49.498, or requirements under 42 CFR 483 related to the operation of a nursing home, DHS may not issue, under Wis. Stat. § 50.04(4)(a), a notice of violation of this subchapter, the rules promulgated under this subchapter, or Wis. Stat. § 49.498 if DHS 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 2022.

Sincerely,

A handwritten signature in black ink, appearing to read "Kirsten L. Johnson".

Kirsten L. Johnson
Secretary-designee

Mr. Queensland
 Mr. Blazel
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**Class A Violations for Nursing Homes and Facilities for the Developmentally Disabled
 Division of Quality Assurance
 April 2023**

Date Range	Class A Violations
1/1/2022 – 12/31/2022	0
1/1/2021 – 12/31/2021	0
1/1/2020 – 12/31/2020	0
1/1/2019 – 12/31/2019	0
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