



**Office of the  
Medicaid Inspector  
General**

**ANDREW M. CUOMO**  
Governor

**DENNIS ROSEN**  
Medicaid Inspector General

June 20, 2016

██████████  
Caton Park Rehabilitation and Nursing Center, LLC  
(aka Caton Park Nursing Home SNF)  
1312 Caton Avenue  
Brooklyn, NY 11226

Re: MDS Final Audit Report  
Audit #: 13-4854  
Provider ID#: ██████████

Dear ██████████

This is the final audit report of findings with regard to the Office of the Medicaid Inspector General's (OMIG) Minimum Data Set (MDS) audit of Caton Park Rehabilitation and Nursing Center, LLC (aka Caton Park Nursing Home SNF) for the census period ending January 25, 2012. In accordance with 18 NYCRR §517.6, this final audit report represents the OMIG's final determination on issues found during OMIG's review.

Since you did not respond to our draft audit report dated September 14, 2015, the findings in the final audit report remain identical to the draft audit report.

The Medicaid overpayment of \$20,194.53 was calculated using the number of Medicaid days paid for the rate period July 1, 2012 through December 31, 2012 and the change in the direct component of your Medicaid rate as calculated by the Department of Health's Bureau of Long Term Care Reimbursement (BLTCR). The calculation of this overpayment is detailed in Attachment A. BLTCR will adjust your Medicaid rates for the relevant rate period to reflect the change in the direct component. The findings explanation, regulatory references, and applicable adjustment can be found in the attachments following Attachment A.

You have the right to challenge this action and determination by requesting an administrative hearing within sixty (60) days of the date of this notice. In accordance with 18 NYCRR §519.18(a), "The issues and documentation considered at the hearing are limited to issues directly relating to the final determination. An appellant may not raise issues regarding the methodology used to determine any rate of payment or fee, nor raise any new matter not considered by the department upon submission of objections to a draft audit or notice of proposed agency action." You may only request a hearing to challenge specific audit adjustments which you challenged in a response to the draft audit report.

If you wish to request a hearing, the request must be submitted in writing to:

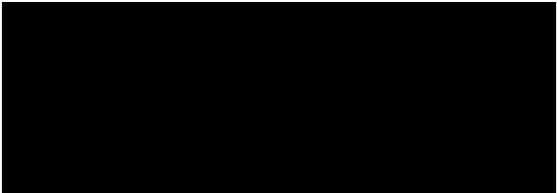
General Counsel  
Office of Counsel  
New York State Office of the Medicaid Inspector General  
800 North Pearl Street  
Albany, New York 12204

Questions regarding the request for a hearing should be directed to the Office of Counsel, at [REDACTED]

Pursuant to 18 NYCRR §519.18, at the hearing you have the right to:

- (a) request the department to reschedule the hearing (adjournment);
- (b) be represented by an attorney, or other representative, or to represent himself/herself;
- (c) have an interpreter, at no charge, if the appellant does not speak English or is deaf and cannot afford one (the appellant must advise the department prior to the hearing if an interpreter will be needed);
- (d) produce witnesses and present written and/or oral evidence to explain why the action taken was wrong;
- (e) cross-examine witnesses of the department.

Should you have any questions regarding the above, please contact [REDACTED]  
[REDACTED]



Division of Medicaid Audit  
Office of the Medicaid Inspector General

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

OFFICE OF THE MEDICAID INSPECTOR GENERAL  
CATON PARK REHABILITATION AND NURSING CENTER  
AUDIT # 13-4854  
CALCULATION OF AUDIT IMPACT

RATE TYPE	DECREASED IN DIRECT COMPONENT OF RATE*	MEDICAID DAYS	IMPACT
Part B Eligible/Part B D Eligible	\$1.21	14,187	\$17,166.27
Non-Medicare/Part D Eligible	\$1.23	2,462	\$3,028.26
Total			<u>\$20,194.53</u>

\*Rounded to nearest 1/100th New York State Department of Health Bureau of Managed Long Term  
Care Rate Setting / FFS

OFFICE OF THE MEDICAID INSPECTOR GENERAL  
 CATON PARK REHABILITATION AND NURSING CENTER  
 AUDIT #13-4854  
 FINDINGS BY SAMPLE NUMBER

Sample #	Reported RUG	Derived RUG	Reported RUG Weight	Derived RUG Weight	DISALLOW BED MOBILITY SELF PERFORMANCE	DISALLOW TRANSFER SELF PERFORMANCE	DISALLOW TRANSFER SUPPORT PROVIDED	DISALLOW TOILET USE SELF PERFORMANCE	DISALLOW TOILET USE SUPPORT PROVIDED	DISALLOW OCCUPATION THERAPY	DISALLOW PHYSICAL THERAPY
1	RVC	RVC	1.53	1.53							
2	RUC	RUB	1.82	1.53			1		1		
3	PD2	PD2	0.73	0.73				1			
4	PE1	PE1	0.79	0.79	1	1		1			
5	RHC	RHC	1.40	1.40							
6	RVB	IB1	1.39	0.78					1	1	
7	BA1	BA1	0.47	0.47							
8	PA1	PA1	0.46	0.46							
9	RMB	RMB	1.22	1.22							
10	BA1	BA1	0.47	0.47							
11	RHC	RHC	1.40	1.40							
12	CC2	CC2	1.12	1.12							
13	BA1	BA1	0.47	0.47							
14	IA1	IA1	0.61	0.61							
15	RMA	RMA	1.17	1.17							
16	SSC	SSC	1.12	1.12							
17	SSC	SSC	1.12	1.12							
18	PE2	PE2	0.80	0.80							
19	PA1	PA1	0.46	0.46							
20	PB1	PB1	0.58	0.58							

OFFICE OF THE MEDICAID INSPECTOR GENERAL  
 CATON PARK REHABILITATION AND NURSING CENTER  
 AUDIT #13-4854  
 FINDINGS BY SAMPLE NUMBER

Sample #	Reported RUG	Derived RUG	Reported RUG Weight	Derived RUG Weight	DISALLOWED SERVICES						
					DISALLOW BED MOBILITY SELF PERFORMANCE	DISALLOW TRANSFER SELF PERFORMANCE	DISALLOW TRANSFER SUPPORT PROVIDED	DISALLOW TOILET USE SELF PERFORMANCE	DISALLOW TOILET USE SUPPORT PROVIDED	DISALLOW OCCUPATION THERAPY	DISALLOW PHYSICAL THERAPY
21	IA1	IA1	0.61	0.61							
22	BB2	BB2	0.70	0.70							
23	CC2	CC2	1.12	1.12	1	1		1			
24	RVC	RVC	1.53	1.53							
25	RHC	RHC	1.40	1.40					1		
26	PD2	PD2	0.73	0.73							
27	PD2	PD2	0.73	0.73							
28	IA1	IA1	0.61	0.61							
29	PD2	PD2	0.73	0.73							
30	RMX	RMX	1.96	1.96							
31	PA1	PA1	0.46	0.46							
<b>TOTALS</b>					<u>2</u>	<u>2</u>	<u>1</u>	<u>3</u>	<u>1</u>	<u>2</u>	<u>1</u>

**OFFICE OF THE MEDICAID INSPECTOR GENERAL  
CATON PARK REHABILITATION AND NURSING CENTER  
AUDIT #13-4854  
MDS DETAILED FINDINGS**

**MDS FINDINGS**

**SAMPLE SELECTION**

**Functional Status-ADL Self-Performance and Support**

If the provider is unable to produce the supporting documentation for the patient, the service will be disallowed and the Case Mix will be adjusted. A repayment schedule will be developed.

Documentation must indicate an assessment was done to evaluate the need for assistance with activities of daily living (ADL's), altered gait and balance, and decreased range of motion (ROM). MDS 3.0 manual guidelines will be followed when examining the medical records.

*42 CFR §483.20 (b) (xvii)  
MDS Manual 3.0 G0100-0900*

**Bed Mobility Self-Performance**

In 2 instances, documentation did not support resident required total assist every time. 4, 23

**Transfer Self-Performance**

In 2 instances, documentation did not support resident required total assist every time. 4, 23

**Transfer Support Provided**

In 1 instance, documentation did not support resident was a 2+ person physical help at least once. 2

**Toilet Use Self-Performance**

In 3 instances, documentation did not support resident required total assist every time. 3, 4, 23

**Toilet Use Support Provided**

In 1 instance, documentation did not support resident was a 2+ person physical help at least once. 2

**Skilled Therapy**

If the provider is unable to produce the supporting documentation for the patient, the service will be disallowed and the Case Mix will be adjusted. A repayment schedule will be developed.

The qualified therapist, in conjunction with the physician and nursing staff, is responsible for determining the necessity for and the frequency and duration of the therapy provided to residents. Rehabilitation (i.e., via Speech-Language Services, and Occupational and Physical Therapies) and respiratory, psychological, and recreational therapy helps the residents to attain or maintain their highest level of well-being and improve their quality of life. MDS 3.0 manual guidelines will be followed when reviewing the documentation provided by the facility.

*42 CFR §483.20 (b) (xvii)  
MDS 3.0 Manual 00400-0500*

**Occupational Therapy**

In 1 instance, documentation reflected incorrect individual/concurrent/group minutes. 25

In 1 instance, documentation did not support medical necessity for therapy and/or therapy was not reasonable for resident condition. 6

**Physical Therapy**

In 1 instance, documentation did not support medical necessity for therapy and/or therapy was not reasonable for resident condition. 6

**RUGS-II Classifications Overturned**

In 2 instances, the RUG classifications were overturned. 2, 6

*10 NYCRR §86-2.10, Volume A-2*