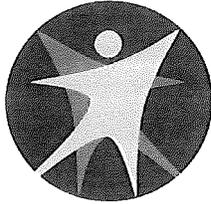


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# STATE DOCUMENT



## State of Wisconsin Department of Health Services

Scott Walker, Governor  
Kitty Rhoades, Secretary

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May 6, 2013

*Class A violations...*

Jeff Renk  
Senate Chief Clerk  
B20 Southeast 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. Stats., section 50.04(5)(fr), I am submitting the Department of Health Services' annual report to the Legislature related to Class A violations committed by nursing homes and forfeitures assessed on nursing homes for these violations. As defined by s. 50.04(4)(b)(1), a Class A violation is "a violation of this subchapter or of the rules promulgated thereunder which creates a condition or occurrence relating 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 there from."

On December 2, 2011, s. 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. Section 50.04(4)(am) 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.

The Department did not issue any Class A violations in calendar year 2012. The reduction in violations issued is directly attributed to the 2011 statutory change for dual violations.

Sincerely,

  
Kitty Rhoades  
Secretary

Scott Walker  
Governor



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P O BOX 2969  
MADISON WI 53701-2969

Kitty Rhoades  
Secretary

**State of Wisconsin**  
Department of Health Services

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**Class A Violations for Nursing Homes & FDDS**  
**Division of Quality Assurance**  
**April 2013**

Date Range	Class A Violations
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