AUDREY STRAUSS
United States Attorney for the
Southern District of New York
By: RACHAEL DOUD
JACOB M. BERGMAN
Assistant United States Attorneys
86 Chambers Street, 3rd Floor
New York, New York 10007

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA ex rel. INTEGRA MED ANALYTICS LLC,

Plaintiff,

v.

ISAAC LAUFER, MONTCLAIR CARE CENTER, INC., EAST ROCKAWAY CENTER LLC, EXCEL AT WOODBURY FOR REHABILITATION AND NURSING, LLC, LONG ISLAND CARE CENTER INC., TREETOPS REHABILITATION & CARE, SUTTON PARK CENTER FOR NURSING & REHABILITATION, LLC, SUFFOLK RESTORATIVE THERAPY & NURSING, LLC, OASIS REHABILITATION AND NURSING, LLC, and FOREST MANOR CARE CENTER, INC..

Defendants.

UNITED STATES OF AMERICA,

Plaintiff,

v.

ISSAC LAUFER, TAMI WHITNEY, PARAGON MANAGEMENT SNF LLC, MONTCLAIR CARE CENTER, INC., EAST ROCKAWAY CENTER LLC, EXCEL AT WOODBURY FOR REHABILITATION AND NURSING, LLC, LONG ISLAND CARE CENTER INC., TREETOPS REHABILITATION & CARE CENTER LLC, SUTTON PARK CENTER FOR NURSING & REHABILITATION, LLC, SUFFOLK

17 Civ. 9424 (CS)

OF THE UNITED STATES OF AMERICA

JURY TRIAL DEMANDED

RESTORATIVE THERAPY & NURSING, LLC, OASIS REHABILITATION AND NURSING, LLC, FOREST MANOR CARE CENTER, INC., SURGE REHABILITATION & NURSING LLC, and QUANTUM REHABILITATION & NURSING LLC,

Defendants.

The United States of America (the "United States" or the "Government"), by and through its attorney, Audrey Strauss, United States Attorney for the Southern District of New York, brings this Complaint-In-Intervention against Issac Laufer, who is a part owner of ten of the eleven above-captioned skilled nursing facilities located in and around the Southern District of New York and operates all of the facilities; Tami Whitney, the Coordinator of Rehabilitation Services at those facilities; Paragon Management SNF LLC ("Paragon"), the management company through which Laufer operates those facilities; and the skilled nursing facilities themselves (individually, a "Facility", and together, the "Facilities") (collectively, "Defendants"), to recover treble damages sustained by, and civil penalties and restitution owed to, the Government under the False Claims Act ("FCA"), 31 U.S.C. §§ 3729 et seq., and, in the alternative, to recover damages sustained by the Government under the common law, and alleges as follows:

PRELIMINARY STATEMENT

1. From at least 2010 through September 2019 (the "Relevant Period"), Defendants knowingly submitted, or caused to be submitted, false claims to Medicare Part A for unreasonable, unnecessary, or unskilled therapy services that the Facilities provided to residents. Defendants also made false statements in connection with those false claims, including statements erroneously certifying that Defendants complied with applicable Medicare requirements. Defendants carried out this fraudulent billing scheme in two principal ways. First, Defendants systematically and deliberately worked to keep patients in residence at the Facilities

and on therapy longer than necessary or reasonable in order to maximize the amount billed to Medicare for their stays. Second, while the patients were at the Facilities, Defendants routinely put patients on higher levels of rehabilitation therapy than reasonable or necessary in order to bill Medicare at a higher rate for the services Defendants were providing. Defendants Laufer and Whitney instructed and pressured Facility employees to engage in these practices, in order to maximize profits and in contravention of the law.

- 2. Specifically, Whitney tracked the number of Medicare days used by each patient at the Facilities and expected staff at the Facilities to justify discharges that were substantially short of 100 days—not for any medical reason, but because 100 days was the maximum stay compensable by Medicare. Laufer received daily updates from the Facilities reporting the number of Medicare patients that had been discharged and, when he believed the Facilities were not making enough money, instructed Whitney to curb discharges in order to maximize Medicare reimbursement. Laufer's directives were not based on any information about patients' clinical needs; on the contrary, Laufer was explicit that his goal was to increase revenue.
- 3. To carry out Laufer's directives, Whitney and the Facilities devised various strategies to prolong patient stays. For example, the Facilities used challenging balance tests as a pretext to keep Medicare patients at the Facilities after they were ready to be discharged. In some instances, the Facilities went so far as to intentionally stunt patients' progress in order to create the appearance of a continued need for services and residential care.
- 4. Similarly, Whitney endeavored to maximize the amount of therapy provided to patients, again without regard to their clinical needs, and reported to Laufer on this practice.

 Whitney directed the Facilities to put virtually all Medicare patients on the highest, and thus most expensive, level of therapy, and chastised or overrode employees who failed to do so. This

scheme led to the provision of, and billing for, therapy with little or no benefit to patients, and therapy that did not involve the provision of skilled services.

- 5. Laufer's and Whitney's deliberate efforts to prolong patient stays and maximize rehabilitation levels, all in order to inflate Medicare billing, were successful. During the Relevant Period, the Facilities kept Medicare Part A patients at the Facilities longer, and provided more Ultra High rehabilitation to their patients, than the vast majority of skilled nursing facilities in the nation.
- 6. By billing for rehabilitation services that were not reasonable or necessary,
 Defendants presented, or caused to be presented, false claims to Medicare. Additionally, by
 falsely certifying their compliance with applicable Medicare requirements, Defendants made
 false statements material to the payment of false claims.

JURISDICTION AND VENUE

- 7. This Court has jurisdiction over the claims brought under the FCA pursuant to 31 U.S.C. § 3730(a) and 28 U.S.C. §§ 1331 and 1345, and over the common law claims pursuant to 28 U.S.C. § 1345.
- 8. This Court may exercise personal jurisdiction over Defendants pursuant to 31 U.S.C. § 3732(a), which provides for nationwide service of process.
- 9. Venue is proper in this District pursuant to 31 U.S.C. § 3732(a) and 28 U.S.C. § 1391(b) because Laufer, Whitney, Paragon, and several of the Facilities transact business in this District and because a substantial part of the events giving rise to the claims herein occurred within this District. Defendants submitted claims for services rendered to individuals who lived in Facilities in this District. Venue is proper in this District as to the remaining Facilities pursuant to the doctrine of pendent venue.

THE PARTIES

- 10. Plaintiff is the United States of America. Through its Department of Health and Human Services ("HHS"), and more specifically through the Centers for Medicare and Medicaid Services ("CMS"), a component agency within HHS, the Government administers the Medicare Program, including, as relevant here, Medicare Part A.
- 11. Relator Integra Med Analytics LLC is a Texas limited liability company. Relator is an associated company of Integra Research Group LLC, which specializes in using statistical analysis to identify health care data patterns that suggest fraud. On December 1, 2017, Relator filed an action pursuant to the FCA alleging that Laufer and nine of the Facilities caused false claims to be submitted to Medicare in violation of the FCA, by prolonging patient stays in the Facilities and providing high-level rehabilitation therapy, without any medical justification to do so.
- 12. Defendant Issac Laufer is an owner of ten of the eleven Facilities, in most cases together with other investors. The remaining Facility, Long Island Care Center, Inc., is owned by Laufer's father, together with other investors. Issac Laufer operates each of the eleven Facilities.
- 13. Defendant Paragon Management SNF LLC is a limited liability company that Laufer owns and through which he manages the Facilities. Laufer created Paragon in order to provide support for the Facilities and consolidate cross-Facility operations such as payroll. Paragon, as ultimately directed by Laufer, exercises authority over hiring and firing decisions with respect to the administrators that manage the day-to-day operations of the Facilities.
- 14. Defendant Tami Whitney is an employee of Paragon and the Coordinator of Rehabilitation Services for the Facilities. As such, she is involved in decisions regarding the provision of, and billing for, rehabilitation services at the Facilities.

- 15. Defendant Marquis Rehabilitation & Nursing Center ("Marquis"), d/b/a Montclair Care Center, Inc. and/or Emerge Nursing and Rehabilitation, is a New York corporation located at 2 Medical Plaza, Glen Cove, New York 11542. Montclair is a skilled nursing facility ("SNF") with the assigned National Provider Identifier ("NPI") number 1639234149.
- 16. Defendant Lynbrook Restorative Therapy and Nursing ("Lynbrook"), d/b/a East Rockaway Center LLC, is a New York limited liability company located at 243 Atlantic Avenue, Lynbrook, New York 11563. Lynbrook is a SNF with the assigned NPI number 1265724298.
- 17. Defendant Excel at Woodbury for Rehabilitation and Nursing, LLC ("Excel") is a New York limited liability company located at 8533 Jericho Turnpike, Woodbury, New York 11797. Excel is a SNF with the assigned NPI number 1376989376.
- 18. Defendant Long Island Care Center, Inc. ("LICC") is a New York corporation located at 144-61 38th Avenue, Flushing, New York 11354. LICC is a SNF with the assigned NPI number 1780661785.
- 19. Defendant North Westchester Restorative Therapy and Nursing Center ("North Westchester"), d/b/a Treetops Rehabilitation & Care Center LLC, is a New York limited liability company located at 3550 Lexington Avenue, Mohegan Lake, New York 10547. Treetops is a SNF with the assigned NPI number 1427100064.
- 20. Defendant Sutton Park Center for Nursing & Rehabilitation LLC ("Sutton Park") is a New York limited liability company located at 31 Lockwood Avenue, New Rochelle, New York 10801. Sutton Park is a SNF with the assigned NPI number 1376788513.
- 21. Defendant Momentum at South Bay for Rehabilitation and Nursing ("Momentum"), d/b/a Suffolk Restorative Therapy & Nursing LLC, is a New York limited liability company located at 340 East Montauk Highway, East Islip, New York 11730. Suffolk is a SNF with the assigned NPI number 1508167230.

- 22. Defendant Oasis Rehabilitation and Nursing, LLC ("Oasis") is a New York limited liability company located at 6 Frowein Road, Center Moriches, New York 11934. Oasis is a SNF with the assigned NPI number 1316360845.
- 23. Defendant Glen Cove Center for Nursing and Rehabilitation ("Glen Cove"), d/b/a
 Forest Manor Care Center, Inc., is a New York corporation located at 6 Medical Plaza, Glen
 Cove, New York 11542. Forest Manor is a SNF with the assigned NPI number 1366438418.
- 24. Defendant Surge Rehabilitation and Nursing LLC ("Surge") is a New York limited liability company located at 49 Oakcrest Ave, Middle Island, New York 11953. Surge is a SNF with the assigned NPI number 1205372042.
- 25. Defendant Quantum Rehabilitation and Nursing LLC ("Quantum") is a New York limited liability company located at 63 Oakcrest Avenue, Middle Island, New York 11953.

 Quantum is a SNF with the assigned NPI number 1215473053.

THE FALSE CLAIMS ACT

- 26. The False Claims Act was originally enacted in 1863 to address fraud on the Government in the midst of the Civil War, and it reflects Congress's objective to "enhance the Government's ability to recover losses as a result of fraud against the Government." *See* S. Rep. No. 99-345, at 1 (1986), *reprinted in* 1986 U.S.C.C.A.N. 5266.
- As relevant here, the FCA establishes treble damages liability to the Government where an individual or entity "knowingly presents, or causes to be presented, a false or fraudulent claim for payment or approval[;]" or "knowingly makes, uses, or causes to be made or used, a false record or statement material to a false or fraudulent claim[.]" 31 U.S.C. §§ 3729(a)(1)(A), (a)(1)(B).
- 28. "Knowingly," within the meaning of the FCA, is defined to include acting in reckless disregard or deliberate indifference of the truth or falsity of information, as well as a

defendant's actual knowledge of such falsity. *See id.* § 3729(b)(1). Further, "no proof of specific intent to defraud" is required to establish liability under the FCA. *Id.*

- 29. For purposes of Section 3729(a)(1)(B), the FCA defines "material" as "having a natural tendency to influence, or capable of influencing, the payment or receipt of money or property." *Id.* § 3729(b)(4).
- 30. In addition to treble damages, the FCA also provides for assessment of a civil penalty for each violation or each false claim.¹ See 31 U.S.C. § 3729(a)(1).

MEDICARE REIMBURSEMENT FOR SNF CARE

- 31. Medicare is a federally operated health insurance program administered by CMS, benefiting individuals 65 and older and the disabled. *See* 42 U.S.C. § 1395c *et seq*.
- 32. The Medicare program is divided into four "parts" that cover different services.

 Medicare Part A generally covers inpatient hospital services, home health and hospice care, and skilled nursing and rehabilitation care. Under Medicare Part A, CMS reimburses institutional healthcare providers a predetermined, fixed amount under a prospective payment system ("PPS"). Specifically, healthcare providers submit claims to CMS for medical services rendered, and CMS in turn pays the providers for those services based on payment rates established by the Government.
- 33. Medicare Part A covers only those services that are "reasonable and necessary for the diagnosis or treatment of illness or injury." *See* 42 U.S.C. § 1395y(a)(1)(A). In the context of skilled rehabilitation therapy, this means that the services furnished must be consistent with the nature and severity of the patient's individual illness, injury, or particular medical needs;

As adjusted by applicable laws and regulations, the range of civil penalties for FCA violations occurring between September 29, 1999, and November 1, 2015, is \$5,500 to \$11,000, see 28 U.S.C. § 2461 (notes); 64 Fed. Reg. 47,099, 47,103 (1999); and the range of civil penalties for FCA violations occurring after November 1, 2015, is \$10,781 to \$21,563, see 82 Fed. Reg. 9,131–9,136 (2017).

must be consistent with accepted standards of medical practice; and must be reasonable in terms of duration and quantity. *See* Medicare Benefit Policy Manual, Ch. 8, § 30; *see also* 42 U.S.C. § 1395f(a)(2)(B); 42 C.F.R. §§ 409.31(a)-(c) (explaining that, to justify SNF care, a medical practitioner must certify on a continuing basis that services are required because the individual needs skilled services on a daily basis).

34. To assess whether services are reasonable and necessary, and therefore eligible for reimbursement, Medicare rules require proper and complete documentation of the services rendered to beneficiaries. In particular, the Medicare statute provides that:

no such payments shall be made to any provider unless it has furnished such information as the Secretary may request in order to determine the amounts due such provider under this part for the period with respect to which the amounts are being paid or any prior period.

42 U.S.C. § 1395g(a).

35. To submit claims to Medicare, each SNF must submit a Medicare Enrollment Application in which the SNF certifies, among other things, that:

I agree to abide by the Medicare laws, regulations and program instructions that apply to this provider. . . . I understand that payment of a claim by Medicare is conditioned upon the claim and the underlying transaction complying with such laws, regulations, and program instructions (including, but not limited to, the Federal anti-kickback statute and the Stark law), and on the provider's compliance with all applicable conditions of participation in Medicare.

See CMS Form 855A.

36. Under the PPS, Medicare pays a SNF a predetermined daily rate for each day of skilled nursing and rehabilitation services provided to a patient. *See* 63 Fed. Reg. 26,252, 26,259-60 (May 12, 1998). Subject to certain conditions, Medicare Part A covers up to 100 days of care in a SNF for a benefit period (*i.e.*, spell of illness) following a qualifying hospital stay of at least three consecutive days. 42 U.S.C. § 1395d(a)(2)(A); 42 C.F.R. § 409.61(b), (c).

- 37. Among the conditions that Medicare imposes on its Part A SNF benefit are that: (1) the patient requires skilled nursing care or skilled rehabilitation services (or both) on a daily basis; (2) the daily skilled services are services that, as a practical matter, can only be provided in a skilled nursing facility on an inpatient basis; (3) the services are provided to address a condition for which the patient received treatment during a qualifying hospital stay or that arose while the patient was receiving care in a skilled nursing facility (for a condition treated during the hospital stay); (4) the services are ordered by a physician; and (5) the services provided require the skills of technical or professional personnel such as registered nurses, licensed practical (vocational) nurses, physical therapists, occupational therapists, and speech pathologists or audiologists and are furnished directly by, or under the supervision of, such personnel. 42 U.S.C. § 1395f(a)(2)(B); 42 C.F.R. §§ 409.31(a)-(c).
- 38. Medicare requires that a physician or certain other practitioners certify that these conditions are met at the time of a patient's admission to the SNF and recertify the patient's continuing need for skilled rehabilitation therapy services at regular intervals thereafter, with the first recertification required no later than the fourteenth day of the stay and additional recertifications required at intervals not exceeding thirty days. *See* 42 U.S.C. § 1395f(a)(2); Medicare General Information, Eligibility, and Entitlement Manual, Ch. 4, §§ 40.3 & 40.4.
- 39. Skilled therapy services may include the disciplines of physical, occupational, and speech therapy. In order for the services in question to be considered skilled rehabilitation, they must be "so inherently complex that [they] can be safely and effectively performed only by, or under the supervision of, professional or technical personnel." *See* 42 C.F.R. § 409.32(a).

² Examples of skilled rehabilitation services include: therapeutic exercises which must be performed by or under the supervision of a qualified physical or occupational therapist; gait evaluation and training; range of motion exercises that are part of the active treatment of a specific disease state that resulted in mobility deficits; maintenance therapy when the specialized

- 40. The purpose of skilled rehabilitation services is to help patients recover or improve their function and, to the extent possible, restore their level of function to the level prior to the patient's most recent hospitalization. *See generally* 42 C.F.R. § 409.31(b)(2); *id.* § 409.33. If the services can be safely and effectively furnished by non-skilled personnel, then the services are not considered skilled and are no longer reasonable and necessary rehabilitation services and, therefore, are excluded from coverage under Medicare parts A and B. *See generally id.* § 409.31(a)(2); *see also Physical, Occupational, and Speech Therapy Services,* CMS (September 5, 2012), *located at* https://www.cms.gov/Research-Statistics-Data-and-Systems/Monitoring-Programs/Medical-Review/Downloads/TherapyCapSlidesv10 09052012.pdf.
- 41. Prior to October 1, 2019, the Medicare reimbursement rate paid to a SNF for each patient was based, in part, on the patient's anticipated "need for skilled nursing care and therapy." Final Rule for Medicare Program's Prospective Payment System and Consolidated Billing for Skilled Nursing Facilities, 64 Fed. Reg. 41,644 (July 30, 1999). Specifically, the daily PPS rate that Medicare paid a SNF depended, in part, on the Resource Utilization Group ("RUG") to which a patient was assigned, and each distinct RUG was intended to reflect the anticipated costs associated with providing nursing and rehabilitation services to beneficiaries with similar characteristics or resource needs.

judgment of a qualified therapist is needed to design and establish a maintenance program; ultrasound, shortwave or microwave therapy; hot pack, hydrocollator, infrared treatments, paraffin baths, and whirlpool; and speech services necessary for the restoration of speech or hearing function. See 42 C.F.R. § 409.33(c). However, the "[g]eneral supervision of exercises which have been taught to the patient; including the actual carrying out of maintenance programs, i.e., the performance of the repetitive exercises required to maintain function do not require the skills of a therapist and would not constitute skilled rehabilitation services. See id. § 409.33(d). Similarly, "repetitious exercises to improve gait, maintain strength, or endurance; passive exercises to maintain range of motion in paralyzed extremities, which are not related to a specific loss of function; and assistive walking do not constitute skilled rehabilitation services." See id.

42. Under this system, there were five general rehabilitation RUG levels for those beneficiaries that required rehabilitation therapy: Rehab Ultra High (known as "RU"), Rehab Very High ("RV"), Rehab High ("RH"), Rehab Medium ("RM"), and Rehab Low ("RL"). The RUG level to which a patient was assigned depended on the number of skilled therapy minutes and the number of therapy disciplines the patient received during a seven-day assessment reference period (also known as the "look back period"). The chart below reflects the requirements for the five rehabilitation RUG levels and the corresponding daily reimbursement ranges during federal fiscal year 2019:

Rehabilitation RUG Level	Requirements to Attain RUG Level	Daily Reimbursement Range
Ultra High (RU)	At least 720 minutes per week total therapy combined from at least two therapy disciplines; one therapy discipline must be provided at least 5 days per week	\$527.80 – \$832.61 ³
Very High (RV)	Between 500 and 719 minutes per week total therapy; one therapy discipline must be provided at least 5 days per week	\$467.12 – \$741.10
High (H)	Between 325 and 499 minutes per week total therapy; one therapy discipline must be provided at least 5 days per week	\$373.88 – \$671.44
Medium (RM)	Between 150 and 324 minutes per week total therapy; therapy must be provided at least 5 days per week but can be any mix of disciplines	\$389.13 – \$615.93
Low (RL)	Minimum 45 minutes per week total therapy; therapy must be provided at least 3 days per week but can be any mix of disciplines	\$259.69 – \$540.92

63 Fed. Reg. 26,252, 26,262 (May 12, 1998); 83 Fed. Reg. 39,162, 39,175 (Aug. 8, 2019).

These rates applied to SNFs in urban areas. The specific reimbursement amount within each range depended on additional factors, including the patient's ability to perform certain activities of daily living such as eating and toileting, and the patient's need for extensive services such as intravenous treatment, or ventilator or tracheostomy care. 63 Fed. Reg. 26,252, 26,262 (May 12, 1998).

- 43. The Ultra High RUG level was "intended to apply only to the most complex cases requiring rehabilitative therapy well above the average amount of service time." 63 Fed. Reg. 26,252, 26,258 (May 12, 1998). In announcing the final PPS rule, CMS also made clear that SNFs should tailor the number of therapy minutes to patients' clinical needs rather than providing exactly the minimum needed to trigger a specific RUG level, explaining that the RUG system "uses minimum levels of minutes per week as qualifiers These minutes are minimums and are not to be used as upper limits for service provision Any policy of holding therapy to the bare minimum, regardless of beneficiary need, is inconsistent with the statutory requirements . . . and will result in poor outcomes, longer lengths of stay, and a degradation in the facility's quality of care." 64 Fed. Reg. 41,644, 41,662 (July 30, 1999).
- 44. Prior to October 1, 2019, a SNF was required to determine each patient's RUG as of specific assessment reference dates ("ARDs"). A patient's RUG as of the ARD then determined the applicable daily reimbursement rate prospectively for a specific timeframe. For fiscal year 2019, the Medicare assessment schedule was as follows:

RUG Assessment	Assessment Reference Date Window	Medicare Payment Days
Type	(including grace days)	Determined by RUG
5-day	1-8	Days 1-14
14-day	13-18	Days 15-30
30-day	27-33	Days 31-60
60-day	57-63	Days 61-90
90-day	87-93	Days 91-100

83 Fed. Reg. 39,162, 39,229 (Aug. 8, 2019).

45. SNFs reported therapy treatment times for each assessment reference period on a Minimum Data Set ("MDS") form that was completed as of each ARD in a patient's stay. *See* 64 Fed. Reg. at 41,661; 42 C.F.R. § 413.343. Prior to October 1, 2010, a SNF would electronically transmit the MDS form to a state's health department or other appropriate agency, which in turn would transmit the data to CMS. 42 C.F.R. § 483.20(f)(3) (2008); 42 C.F.R. §

483.315(h)(1)(v) (2008). From October 1, 2010, through September 30, 2019, SNFs submitted the MDS form directly to CMS. 42 C.F.R. § 483.20(f)(3) (2012).

- 46. Completion of the MDS was a prerequisite to payment under Medicare. See 63
 Fed. Reg. at 26,265. The MDS form required a certification by the provider stating, in part: "To the best of my knowledge, this information was collected in accordance with applicable Medicare and Medicaid requirements. I understand that this information is used as a basis for ensuring that residents receive appropriate and quality care, and as a basis for payment from federal funds." MDS Versions 2.0 and 3.0 for Nursing Home Resident Assessment and Care Screening. A patient's RUG information is also incorporated into the Health Insurance Prospective Payment System ("HIPPS") code, which Medicare uses to determine the payment amount owed to the nursing facility. The HIPPS code must be included on the CMS-1450 form (the claim form used to bill Medicare), which SNFs submit monthly to Medicare via intermediaries known as Medicare Administrative Contractors that process and pay Medicare claims on behalf of CMS. Medicare Claims Processing Manual, Ch. 25, § 75.5.
- 47. Prior to the commencement of skilled therapy in any discipline, a therapist certified in that discipline must evaluate the patient and develop a treatment plan that is approved by a physician. *See* 64 Fed. Reg. at 41,660-61; 42 C.F.R. §§ 409.17, 409.23. The therapy time-reporting rules made clear that "[t]he time it takes to perform the formal initial evaluation and develop the treatment goals and the plan of treatment may not be counted as minutes of therapy received by the beneficiary." 64 Fed. Reg. at 41,661; *see also* Resident Assessment Instrument (RAI) Manual, Ch. 3 at O-19 (Oct. 2014) ("The therapist's time spent on documentation or on initial evaluation is not included."). HHS explained that "[t]his policy was established because we do not wish to provide an incentive for facilities to perform initial evaluations for therapy services for patients who have no need of those specialized services." 64 Fed. Reg. at 41,661.

The policy was not intended, however, to deprive providers of compensation for performing initial evaluations, because "the cost of the initial assessment [was] included in the payment rates for all Medicare beneficiaries in covered Part A SNF stays." *Id.* at 41,661-62.

- 48. As of October 1, 2019, CMS no longer reimburses Part A skilled nursing care under a therapy-driven RUG Rate system. Instead, CMS now reimburses skilled nursing care under the Patient Driven Payment Model, or PDPM. This change was motivated in part by concerns that, under the RUG Rate system, SNFs were providing therapy for purposes of increasing billing, rather than based on patients' needs. *See* 83 Fed. Reg. 39162, 39184 (Aug. 8, 2018). For example, CMS observed that, over time, both the percentage of patients in the Ultra High therapy level and the percentage of residents receiving just enough therapy to qualify for the Ultra High and Very High therapy levels had increased. *Id.* CMS noted that "potential explanatory factors" for these observed trends, such as "internal pressure within SNFs that would override clinical judgment," were "troubling and entirely inconsistent with the intended use of the SNF benefit." *Id.*
- 49. In light of these concerns, CMS designed the PDPM system to focus payments on the unique, individualized needs and characteristics of each patient, rather than on the simple volume of services being provided. While a patient's need for rehabilitative therapy is still a relevant part of the patient categorization, in determining payment the PDPM relies more heavily on what the patient is likely to need, rather than the volume of therapy the facility chooses to provide. *See* 83 Fed. Reg. 39162 (Aug. 8, 2018); 84 Fed. Reg. 38,728 (Aug. 7, 2019); *see also* SNF PPS: Patient Driven Payment Model, *available at* https://www.cms.gov/Medicare/Medicare-Fee-for-Service-Payment/SNFPPS/Downloads/MLN_Call_PDPM_Presentation_508.pdf.

FACTUAL BACKGOUND

- 50. Issac Laufer is the owner and operator of Paragon. Over the last decade, Laufer has acquired numerous SNFs in the suburbs surrounding New York City—all of which are managed through Paragon. Most recently, Laufer acquired Quantum and Surge in 2016, and Marquis in 2018.⁴
- administrator. The Facility's MDS coordinator and the directors of rehabilitation, social services, admissions, diet, nursing, food service, maintenance, and housekeeping reported to the administrator. Tami Whitney, a Paragon employee, oversaw rehabilitation therapy for all of the Facilities. Whitney reported to the Director of Business Development for Paragon, who reported to Issac Laufer. However, Whitney also took direction directly from Issac Laufer as described below. At present, Laufer owns ten of the eleven SNFs named as defendants in this action (in whole or in part) and operates each of the eleven Facilities through Paragon.
- 52. During the Relevant Period, new patients were admitted to the Facilities immediately following their discharge from a hospital. Before a patient was discharged, the Facility received a document called a Patient Review Instrument ("PRI"), which was prepared by the hospital and contained basic information about the patient, such as the patient's condition, the care the patient required, the patient's diagnosis and the patient's insurance (or lack thereof). According to the typical procedure, the hospital would send this information to a Facility's admissions department and, in consultation with the Facility's director of nursing and sometimes the director of rehabilitation, the Facility would decide whether it had the resources to admit the patient.

⁴ Prior to 2018, Marquis was owned by Issac Laufer's father, and Issac Laufer was closely involved in the operation of the Facility.

- 53. In or around 2014, this process changed when Laufer also authorized marketing employees of Paragon—who were non-medical professionals embedded in hospitals and tasked with promoting the Facilities to hospital patients who were almost ready to be discharged—to make admissions decisions on their own. In other words, a Paragon marketing employee embedded at a hospital could decide, without any required consultation with medical or rehabilitation professionals, that a particular patient should be admitted to a Facility.
- 54. At times during the Relevant Period, a Facility's admissions department would disagree with a marketer's determination that a patient could be admitted; however, according to a former Paragon administrator, these disputes were usually resolved in the marketer's favor and the patient was admitted over the Facility's objection.
- 55. During the Relevant Period, once patients were admitted to a Facility, they were evaluated by an individual in the Facility's rehabilitation department (often the rehabilitation director). Following the evaluation, a plan of care was developed that set forth which services each patient should receive, the patient's level of rehabilitation (*i.e.*, the amount of therapy), the patient's rehabilitation goals, and the patient's anticipated length of stay. In addition, an MDS was completed and periodically reviewed and/or updated throughout the individual's stay at a Paragon Facility, as well as at discharge. As described in detail below, during the Relevant Period, before the applicable regulations changed in October 2019, Whitney applied intense pressure to administrators and rehabilitation directors at the Facilities to assign virtually all Medicare Part A patients to the Ultra High rehabilitation level and maximize their lengths of stay, regardless of their clinical needs.
- 56. During the Relevant Period, each Facility held a weekly "discharge" meeting.

 These meetings were typically attended by the relevant department heads (nursing, rehabilitation, diet, and social work) and the MDS coordinator. During the meeting, the Facility's patient roster

was reviewed and the MDS coordinator stated how many days of Medicare coverage each Medicare-eligible patient had left. In addition, for individuals who were close to their scheduled discharge date, the rehabilitation department provided an assessment of that individual's progress and how much longer they would likely need therapy. Ultimately, when a patient was about to be discharged, the social services department arranged for the individual to receive any equipment the patient might need (such as a walker) and a discharge summary form was generated. During the Relevant Period, if the rehabilitation department believed that a Medicare patient was ready for discharge but that person had not used up most of his or her 100 Medicare days, Whitney, who often attended these meetings in person, frequently pressured the Facility to prevent such a discharge. Laufer did not attend these discharge meetings but the administrators of the Facilities and Whitney kept Laufer abreast of the Facilities' metrics, including in regular text messages reporting the number of Medicare beneficiaries discharged each day and for the month.

DEFENDANTS' FRAUDULENT CONDUCT

57. From at least 2010 through September 2019, Whitney, with Laufer's knowledge and at his behest, directed employees at the Facilities to engage in two types of practices that caused the submission of false claims to Medicare for unreasonable, unnecessary, or unskilled therapy. First, the Facilities deliberately attempted to keep Medicare-eligible patients at the Facilities and on therapy for as close as possible to the 100 days compensable by Medicare Part A, regardless of the patients' clinical needs. To accomplish this, Whitney worked with employees of the Facilities to devise strategies for convincing patients to stay longer than clinically necessary, including intentionally limiting patients' ability to function independently and using challenging balance tests in misleading ways to artificially prolong patient stays. Whitney reported on these efforts to Laufer, who objected when, in his view, too many Medicare

patients were being discharged, and instructed Whitney—without regard to patients' medical needs—to prevent that from happening.

- 58. Second, Facility management, at Whitney's instruction and with Laufer's knowledge, sought to maximize Medicare billings for rehabilitation therapy, again without regard to patients' clinical needs. They did so by directing Facility staff to assign all or most Medicare Part A patients to the Ultra High therapy level, regardless of the patients' actual needs. As a result, the Facilities billed Medicare for rehabilitation therapy that was unnecessary and therefore not clinically appropriate, and for therapy that did not involve the provision of skilled services.
- 59. These practices, which took place at each of the eleven Paragon-managed Facilities, were part of a concerted effort by Laufer, and in turn, Whitney, to maximize Medicare billing by providing therapy to the most patients at the highest level and for the longest period compensable by Medicare—without limitation based on what was reasonable or necessary, and hence in violation of Defendants' legal obligations.

I. Defendants Prolonged Patients' Stays at the Facilities Without Regard to Their Clinical Needs in Order to Maximize Medicare Reimbursement

- 60. During the Relevant Period, the Facilities routinely sought to extend the stays of Medicare Part A patients without regard to the patients' clinical needs, in order to maximize reimbursement from Medicare. Whitney directed Facility employees to extend patient stays in this manner; Whitney, in turn, was instructed by Laufer to avoid patient discharges—and thereby increase patient stays—without any regard to patients' medical conditions.
- 61. In his communications with Whitney, Laufer made clear that maximizing profits was his number one priority—and that extending stays of Medicare patients was a critical way to accomplish that. In order to monitor the Facilities' performance on that front, Laufer tracked discharges of Medicare patients from the Facilities and, when he considered the discharge

numbers to be too high, instructed Whitney to reduce the number of discharges and thereby extend patient stays. These instructions never referenced patients' clinical needs or what was medically appropriate; indeed, Laufer did not have any information about those issues. Instead, Laufer made explicit that his directives regarding discharges were purely driven by profit.

- 62. In order to track how long the Facilities were keeping patients, Laufer expected the administrator of each Facility to send him a daily update reporting the number of patient admissions, discharges, and hospitalizations, broken down by whether the patient had Medicare or other insurance, and to justify the number of discharges of Medicare patients. When the numbers were not to his liking, Laufer instructed Whitney to prevent patients from being discharged. Laufer never cited any medical or clinical justification, and acknowledged that he in fact had no information about patients' medical needs.
- 63. For example, on April 26, 2018, the Administrator of Lynbrook sent Laufer an update detailing the number of admissions and discharges and the number of patients on Medicare versus other insurance at the Facility. The Administrator assured Laufer that "all the discharges" were "long stays."
- 64. Dissatisfied with the numbers, Laufer sent messages to Whitney stating: "What is going on here??? Were falling apart!" and "Can u pls see whats going on at lynbrook with [community discharges]"—i.e., discharges of patients back into the community. Whitney responded that she was "concerned that [the Administrator] needs to be stronger when it comes to not allowing her staff to raise the white flag." She continued that the Director of Rehabilitation was "clear on goal," but "when [the Administrator] says not to have families have bitter taste in mouth, sometimes he doesn't put up the fight he should." Laufer, without any information concerning the actual rehabilitation or medical needs of the patients at Lynbrook, responded by pressuring Whitney to slow discharges at the Facility, saying "We can't have more

tami! Were falling apart," and telling Whitney to "[m]ake sure [the Administrator] knows she has a problem."

- 65. This was not the first time Laufer pressured Whitney to prevent patient discharges from Lynbrook without any reference to, or information regarding, the actual rehabilitation needs of the patients. On May 24, 2017, Laufer wrote to Whitney that she needed to "jump on [Lynbrook community discharges]." Whitney responded by assuring Laufer that they had done what they could to extend patients' lengths of stay, responding, "I am very comfortable with how they handle their discharges, especially this last month. Most are over 90 days. They had a few difficult situations that did lead to [discharge] but they truly did everything they could."
- 66. Similarly, on November 20, 2017, Laufer told Whitney to "jump on quantum for [community discharges]." Laufer noted that the number of discharges was double what it had been the prior month, and he was speaking to the Director of Business Development for Paragon about it. Whitney responded that there were only two discharges that "could have gone better on our end." Laufer proceeded to ask Tami, "Whats happening," noting "2 is 2," and discharging those beneficiaries early cost the Quantum Facility "42K\$ a month." Whitney responded that "[t]he patients are horrific," and "yes, I totally agree . . . even 1 is too many," but noted that four of the eight discharges from Quantum were at 100 days.
- 67. Similarly, on March 15, 2018, Laufer, after receiving an update with Marquis' metrics and again without any knowledge concerning the patients' needs or conditions, instructed Whitney to prevent patients from being discharged from the Facility, writing, "U have to curb [discharge] pace . . . [a] bit til we fill up Were hurting." According to Whitney, with respect to this message, "[Laufer's] goal was to make money, and he wants people to stay as long as they can so we can make lots of money."

- 68. Laufer in fact emphasized to Whitney that he wanted her to focus on limiting discharges, and hence prolonging patient stays, as a way of increasing revenue. On October 18, 2017, for example, Laufer sent Whitney messages stating, "Max rev[enue]. Watch [discharges], is always priority #1," and "I don't want to take ur focus away from that. So I think twice b4 hitting u up with a cost issue. Im afraid \$\$ focus will suffer if I pull your eyes away from rev[enue]/ [discharges] etc." Laufer went on to point out Facilities that he believed, without any awareness of the patients' clinical needs, were allowing patients to be discharged too soon, noting "[Glencove] has kinda sucked in [discharge] area as well," "[North Westchester] can do waaay better here," and for September, "[S]urge, [L]ynbrook, [and] [Marquis] were high." Laufer added, "This is for sure our #1 place to make more profit."
- 69. Whitney got Laufer's message: longer Medicare patient stays mean more profits.

 Accordingly, Whitney devised—and instructed employees of the Facilities on—ways to keep

 Medicare patients as close as possible to the maximum 100 days compensable by Medicare.
- 70. To track whether the Facilities were keeping patients as close to 100 days as possible, Whitney required each Facility to prepare a monthly discharge calendar that specified when each patient was scheduled to leave, whether the individual was a Medicare patient, and, if he or she was, how many days of the 100-day Medicare benefit the patient would have used up by the scheduled date of discharge. According to employees of several of the Facilities, Whitney frequently challenged discharge determinations when a Medicare patient was set to be released before being at the Facility for at least 85 or 90 days, and would sometimes overrule employees who believed patients were ready to be discharged. According to one of these employees, the goal was not to keep patients for exactly 100 days but for slightly less than that, in order to avoid creating a red flag. In communicating these directives Whitney made clear that the purpose of

these targets was to get close to using the maximum Medicare benefit—and that her directives were not based on an assessment of what therapy was reasonable and necessary for the patient.

- 71. When Medicare patients were discharged without staying close to 100 days, employees of the Facilities were expected to justify to Whitney why the patients had been discharged. For instance, in a March 8, 2019 message, the Director of Rehabilitation at Emerge explained to Whitney that she had planned for a particular patient "[t]o go on his 100 day but we can't convince [him] to stay anymore." On March 13, 2019, the same employee told Whitney that when Whitney looked at the discharge calendar for the Facility, "you[are] going to see [a patient] on the calendar with only 33 days." The employee explained that she had had "many meetings" with the patient's family "about why he needs to stay" and even "offer[ed] copay waivers which they declined," but "[i]t was extremely difficult to even get them to stay till Monday." In neither case did the employee explain why extending these patients' stays would be justified based on their therapy needs.
- 72. Because patients, either of their own accord or through a healthcare proxy (like a family member), had the ability to decide to leave the Facilities when they chose, Whitney and the Facilities devised strategies to convince patients and their family members to have the patients stay longer.
- 73. For example, Facility management expected therapists to devise new goals that the patients had to meet, to avoid discharging them before Medicare billings had been maximized. According to one therapist, if the original goal was to have a patient walk 20 feet, the therapist might extend the goal to 25 feet, in order to try to prolong the patient's stay. Another therapist was instructed by Facility management, when completing therapy notes, to exaggerate the amount of assistance patients required in order to ensure that they remained eligible for therapy and would stay in the Facility.

- 74. At times, the drive to keep Medicare patients at the Facilities for as close as possible to 100 days resulted in the Facilities intentionally stunting patients' progress so that they would not reach the point where they could be discharged. According to one employee, for example, the Lynbrook Director of Rehabilitation did not permit rooms in that Facility to have walkers, despite the fact that walkers would increase patients' ability to ambulate. According to the employee, the Director implemented this practice so the patients could not improve and the families of the patients would not see their loved ones walking, thereby reducing pressure from the patients and their families to discharge Facility residents. Another employee reported that, at Momentum, patients were kept in wheelchairs so they would not progress.
- 75. Whitney reported to Laufer on the Facilities' success in prolonging stays, particularly for high-functioning patients who likely could have been discharged earlier from a medical standpoint. In a July 11, 2016 message, for example, Laufer asked Whitney whether she had reviewed the discharges from Lynbrook for the past two months. Whitney responded that she had and "[t]here were a few in both months that could have possibly been avoided but overall they maxed out," though "sometimes it's tough to keep the higher level ones." Whitney also said that she had been working with the rehabilitation team "to get more specific programs w[ith] more specific policies that provide concrete timelines" and was "[h]oping that w[ould] extend some high level patients."
- 76. Similarly, in a June 26, 2017 message, Laufer observed—without referring to or inquiring about the patients' clinical needs—that discharges from Momentum had been "hig[h] for a few months." Whitney responded that she had been working with the administrator of the Facility on "strategies" to reduce discharges but "[t]here population has gotten younger and smarter" and "[t]hey need to learn how to deal w[ith] them."

- 77. Whitney also reported to Laufer on the efficacy of specific strategies for prolonging patient stays—some of which were deliberately designed to prevent patients from gaining independence. For example, in a January 15, 2016 message, Whitney told Laufer that "[a] lot of the patients are incontinent and constantly need to go to the bathroom," but "[i]f we allow them to take themselves they will think they are ready to go home. So we tell them they have to use call bell and wait for aide to take them."
- 78. These strategies were successful. In an April 25, 2018 message, for example, Whitney wrote to Laufer that she appreciated him "having faith in [her]" and she was "see[ing] a difference in discharge prevention already!"
- 79. Another strategy that Whitney and the Facilities implemented to extend patient stays was the use of balance tests. One such test, the Berg Balance Scale, is a clinical test used to assess a person's balance based on fourteen tasks. Whitney suggested that the Facilities should administer the Berg test when a patient wanted to be discharged, because it could convince the patient that he or she was at risk of falling and needed to stay longer.
- 80. Over time, Whitney refined this approach by installing a Balance Master—a high-tech machine costing tens of thousands of dollars that is used, among other things, to test balance—at each Facility. The Facilities used the Balance Masters for the express purpose of identifying purported balance deficiencies in patients otherwise ready for discharge. These alleged deficiencies then became pretexts for keeping patients at the Facilities longer than necessary.
- 81. In fact, the balance scores generated by the Balance Masters lacked context and generally did not serve a clinically valid role in discharge decisions. Among other issues, patients did not have a baseline balance score when they entered the Facility (*i.e.*, they were not put on the Balance Master when they arrived at the Facility), so their Balance Master scores

could not be compared against anything. This meant that the results could not be used to determine whether the patients were improving or had returned to their prior levels of function—which, as discussed above, is meant to be the purpose of skilled rehabilitation services. *See* 42 C.F.R. § 409.31(b)(2).

- 82. Furthermore, Balance Master tests were very easy to fail, and employees noted that even a top athlete might do so. Even Whitney—who is substantially younger than the majority of the patients at the Facilities—acknowledged that she herself had been on a Balance Master and "did not do well."
- 83. Simply put, Defendants used the Balance Master as a tool to prevent discharges, not as a clinical device to help with patients' rehabilitation. The Facilities put patients on the Balance Master at the point that they were arguably ready to be discharged in order to convince them (or their families) that the patients had balance deficiencies and should stay longer. Indeed, when the Balance Master at one of the Facilities was out of use because the rehabilitation operation was shifting locations, Whitney sent Laufer a message asking when the process would be complete because "[t]he balance master is not currently hooked up be of transition and we really need it to prolong high level discharges."
- 84. These schemes had a significant effect on the average length of patient stays at the Facilities. In particular, Medicare Part A patients at the eleven Facilities stayed, on average, longer than Medicare Part A patients at the vast majority of skilled facilities nationwide.
- II. Defendants Put Patients in Higher Levels of Therapy Than Was Justified Based on Their Clinical Needs in Order to Maximize Medicare Reimbursement
- 85. In addition to prolonging patients' stays at the Facilities to increase the amount billed to Medicare, Defendants also sought to bill Medicare for as much skilled therapy as

⁵ "High level discharges" refers to discharges involving higher functioning patients.

possible during the time the patients were at the Facilities, again without regard to the patients' actual medical needs. As described in more detail below, Defendants' goal was to put virtually every patient on the Ultra High—*i.e.*, the most expensive—therapy level, regardless of their clinical situation.

- 86. According to Facility employees, there was no wiggle room when it came to determining how much rehabilitation therapy Medicare patients would receive. Rather than rely on the therapists who evaluate patients upon admission and are supposed to use their professional judgment to recommend appropriate and tailored therapy, facility management expected therapists to provide Medicare Part A patients with sixty minutes of occupational therapy and physical therapy per day, six times per week across the board, putting them into the Ultra High rehabilitation category and affording the Facility the ability to be reimbursed by Medicare at the highest possible rate.
- 87. Among other effects, this across-the-board practice resulted in high levels of therapy being provided to patients who, due to their conditions, could not be expected to benefit from it. Additionally, the Facilities' efforts to reach at least the minimum minute threshold necessary to bill for Ultra High rehabilitation led to the provision of "therapy" that did not rise to the level of skilled services—but was nevertheless billed as such.
- 88. For example, even patients who were completely incapacitated and could not be expected to meaningfully improve, and patients who, due to their conditions, could not tolerate a substantial amount of physical activity, were inappropriately provided rehabilitation at the Ultra High level. A therapist at Oasis, for example, reported simply moving the arms and legs of patients who were not cognitively present—activities that do not constitute skilled therapy and were performed simply to reach the requisite number of therapy minutes for the Ultra High level. An employee of Glen Cove reported that patients were put on Ultra High therapy even if, due to

their medical situation, they were unable to tolerate it. And in one instance, a therapist complained that even when a patient was not actually engaging in therapy, the therapist was nevertheless told by the director of rehabilitation to continue and "just write something" in the patient's chart. Another therapist, at North Westchester, reported that, because she had to fill the therapy minutes regardless of patients' needs, she resorted to playing checkers with the patients.

- 89. The directive to put patients on the highest therapy level possible without regard to their medical needs came from Whitney, who expected the Facilities to put new patients on Ultra High therapy by default.
- 90. For example, each Facility's director of rehabilitation was in theory tasked with determining RUG levels for the patients at his or her Facility. If the levels were not sufficiently high, however, Whitney would intervene and dictate what they should be. For instance, in an April 4, 2018 message, Whitney told the Director of Rehabilitation at Sutton Park to "pls look at your RUGs billing," because "[s]ome of the trends with the books seem weird," asking "why was that person only on RH"—*i.e.*, being given therapy at the High, rather than Ultra High, level.
- 91. Whitney, in turn, reported on this strategy to Laufer. For example, in a November 22, 2013 message, Whitney told Laufer that she had visited Excel and LICC and the "rehab levels" were "well balanced" but there was "room for improving and prolong dropping residents down a category" and she would "stay on top of this."
- 92. Similarly, in a December 9, 2015 message, Whitney reported to Laufer that she was at LICC and "the whole team" was "great" except for the Director of Rehabilitation. Laufer sent Whitney a voice note in response, stating that the prior year she had said the Director of Rehabilitation was good, and asking what had changed. Whitney responded, stating that the prior year there were about fifty Medicare patients and the Director had been putting "everyone on ultra appropriately" and keeping people "the appropriate length of stay," but now it was

"quite the opposite," because the Director was "discharging people too soon," and her levels were "all off."

93. Whitney's pressure to place patients on the Ultra High therapy level by default had the desired effect: the Facilities billed for more Ultra High therapy than the vast majority of skilled facilities nationwide, including in terms of both the average number of therapy days per patient billed to Medicare at the Ultra High level and the proportion of overall therapy that was billed at the Ultra High level.

DEFENDANTS' PRACTICES LED TO THE SUBMISSION OF FALSE CLAIMS AND FALSE STATEMENTS TO MEDICARE

- 94. The Facilities' practice of routinely prolonging patient stays and placing patients on high levels of rehabilitation without regard to their clinical needs led the Facilities to bill Medicare for services that were not reasonable or necessary or skilled, and thus resulted in the submission of false claims for reimbursement to Medicare during the Relevant Period.
- 95. As detailed above, this conduct took place at each Facility at the direction of Laufer and Whitney, and directly contravened Defendants' obligation to comply with Medicare requirements. In particular, Defendants' profit-maximizing practices with respect to Medicare patients violated the requirements that the services billed to Medicare Part A must be reasonable and necessary, *i.e.*, consistent with the nature and severity of the patient's individual illness, injury, or particular medical needs and accepted standards of medical practice, as well as reasonable in terms of duration and quantity. *See* 42 U.S.C. § 1395y(a)(1)(A); Medicare Benefit Policy Manual, Ch. 8, § 30.
- 96. These practices led to the submission of false claims for reimbursement to Medicare. Specifically, the Facilities submitted to Medicare, via Medicare Administrative Contractors, Form 1450s containing HIPPS codes that falsely represented the Facilities' entitlement to be reimbursed for therapy at higher rates than appropriate, and Form 1450s

seeking reimbursement for therapy during periods when therapy was no longer reasonable or necessary.

- 97. Examples of specific patients with respect to whom false claims were submitted to Medicare include the following:
 - a. Patient A⁶ was a patient at LICC from December 11, 2017 through March 20, 2018. In Patient A's case, the Facility billed Medicare for the full 100 days of therapy at the Ultra High level. LICC provided therapy at the Ultra High level throughout Patient A's stay despite the fact that Patient A had difficulty participating in therapy due to significant cognitive deficits and had been hospitalized for multiple rib fractures. Further, the Facility never recorded any decrease in the amount of therapy regularly provided. Indeed, with the exception of the first assessment after admission, the Facility recorded exactly the minimum number of minutes of therapy needed to qualify for the Ultra High level during each lookback period—720 minutes per week. And, during the first assessment period, the Facility billed for therapy at the Ultra High level despite the fact that the Facility's records reflect that only 660 minutes of therapy—i.e., enough to bill only at the Very High level—were provided. On February 5, 2018, the treatment notes indicated that Patient A had reached the maximum of his/her potential to benefit from occupational therapy, yet therapy continued to be provided at the same high level until March 20, 2018. Further, after several weeks of physical therapy, no clinically significant changes in functional mobility were reported. Accordingly, the level of therapy billed to Medicare was excessive, and Patient A received weeks of excessive therapy after such services were

⁶ The United States will provide the names and other identifying information for these patients to Defendants upon their request.

- no longer reasonable or necessary. LICC submitted false claims to Medicare for the unreasonable and unnecessary services rendered to Patient A. Medicare paid LICC a total of \$59,320.38 for these services, when, at most, significantly less than that was clinically justified.
- b. Patient B was a patient at Lynbrook from December 27, 2012 through April 6, 2013. In Patient B's case, the Facility billed Medicare for the full 100 days of therapy, with the first 90 days at the Ultra High level and the last 10 days at the Very High level. Prior to hospitalization, Patient B, who suffered from Parkinson's disease and dementia, was unable to perform activities of daily living independently and received home health aide assistance eight hours per day, seven days a week. Therapy evaluations at Lynbrook reported that Patient B had poor endurance and a minimal ability to follow commands. Physical therapy was nonetheless recorded at a rate of 80 minutes per day without variation, despite the therapist noting poor endurance, agitation, and confusion and notations that Patient B's level of function fluctuated significantly from day to day. Further, Patient B's records show that the number of physical and occupational therapy minutes provided was not reduced or therapy discontinued even after the records show that Patient B had reached his/her prior level of function with respect to physical therapy and was making minimal progress with respect to occupational therapy. Accordingly, the level of therapy billed to Medicare was excessive, and Patient B received weeks of therapy after such services were no longer reasonable or necessary. Lynbrook submitted false claims to Medicare for unreasonable and unnecessary services rendered to Patient B. Medicare paid Lynbrook a total of \$54,567.07 for these services, when, at most, significantly less than that was clinically justified.

- c. Patient C was a patient at Sutton Park from June 28, 2016 through October 5, 2016. In Patient C's case, the Facility billed Medicare for a 99-day stay at the Ultra High level, with physical and occupational therapy minutes recorded at exactly 60 minutes per day throughout the stay, with the exception of one day on which 30 minutes of physical therapy and 90 minutes of occupational therapy were recorded without any clinical justification for the change. The medical records do not reflect any attempt to customize the amount of therapy Patient C received, and Patient C's physical therapy minutes were never reduced or therapy discontinued despite the fact that the patient regained function, as would be clinically appropriate. Similarly, Patient C's occupational therapy minutes were never reduced or therapy discontinued despite the fact that, by August 2016, the medical records showed that the patient was able to perform all self-care tasks with only contact guard assistance—i.e., no assistance other than the therapist placing his or her hands on the patient's body. Accordingly, the level of therapy billed to Medicare was excessive, and Patient C received weeks of therapy after such services were no longer reasonable or necessary. Sutton Park submitted false claims to Medicare for the unreasonable and unnecessary services rendered to Patient C. Medicare paid Sutton Park a total of 146,339.12 for these services, when, at most, significantly less than that was clinically justified.
- d. Patient D was a patient at North Westchester from March 9, 2018 through June 15, 2018. In Patient D's case, the Facility billed for a 98-day stay at the Ultra High level. Throughout the entire stay, physical therapy was billed for up to 90 minutes per day and occupational therapy was billed at a rate of 60 minutes per day, despite the fact that Patient D, who had been hospitalized due to an exacerbation of his or her Chronic Obstructive Pulmonary Disease, had difficulty breathing and poor endurance.

Therapy continued at this rate despite the fact that Patient D quickly regained function. Additionally, Patient D's therapy minutes as recorded did not actually meet the minimum thresholds required for the Ultra High RUG level. Accordingly, a significant proportion of the therapy services billed to Medicare did not occur as billed or were unreasonable and unnecessary, both with respect to the intensity of the therapy provided and the number of days for which it was provided. North Westchester submitted false claims to Medicare for the unreasonable and unnecessary services rendered to Patient D. Medicare paid North Westchester a total of \$53,685.87 for these services, when, at most, significantly less than that was clinically justified.

e. Patient E was a patient at Glen Cove from January 20, 2015 through April 30, 2015. In Patient E's case, the Facility billed for a 100-day stay at the Ultra High level. Prior to being admitted to Glen Cove, Patient E had been hospitalized for a fractured ankle, and the hospital recommended a 25 to 30-minute physical therapy session two to three times per week. Once at Glen Cove, however, physical therapy was billed at a rate of 90 minutes per day throughout Patient E's 100-day stay. Moreover, occupational therapy was recorded at a rate of approximately 45 minutes per day throughout the stay (except when occupational therapy was missed one day, after which 90 minutes were recorded for the following day without any clinical justification). The therapy records did not identify skilled activities and exercises that would support the number of minutes of therapy recorded, or any evidence that the type, intensity, or frequency of therapy were tailored to Patient D's individual needs. Accordingly, much of the therapy billed to Medicare was unskilled or unreasonable and unnecessary, both with respect to the intensity of the therapy provided and the

- number of days for which it was provided. Glen Cove submitted false claims to Medicare for the unreasonable and unnecessary services rendered to Patient E. Medicare paid Glen Cove a total of \$55,964.86 for these services when, at most, significantly less than that was clinically justified.
- f. Patient F was a patient at Momentum from January 17, 2018 through April 26, 2018, following a five-day admission to the hospital for diarrhea. In Patient F's case, the Facility billed for a 99-day stay at the Ultra High level. The Facility billed for 60 minutes of physical therapy and 60 minutes of occupational therapy per day throughout Patient F's stay, despite notes in the medical record that the patient was noncompliant with treatment and unable to be redirected the majority of the time. The Facility continued to bill for therapy at the same level even after the medical records indicate that Patient F was able to perform basic mobility tasks with only contact guard assistance and did not have significant self-care deficits requiring the specialized skills of an occupational therapist. Accordingly, the level of therapy billed to Medicare was excessive, and Patient F received weeks of therapy after such services were no longer reasonable or necessary. Momentum submitted false claims to Medicare for the unreasonable and unnecessary services rendered to Patient F. Medicare paid Momentum a total of \$58,622.23 for these services when, at most, significantly less than that was clinically justified.
- g. Patient G was a patient at Oasis from July 17, 2015 through October 25, 2015, following a hospitalization after falling, likely due to alcohol intoxication. Patient G's medical records reflect that Patient G came to the Facility seeking alcohol detoxification services. In Patient G's case, the Facility billed Medicare for a 100-day stay, with 90 days billed at the Ultra High level and 10 days billed at the Very

High level. Patient G's medical records do not justify the amount of therapy for which Oasis billed Medicare. Specifically, the bi-weekly progress notes do not reflect that Patient G engaged in skilled activities or exercises to support the minutes of therapy recorded, and in some instances the minutes recorded failed to reach the minimum needed to justify the level billed by the Facility, without any adjustments to the amount or type of services offered. Further, physical and occupational therapy minutes were not reduced or therapy discontinued after Patient G's impairment decreased and his/her goals were met, as would be clinically appropriate, and any care could have been provided by non-skilled providers. Instead, physical therapy and occupational therapy were generally recorded for 60 minutes a day throughout Patient G's stay, except on a few days when the number of minutes was increased to 90 minutes without clinical justification. This was the case even after Patient G was able to perform basic mobility tasks and most activities of daily living with little to no assistance and the patient's medical records did not identify complex impairments or deficits that would justify daily therapy services. Accordingly, much of the therapy billed to Medicare either did not occur as billed, was unskilled, or was unreasonable and unnecessary, both with respect to the intensity of the therapy provided and the number of days for which it was provided. Oasis submitted false claims to Medicare for the unreasonable and unnecessary services rendered to Patient G. Medicare paid Oasis a total of \$54,639.63 for these services when, at most, significantly less than that was clinically justified.

h. Patient H was a patient at Excel from May 11, 2015 through June 15, 2015, following inpatient psychiatric care related to bipolar disorder. In Patient H's case, the Facility billed for physical and occupational therapy at the Ultra High level for the full length

of the patient's stay, despite Patient H's difficulty following commands. Further, the therapy notes do not identify skilled activities or exercises necessary to support the minutes of therapy recorded. Accordingly, Patient H's records do not demonstrate that the amount of high-level therapy for which Excel billed Medicare was reasonable and necessary. Excel submitted false claims to Medicare for the unreasonable and unnecessary services rendered to Patient H. Medicare paid Excel a total of \$18,507.25 for these services, when, at most, significantly less than that was clinically justified.

i. Patient I was a patient at Marquis from August 21, 2013 through November 28, 2013. In Patient I's case, the Facility billed Medicare for the full 100 days of therapy, all at the Ultra High level. Patient I's notes did not show a reduction of physical therapy minutes when Patient I improved function and his or her impairment decreased, as would be clinically appropriate. Instead, Patient I continued therapy at the same level even after the point that Patient I's medical records reflect that he or she needed only contact guard assistance with functional mobility. With respect to occupational therapy, Patient I's medical records consistently note that the patient was resistant to treatment and lacked motivation to participate; and reflect that Patient I simply engaged in repetitive exercises rather than activities requiring the services of a skilled therapist. Accordingly, the level of therapy billed to Medicare was excessive, and Patient I received weeks of therapy that were unskilled or unreasonable and unnecessary. Marquis submitted false claims to Medicare for the unreasonable and unnecessary services rendered to Patient I. Medicare paid Marquis a total of \$55,224.493 for these services when, at most, significantly less than that was clinically appropriate.

- 98. For these patients and others, the Facilities submitted to CMS false claims—specifically, Form 1450s containing HIPPS codes that falsely represented the Facilities' entitlement to be reimbursed for therapy at higher rates than appropriate, and Form 1450s seeking reimbursement for therapy during periods when such therapy was not reasonable or necessary. A list of examples of false claims submitted in connection with the patients described above is attached as Exhibit A. A blank Form 1450 is attached as Exhibit B.
- 99. Additionally, Defendants made false statements material to false claims submitted to Medicare Part A. Specifically, as discussed above, in order to be paid, the Facilities completed MDS forms for each patient assessing the patient's clinical condition, physical and mental functioning, and actual and expected use of services. An example of a blank MDS form in use during the Relevant Period is attached as Exhibit C.⁷ In the MDS forms, the Facilities certified that the information contained in the forms met all applicable Medicare requirements. This includes the requirements that services rendered to patients were both reasonable and necessary. Because the MDS forms submitted by the Facilities reflected services that were not reasonable and necessary, statements made in the MDS forms—including the Facilities' certifications of compliance with the applicable regulations—were false.

DEFENDANTS' FRAUDULENT CONDUCT WAS MATERIAL TO CMS'S PAYMENT DECISIONS

100. Whether a SNF has complied with its obligation to submit claims only for those services that are "reasonable and necessary for the diagnosis or treatment of illness or injury," 42 U.S.C. § 1395y(a)(1)(A), is material to CMS's payment decisions. If CMS had known that the Facilities submitted claims for rehabilitation therapy services that were unreasonable,

⁷ The MDS forms were modified slightly over the course of the Relevant Period but all versions included the relevant certification language.

unnecessary, unskilled, or not actually provided as claimed, it would not have paid for those services.

- 101. In particular, as reflected in the Medicare Enrollment Applications SNFs must complete in order to submit claims to and receive payment from Medicare, compliance by SNFs with applicable Medicare requirements is a condition of payment under the Medicare program. Further, Defendants' submission of claims for rehabilitation therapy services that were unreasonable, unnecessary, unskilled, or not actually provided as claimed had a direct effect on the payments Defendants received. Specifically, these false submissions were material to CMS's decision to reimburse Defendants for therapy services at a higher rate, and for a longer period of time, than permissible under the applicable regulations. As discussed above, the payments SNFs receive are based on HIPPS codes, which in turn incorporate patients' RUG information. If the Facilities submitted claims with HIPPS codes reflecting RUG levels that were based on the therapy that was actually reasonable and necessary, Medicare would have paid the Facilities at that lower rate.
- 102. As set forth above, moreover, the Facilities were required to certify on their MDS forms that the information therein was collected in accordance with applicable Medicare requirements. As such, Defendants' practice of billing for therapy that was not reasonable or necessary, in violation of Medicare's requirements, was material to CMS's payment decisions. Additionally, the MDS forms themselves are material to any claim being submitted to the Government for payment, because the MDS form dictates the amount that CMS will pay to the entity submitting the form, and because the entity submitting the MDS form must, as a condition of payment by CMS, certify that it has complied with applicable Medicare requirements.
- 103. In keeping with CMS's focus on ensuring that SNFs are paid only for those services that are reasonable and necessary, Medicare Administrative Contractors—the entities

that actually process and pay Medicare claims submitted by SNFs—are authorized to audit providers' claims to determine whether the services billed were reasonable and necessary and, if not, prevent payment. *See* Medicare Program Integrity Manual, Pub. No. 100-08, Chapters 1, 3 & 6, available at https://www.cms.gov/Regulations-and-Guidance/Guidance/Manuals/Internet-Only-Manuals-IOMs-Items/CMS019033. In addition, Recovery Audit Contractors ("RACs") are authorized to audit SNFs to determine whether claims have been paid appropriately and to recoup inappropriate payments. *Id.* This includes auditing SNFs to determine whether they are overbilling for therapy services and, to the extent such overbilling is identified, to prevent or recoup payments. *See, e.g., id.* § 3.6.2.4.

- unreasonable and unnecessary therapy services, the Government has aggressively pursued SNFs that have engaged in fraud of the type at issue here. In 2016, for example, Life Care Centers of America Inc., a company that owns and operates skilled nursing facilities across the country, and its owner, Forrest L. Preston, agreed to pay \$145 million to resolve a Government lawsuit alleging that Life Care violated the FCA by causing the skilled nursing facilities to submit false claims to Medicare and TRICARE for rehabilitation therapy services that were not reasonable, necessary, or skilled. *See* https://www.justice.gov/opa/pr/life-care-centers-america-inc-agrees-pay-145-million-resolve-false-claims-act-allegations. Similar to the allegations at issue here, that lawsuit alleged, *inter alia*, that Life Care had a practice of placing beneficiaries in the Ultra High reimbursement level irrespective of their clinical needs and sought to keep patients at the facilities longer than necessary to continue billing for therapy. *Id*.
- 105. Similarly, in 2018, two consulting companies—Southern SNF Management, Inc. and Rehab Services in Motion—and nine affiliated skilled nursing facilities settled claims that they violated the FCA by submitting or causing the submission of false claims to Medicare for

unnecessary rehabilitation therapy services. *See* https://www.justice.gov/opa/pr/ two-consulting-companies-and-nine-affiliated- skilled-nursing-facilities-pay-10-million. In that case, as here, the Government alleged that the defendants' practices encouraged the provision of therapy without regard for patients' individual clinical needs. *Id.* These cases and others reflect the Government's active efforts to enforce the Medicare requirements at issue in this case.

COUNT I

Violation of the FCA: Presentation of False Claims for Payment (31 U.S.C. § 3729(a)(1)(A))

- 106. The Government incorporates by reference each of the preceding paragraphs as if fully set forth in this paragraph.
- 107. The Government seeks relief against Defendants under 31 U.S.C. § 3729(a)(1)(A).
- 108. Through the acts set forth above, Defendants knowingly, or acting with deliberate ignorance or reckless disregard for the truth, presented, either directly or indirectly, false or fraudulent claims for payment to the Government. Specifically, Defendants knowingly, or acting with deliberate indifference or reckless disregard of the truth, presented false or fraudulent claims for payment to Medicare Part A, specifically, Form 1450s requesting payment for unreasonable, unnecessary, or unskilled therapy services, or for therapy services that did not occur as billed.
- 109. The Government made payments to the Defendants because of the false or fraudulent claims.
- 110. If the Government had known that the claims presented for payment were for the provision of unreasonable, unnecessary, or unskilled therapy services, or for therapy services that did not occur as billed, the Government would not have paid the claims.

111. By virtue of these false or fraudulent claims, the Government has been damaged in a substantial amount to be determined at trial and is entitled to recover treble damages plus a civil monetary penalty for each false record or statement.

COUNT II

Violation of the FCA: Use of False Statements (31 U.S.C. § 3729(a)(1)(B))

- 112. The Government incorporates by reference each of the preceding paragraphs as if fully set forth in this paragraph.
- 113. The Government seeks relief against Defendants under 31 U.S.C. § 3729(a)(1)(B).
- 114. Through the acts set forth above, Defendants knowingly, or acting with deliberate ignorance or reckless disregard for the truth, made, used or caused to be made or used false records and statements material to the payment of false or fraudulent claims by the Government. Specifically, Defendants knowingly, or acting with deliberate ignorance or reckless disregard of the truth, made, used, or caused to be made or used false or fraudulent records, including false MDS forms, that were material to false or fraudulent claims for payment for unreasonable, unnecessary, or unskilled therapy, or for therapy that was not provided.
- 115. By virtue of these false records or statements, the Government has been damaged in a substantial amount to be determined at trial and is entitled to recover treble damages plus a civil monetary penalty for each false record or statement.

COUNT III

Unjust Enrichment

116. The Government incorporates by reference each of the preceding paragraphs as if fully set forth in this paragraph.

117. Through the acts set forth above, Defendants have received payments to which they were not entitled and therefore have been unjustly enriched. The circumstances of these payments are such that, in equity and good conscience, Defendants should not retain those payments, the amount of which is to be determined at trial.

COUNT IV

Payment by Mistake of Fact

- 118. The Government incorporates by reference each of the preceding paragraphs as if fully set forth in this paragraph.
- 119. The Government seeks relief against Defendants to recover monies paid under mistake of fact.
- 120. The Government paid money to Defendants as a result of a mistaken understanding. Specifically, the Government paid Defendants' claims under the mistaken and erroneous understanding that such claims were for services that were reasonable and necessary and actually occurred as billed. This erroneous understanding was material to the determination to pay Defendants' claims. Had the Government known that the claims were for the provision of unreasonable, unnecessary, or unskilled therapy services, or for therapy services that were not in fact rendered as billed, it would not have paid such claims. Those payments were therefore by mistake.
- 121. As result of such mistaken payments, the Government has sustained damages for which Defendants are liable in an amount to be determined at trial.

PRAYER FOR RELIEF

WHEREFORE, plaintiff, the Government, requests that judgment be entered in its favor as follows:

- (a) on the First and Second Claims for relief (violation of the FCA, 31 U.S.C. §§ 3729(a)(1)(A) and (a)(1)(B)), a judgment against Defendants for treble damages and civil penalties to the maximum amount allowed by law.
- (b) on the Third and Fourth Claims for relief (unjust enrichment and payment by mistake of fact), a judgment against Defendants for damages to the extent allowed by law.
- (d) An award of costs and such further relief as is proper.

Dated: New York, New York June 2, 2021

Respectfully submitted,

AUDREY STRAUSS United States Attorney for the Southern District of New York

By: /s/ Rachael Doud

RACHAEL DOUD JACOB M. BERGMAN Assistant United States Attorneys 86 Chambers Street, 3rd Floor New York, NY 10007 Tel: (212) 637-2776/3274

Email: rachael.doud@usdoj.gov jacob.bergman@usdoj.gov Attorneys for the Government

Exhibit A

Name	Facility	Medicare Claim Number	Date of Service on Claim	Thru Date	RUG Code Billed	# Rehab Days	Amount Paid
Patient A	LICC	21800800732907NYA	12/11/2017	12/31/2017	RUC10 RUC20	14 7	\$15,053.17
Patient A	LICC	21803604339207NYA	1/1/2018	1/31/2018	RUC20 RUC30	9 22	\$17,370.68
Patient A	LICC	21806802041307NYA	2/1/2018	2/28/2018	RUC30 RUC40	8 20	\$15,689.64
Patient A	LICC	21809602833507NYA	3/1/2018	3/20/2018	RUC40 RUC50	10 10	\$11,206.89
Patient B	Lynbrook	21300802423407NYA	12/27/2012	12/31/2012	RUC10	5	\$3,370.40
Patient B	Lynbrook	21303802779307NYA	1/1/2013	1/31/2013	RUC10 RUC20 RUC30	9 16 6	\$18,528.48

Case 7:17-cv-09424-CS Document 13-1 Filed 06/02/21 Page 2 of 6

Patient B	Lynbrook	21306702423707NYA	2/1/2013	2/28/2013	RUC30 RUC40	24 4	\$14,730.24
Patient B	Lynbrook	21309902431707NYA	3/1/2013	3/31/2013	RUC40 RVC50	26 5	\$15,829.53
Patient B	Lynbrook	21312901671007NYA	4/1/2013	4/6/2013	RVC50	5	\$2,108.42
Patient C	Sutton Park	21619306368007NYA	6/28/2016	6/30/2016	RUB10	3	\$4,808.55
Patient C	Sutton Park	21622401850607NYA	7/1/2016	7/31/2016	RUB10 RUC20 RUC30	11 16 4	\$47,479.39
Patient C	Sutton Park	21625701683607NYA	8/1/2016	8/31/2016	RUC30 RUC40	26 5	\$44,797.13
Patient C	Sutton Park	21628502272707NYA	9/1/2016	9/30/2016	RUC40 RUC50	25 5	\$43,352.06

Case 7:17-cv-09424-CS Document 13-1 Filed 06/02/21 Page 3 of 6

Patient C	Sutton Park	21631503380307NYA	10/1/2016	10/5/2016	RUC50	4	\$5,901.99
Patient D	North Westchester	21810101252307NYA	3/9/2018	3/31/2018	RUB10 RUB20	14 9	\$16,170.92
Patient D	North Westchester	21812901584407NYA	4/1/2018	4/30/2018	RUB20 RUB30	7 23	\$16,810.33
Patient D	North Westchester	21816203356007NYA	5/1/2018	5/31/2018	RUB30 RUA40	7 24	\$14,521.70
Patient D	North Westchester	21819301424107NYA	6/1/2018	6/15/2018	RUA40 RUA50	6 8	\$6,182.92
Patient E	Glen Cove	21504102434007NYA	1/20/2015	1/31/2015	RUB10	12	\$8,197.54
Patient E	Glen Cove	21507001444807NYA	2/1/2015	2/28/2015	RUB10 RUB20 RUB30	2 16 10	\$16,040.60

Case 7:17-cv-09424-CS Document 13-1 Filed 06/02/21 Page 4 of 6

Patient E	Glen Cove	21509901759807NYA	3/1/2015	3/31/2015	RUB30 RUB40	20 11	\$16,392.14
Patient E	Glen Cove	21513103863707NYA	4/1/2015	4/30/2015	RUB40 RUB50	19 10	\$15,334.58
Patient F	Momentum	21804001458807NYA	1/17/2018	1/31/2018	RUB10 RUB20	14	\$10,846.98
Patient F	Momentum	21806801658507NYA	2/1/2018	2/28/2018	RUB20 RUB30	15 13	16,472.25
Patient F	Momentum	21810103115507NYA	3/1/2018	3/31/2018	RUB30 RUB40	17 14	\$17,328.45
Patient F	Momentum	21812901887607NYA	4/1/2018	4/26/2018	RUB40 RUB50	16	\$13,974.55
Patient G	Oasis	21522302329607NYA	07/17/2015	07/31/2015	RUB10 RUB20	14	\$10,246.93

Case 7:17-cv-09424-CS Document 13-1 Filed 06/02/21 Page 5 of 6

Patient G	Oasis	21525202315607NYA	08/01/2015	08/31/2015	RUB20 RUB30	15 16	\$17,163.89
Patient G	Oasis	21528202499207NYA	09/01/2015	09/30/2015	RUB30 RUB40	14 16	\$15,863.36
Patient G	Oasis	21531401997607NYA	10/01/2015	10/25/2015	RUB40 RVB50	14 10	\$11,365.45
Patient H	Excel	21516002249107NYA	5/11/2015	5/31/2015	RUB10 RUB20	14 7	\$11,104.35
Patient H	Excel	21519101434707NYA	6/1/2015	6/15/2015	RUB20 RUB30	9 5	\$7,402.90
Patient I	Marquis	21325401904207NYA	8/21/2013	8/31/2013	RUC10	11	\$7,266.58
Patient I	Marquis	21328302025307NYA	9/1/2013	9/30/2013	RUC10 RUC20 RUC30	3 16 11	\$16,772.11

Case 7:17-cv-09424-CS Document 13-1 Filed 06/02/21 Page 6 of 6

Patient I	Marquis	21331503779307NYA	10/1/2013	10/31/2013	RUC30	19	\$16,385.76
					RUB40	12	
Patient I	Marquis	21334403354107NYA	11/1/2013	11/28/2013	RUB40	18	\$14,800.04
	1				RUB50	10	,

1					2								3a PAT. CNTL #							4 TY OF	PE BILL
													b. MED. REC. #								
													5 FED.	TAX NO.		6 STATE FROI	EMENT C	OVERS PERIOD THROUGH	7	•	
8 PATIENT N	AME	a					_	IT ADDRES	S	а											
10 BIRTHDAT	- 1	11 SEX	AD	MISSION			b 17 CTAT					CONDITION O	CODES			С	29	ACDT 30		е	
TO BIRTHDAT	-	II SEX	12 DATE 1	MISSION 13 HR 14 TYP	E 15 SRC	16 DHN	17 STAT	18	19 :	20 :	21	CONDITION O	3 2	4 25	26	27	28 S	TATE			
31 OCCU CODE	RRENCE	32 CODE	OCCURRENCE DATE	33 00	CCURRENCE		34 O	CCURRENC DAT	E	35 CODE	C	CCURRENCE	E SPAN	IDOLIOLI	36	OCCL	JRRENCE	SPAN	37		
CODE	DATE	CODE	DATE	CODE	DATE		CODE	DAI	E	CODE		FROM	T 11	HROUGH	CODE	FRC	DM	THROUGH			
38											39 CODE	VALUE (CODES		40 CODE	VALUE COD AMOUN	ES T	41 CODE	VALUE C AMOL	ODES JNT	
										а											
										b											
										С											
42 REV. CD.	43 DESCRIPT	ION					AA HCDCS	/ RATE / HIPI	PS CODE	d	45	SERV. DATE	46	SERV. UNIT:		47 TOTAL CHA	IDGES :	48 NON-0	COVERED CH	IADGES	49
42 HEV. OD.	40 DE301111 1	1014					44 1101 00	/ TIAI E / TIII 1	I O CODE		+	OLIV. DAIL	40	OLIV. ONIT		47 TOTAL OTE	i ideo	10110111	SOVETIED OF	initials	143
																				-	
	PAGE		OF					CREA	TION	DATE			7	OTALS						:	
50 PAYER NA					51 HEALTH F	PLAN ID			52 REL- INFO			OR PAYMENT		55 EST. A		UE	56 NPI				
																:	57				
																	OTHER				
													<u>:</u>				PRV ID				
58 INSURED'S	S NAME				59 F	REL 60	INSURE	D'S UNIQUE	ID			6	1 GROUI	P NAME			62 INSUI	RANCE GROUP I	NO.		
63 TREATMEI	NT AUTHORIZ	ZATION CO	ODES				64 DC	CUMENT C	ONTROL	NUMBER					65 EM	PLOYER NAM	E				
66 DX	7		A	В		C		D			Е					G		H	68		
		lima		K		Ь,		I	ppp		N	1=0				P		Q			
69 ADMIT DX 74 PI	DINICIDAL DOC	RE	PATIENT ASON DX	OTHER RE	OCEDURE.				71 PPS CODE	IDE	-	72 ECI	a			b		C	73		
COD COD	RINCIPAL PRO	DATE	a.	OTHER PRO	DATE	E	b.	OTHER CODE	PHOCEDI	DATE	7	•		TENDING	NPI			QUAL			
c. COD	OTHER PROC	EDURE_	d.	OTHER PRO	OCEDURE		e.	OTHER CODE	PROCEDI	JRE			LAST	EDATINO	NE			FIRST			
COD	OTHER PROC E	DATE	С	ODE	DATE			CODE		DATE			177 OP	ERATING	NPI			FIRST			
80 REMARKS	L				81CC	\top			+				78 OTI	HER	NPI			QUAL			
					a b								LAST		1			FIRST			
					С								79 OTI	HER	NPI			QUAL			
					d								LAST					FIRST	1		

NUBC National Uniform LIC9213257

UB-04 NOTICE:

THE SUBMITTER OF THIS FORM UNDERSTANDS THAT MISREPRESENTATION OR FALSIFICATION OF ESSENTIAL INFORMATION AS REQUESTED BY THIS FORM, MAY SERVE AS THE BASIS FOR CIVIL MONETARTY PENALTIES AND ASSESSMENTS AND MAY UPON CONVICTION INCLUDE FINES AND/OR IMPRISONMENT UNDER FEDERAL AND/OR STATE LAW(S).

Submission of this claim constitutes certification that the billing information as shown on the face hereof is true, accurate and complete. That the submitter did not knowingly or recklessly disregard or misrepresent or conceal material facts. The following certifications or verifications apply where pertinent to this Bill:

- If third party benefits are indicated, the appropriate assignments by the insured /beneficiary and signature of the patient or parent or a legal guardian covering authorization to release information are on file.
 Determinations as to the release of medical and financial information should be guided by the patient or the patient's legal representative.
- 2. If patient occupied a private room or required private nursing for medical necessity, any required certifications are on file.
- 3. Physician's certifications and re-certifications, if required by contract or Federal regulations, are on file.
- 4. For Religious Non-Medical facilities, verifications and if necessary recertifications of the patient's need for services are on file.
- Signature of patient or his representative on certifications, authorization to release information, and payment request, as required by Federal Law and Regulations (42 USC 1935f, 42 CFR 424.36, 10 USC 1071 through 1086, 32 CFR 199) and any other applicable contract regulations, is on file.
- The provider of care submitter acknowledges that the bill is in conformance with the Civil Rights Act of 1964 as amended. Records adequately describing services will be maintained and necessary information will be furnished to such governmental agencies as required by applicable law.
- 7. For Medicare Purposes: If the patient has indicated that other health insurance or a state medical assistance agency will pay part of his/her medical expenses and he/she wants information about his/her claim released to them upon request, necessary authorization is on file. The patient's signature on the provider's request to bill Medicare medical and non-medical information, including employment status, and whether the person has employer group health insurance which is responsible to pay for the services for which this Medicare claim is made.
- For Medicaid purposes: The submitter understands that because payment and satisfaction of this claim will be from Federal and State funds, any false statements, documents, or concealment of a material fact are subject to prosecution under applicable Federal or State Laws.
- 9. For TRICARE Purposes:
 - (a) The information on the face of this claim is true, accurate and complete to the best of the submitter's knowledge and belief, and services were medically necessary and appropriate for the health of the patient;

- (b) The patient has represented that by a reported residential address outside a military medical treatment facility catchment area he or she does not live within the catchment area of a U.S. military medical treatment facility, or if the patient resides within a catchment area of such a facility, a copy of Non-Availability Statement (DD Form 1251) is on file, or the physician has certified to a medical emergency in any instance where a copy of a Non-Availability Statement is not on file;
- (c) The patient or the patient's parent or guardian has responded directly to the provider's request to identify all health insurance coverage, and that all such coverage is identified on the face of the claim except that coverage which is exclusively supplemental payments to TRICARE-determined benefits;
- (d) The amount billed to TRICARE has been billed after all such coverage have been billed and paid excluding Medicaid, and the amount billed to TRICARE is that remaining claimed against TRICARE benefits;
- (e) The beneficiary's cost share has not been waived by consent or failure to exercise generally accepted billing and collection efforts; and,
- (f) Any hospital-based physician under contract, the cost of whose services are allocated in the charges included in this bill, is not an employee or member of the Uniformed Services. For purposes of this certification, an employee of the Uniformed Services is an employee, appointed in civil service (refer to 5 USC 2105), including part-time or intermittent employees, but excluding contract surgeons or other personal service contracts. Similarly, member of the Uniformed Services does not apply to reserve members of the Uniformed Services not on active duty.
- (g) Based on 42 United States Code 1395cc(a)(1)(j) all providers participating in Medicare must also participate in TRICARE for inpatient hospital services provided pursuant to admissions to hospitals occurring on or after January 1, 1987; and
- (h) If TRICARE benefits are to be paid in a participating status, the submitter of this claim agrees to submit this claim to the appropriate TRICARE claims processor. The provider of care submitter also agrees to accept the TRICARE determined reasonable charge as the total charge for the medical services or supplies listed on the claim form. The provider of care will accept the TRICARE-determined reasonable charge even if it is less than the billed amount, and also agrees to accept the amount paid by TRICARE combined with the cost-share amount and deductible amount, if any, paid by or on behalf of the patient as full payment for the listed medical services or supplies. The provider of care submitter will not attempt to collect from the patient (or his or her parent or guardian) amounts over the TRICARE determined reasonable charge. TRICARE will make any benefits payable directly to the provider of care, if the provider of care is a participating provider.

Supporting Statement – Part A

Supporting Regulations Contained in 42 CFR 424.5 for the Uniform Institutional Providers Form (CMS-1450 (UB-04); OMB-0938-0997)

A. Background

All paper claims processed by Part A Medicare Administrative Contractors (MACs) must be submitted on the UB-04 CMS-1450 after May 23, 2007. Data fields in the X12 837 data set are consistent with the UB-04 CMS-1450 data set. The Centers for Medicare and Medicaid Services (CMS) is requesting an OMB extension of the currently approved collection for an additional three years.

B. Justification

1. Need and Legal Basis

The basic authorities which allow providers of service to bill for services on behalf of the beneficiary are section 1812 (42 USC 1395d - http://www.gpo.gov/fdsys/granule/USCODE-2009-title42/USCODE-2009-title42-chap7-subchapXVIII-partA-sec1395d) (a) (1), (2), (3), (4) and 1833 (2) (B) of the Social Security Act). Also, section 1835 (42 USC 1395n) requires that payment for services furnished to an individual may be made to providers of services only when a written request for payment is filed in such form as the Secretary may prescribe by regulations. Section 42 CFR 424.5(a)(5) requires providers of services to submit a claim for payment prior to any Medicare reimbursement. Charges billed are coded by revenue codes. The bill specifies diagnoses according to the International Classification of Diseases, Tenth Edition (ICD-10) code. Inpatient procedures are identified by ICD-10 codes, and outpatient procedures are described using the CMS Common Procedure Coding System (HCPCS). These are standard systems of identification for all major health insurance claims payers. Submission of information on the UB-04 CMS-1450 permits Medicare Part A MACs to receive consistent data for proper payment.

2. Information Users

The UB-04 CMS-1450 is managed by the National Uniform Billing Committee (NUBC), sponsored by the American Hospital Association. Most payers are represented on this body, and the UB-04 is widely used in the industry. Medicare receives 99.97 percent of the Part A claims submitted by institutional providers electronically. Because of the number of small and rural providers who do not submit claims electronically, it is not possible to achieve total electronic submission at this time. Medicare Part A MACs use the information on the UB-04 CMS-1450 to determine whether to make Medicare payment for the services provided, the payment amount, and whether or not to apply deductibles to the claim. The same method is also used by other payers. CMS is also a secondary user of data. CMS uses the information to develop a database, which is

used to update, and revise established payment schedules and other payment rates for covered services. CMS also uses the information to conduct studies and reports.

3. Use of Information Technology

Medicare receives over 99.97 percent of the claims submitted by institutional providers electronically. CMS only accepts electronic claims in the Accredited Standards Committee (ASC) Health Insurance Portability and Accountability Act (HIPAA) 837 format for institutional providers unless the provider meets CMS requirements to submit paper claims. With the uniform bill, we have been able to achieve a more uniform and a more automated bill processing system for Medicare institutional and providers. This form is consistent with the CMS electronic billing specifications, i.e., all coding data element specifications are identical. This has promoted and eased the conversion to electronic billing. Provider billing costs have decreased as a result of standardization of bill preparation, related training and other activities.

- Is this collection currently available for completion electronically? Yes. Medicare receives over 99.97 percent of the claims submitted by institutional providers electronically.
- Does this collection require a signature from the respondent(s)? No.
- If CMS had the capability of accepting electronic signature(s), could this collection be made available electronically? **N/A**.
- If this collection is not currently electronic but will be made electronic in the future, please give a date (month & year) as to when this will be available electronically and explain why it cannot be done sooner. N/A.
- If this collection cannot be made electronic or if it is not cost beneficial to make it electronic, please explain. N/A.

4. Duplication of Efforts

Most hospitals participate in both Medicare and many other insurance programs and, without use of the UB-04 CMS-1450, would have to maintain distinct and duplicate billing systems to handle the billing form, and the diagnostic coding systems for the many programs. The purpose of the requirements in this package is to eliminate this duplication. There is no one form that can accommodate as much information as the UB-04 CMS-1450 does; nor is there another that can handle a variety of services the way the uniform bill does. The UB-04 CMS-1450 is managed by the National Uniform Billing Committee, a standard's body sponsored by the American Hospital Association.

5. Small Businesses

Burden can be minimized by providing training materials and by obtaining assistance from the uniform bill coordinator designated by each CMS regional office.

6. Less Frequent Collection

There will always be a very small percentage of institutional providers that need to submit paper claims to Medicare for reimbursement of services rendered to patients who are covered under the Medicare Program. Therefore, the form must continue to be available for use. Form usage has declined significantly since the last collection.

7. Special Circumstances

There are no special circumstances.

8. Federal Register/Outside Consultation

The 60-day Federal Register Notice published in the Federal Register on 4/16/2019 (84 FR 15618).

The collection received zero comments during the comment period.

The 30-day Federal Register Notice published in the Federal Register on INSERT (84 FR INSERT).

9. Payments/Gifts to Respondents

The UB-04 CMS-1450 must be used to receive payment for the provision of the institutional health care claims. The use of the form itself does not convey payments or gifts to respondents; many conditions must be met before payment can be made.

10. Confidentiality

Privacy Act requirements have already been addressed under a Notice Systems of Record entitled "Intermediary Medicare Claims Record" system number 09-70-0503, DHHS/CMS/OIS. Note that OIS has been renamed to the Office of Information Technology (OIT).

11. Sensitive Questions

No questions of a sensitive nature are asked.

12. Burden Estimates (Hours & Wages)

To derive average costs, we used data from the U.S. Bureau of Labor Statistics' May 2017 National Occupational Employment and Wage Estimates for all salary estimates (www.bls.gov/oes/current/oes_nat.htm). In this regard, the following table presents the mean hourly wage, the cost of fringe benefits, and the adjusted hourly wage.

Occupation	Occupation	Mean Hourly	Fringe Benefit	Adjusted Hourly Wage
Title	Code	Wage (\$/hour)	(\$/hour)	(\$/hour)

Office Clerks 43-9061	\$16.69	\$16.69	\$33.38
-------------------------	---------	---------	---------

Based on CMS's 2018 Contractor Reporting of Operational and Workload Data (CROWD) System' institutional claims' data, 214,595,906 of all Medicare institutional claims (99.97%) were billed electronically and 64,392 of all Medicare institutional claims (0.03%) were billed on paper. Estimate of burden results are as follows:

Processing 64,392 paper claims @ 9 minutes per paper claim = 9,659 hours Processing 214,595,906 electronic claims @ 0.5 minutes per paper claim = 1,788,299 hours

9,659 Paper burden hours 1,788,299 Electronic burden hours

1,797,958 Total burden hours

For 2018, there were 64,392 paper claims per year totaling 9,659 annual hours per year @ \$16.69 per hour = \$161,205.27. We have added fringe and overhead at 100% (\$33.38 x 9,659 hours) = \$322,410.54. We have added 100% of the mean hourly wage to account for fringe and overhead benefits.

13. Capital Costs

There is no capital or operational costs associated with this collection.

14. Cost to Federal Government

The annual costs to the Federal government for the information collection activity include all aspects of the data collection function from the initial data entry to receipt/processing operations. The costs to the Federal Government for data collection can best be described as the total costs of processing the required billing information. Calculation of the precise costs for the data collection is not feasible for the purposes of the Paperwork Reduction Act without conducting a costly study. Therefore, aggregate costs have been developed taking into consideration programming, software, training, tapes, overhead costs, etc.

15. Changes to Burden

The number of UB-04 CMS-1450 paper claims was greatly reduced and the number of electronic claims has increased. We have adjusted the burden accordingly.

16. Publication/Tabulation Dates

The purpose of this data collection is payment to providers for Medicare services rendered. We do not employ statistical methods to collect this information, but rather all Medicare institutional providers generate this billing information subsequent to the delivery of services.

17. Expiration Date

Previous forms have been cleared without the expiration date present. Placing the expiration date on the form would require form changes. Since CMS is not responsible for the design and content of the UB-04 CMS-1450, we would have to seek approval from the NUBC, which has responsibility for the UB-04 CMS-1450, to make the change.

18. Certification Statement

There are no exceptions to the certification statement.

Resident

MINIMUM DATA SET (MDS) - Version 3.0 RESIDENT ASSESSMENT AND CARE SCREENING

Nursing Home Comprehensive (NC) Item Set

Sectio	n A	Identification Information
A0050. 1	Type of Record	
Enter Code	2. Modify exist	cord → Continue to A0100, Facility Provider Numbers ting record → Continue to A0100, Facility Provider Numbers xisting record → Skip to X0150, Type of Provider
A0100. F	acility Provider Nu	mbers
	A. National Provide	er Identifier (NPI):
	B. CMS Certification	n Number (CCN):
	C. State Provider N	umber:
		
A0200. 1	Type of Provider	
Enter Code	Type of provider 1. Nursing hom	e (SNF/NF)
	2. Swing Bed	· · ·
A0310. 7	Type of Assessment	
Enter Code		eason for Assessment
	02. Quarterly re	assessment (required by day 14) eview assessment
	03. Annual asse	ssment
		change in status assessment
		correction to prior comprehensive assessment correction to prior quarterly assessment
	99. None of the	
Fata Call	B. PPS Assessment	
Enter Code	PPS Scheduled A 01. 5-day sched	Assessments for a Medicare Part A Stay
ш		duled assessment
		duled assessment
		duled assessment
	_	duled assessment
		d Assessments for a Medicare Part A Stay
	Not PPS Assessn	d assessment used for PPS (OMRA, significant or clinical change, or significant correction assessment)
	99. None of the	
Enter Code		are Required Assessment - OMRA
	0. No	
	1. Start of thera 2. End of therap	
		d End of therapy assessment
		erapy assessment
Enter Code	_	ed clinical change assessment? Complete only if A0200 = 2
	0. No	
	1. Yes	•
A031	0 continued on nex	t page

Section A	Identification Information
A0310. Type of <i>F</i>	ssessment - Continued
0. N 1. Y	es es
01. 10. 11. 12. 99.	Intry tracking record Discharge assessment-return not anticipated Discharge assessment-return anticipated Discharge assessment-return anticipated Death in facility tracking record None of the above
1. P	of discharge - Complete only if A0310F = 10 or 11 lanned Inplanned
	ification or Licensure Designation
2. U	Init is neither Medicare nor Medicaid certified and MDS data is not required by the State Init is neither Medicare nor Medicaid certified but MDS data is required by the State Init is Medicare and/or Medicaid certified
A0500. Legal Na	me of Resident
A. First	name: B. Middle initial:
C. Last	name: D. Suffix:
A0600. Social Se	curity and Medicare Numbers
	al Security Number:
B. Med	icare number (or comparable railroad insurance number):
A0700. Medicaio	Number - Enter "+" if pending, "N" if not a Medicaid recipient
A0800. Gender	
	Male Temale
A0900. Birth Dat	e e
Mo	onth Day Year
A1000. Race/Eth	nicity
↓ Check all tha	it apply
A. Ame	rican Indian or Alaska Native
B. Asia	n
C. Blac	c or African American
D. Hisp	anic or Latino
E. Nativ	ve Hawaiian or Other Pacific Islander
F. Whit	e

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 3 of 183 Date

Resident

Sectio	n <i>F</i>	1				Ide	nti	fica	atio	on l	Info		mat	tior										-					
A1100. L			je																										
Enter Code		 A. Does the resident need or want an interpreter to communicate with a doctor or health care staff? 0. No → Skip to A1200, Marital Status 1. Yes → Specify in A1100B, Preferred language 9. Unable to determine → Skip to A1200, Marital Status B. Preferred language: 																											
A1200. N	l Mari	ital S	Statu	ıs								_																	
Enter Code		2. I 3. \ 4. S	Nevei Marri Wido Separ Divor	ed wed atec		I																							
A1300. C	Opti	ona	l Res	ider	nt Ite	ems																							
	A.	Med	lical ı	reco	rd nu	ımb	er:					_																	
	В.	Roo	m nu	mbe	r:																								
					Π	Τ	Τ	Τ	Τ	Τ		1																	
	c.	Nan	ne by	whi	ch re	side	nt pr	efer	s to l	oe ac	dres	.se	d:																
			Ť		П	Т	Ť	Т	Т	Τ	Τ	Τ		\top	Т	Τ	\Box	Π	Π	Τ	Т	Т	Т	Т					
	D	Lifet	ime	רכוו	natio	nn(s)) - nu	 t "/" k	 retw	 een t	WO O		<u> </u>	ns•															
			T	T		T(3)	T	T	T	T	T	T		<u> </u>	Т	Т	\top	Π	Τ	Т	Т	Т	Т	Τ					
		<u> </u>	<u></u>	_	_		<u>_</u>								_	_		_	_	_	_	_	_	_	ᆚ				
A1500. F						_			iden	it Re	view	V (PASR	R)															
Enter Code	ls t	he renta 0. 1.	eside al reta No - Yes	nt cu arda → S	irren tion skip t Cont	itly on the second of the seco	eder 550,	dere al re Conc 1510	gula lition , Lev	tion) ns Rel el II F	or a lated read	re to mi	lated ID/DE ssion	cond Stat Scree	ition: us ning a	? and	s to ha	ent R	eview	v (P <i>i</i>	ASRR)				or i	ntell	ectua	ıl disa	bility
A1510. L								_	and	Resi	dent	t R	Revie	v (P <i>F</i>	SRR) Co	onditi	ons											
Complete			hat a			03,	04, 0	r 05																					
	1		ous n			ness	<u> </u>																						
	B.	Inte	llectu	ıal D	isab	ility	("me	ntal	reta	rdati	on" i	n i	federa	l reg	ulatio	on)													

C. Other related conditions

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 4 of 183 Date

Resident

Section A Identification Information					
A1550. 0	Conditions Related to ID/DD Status				
If the resi	dent is 22 years of age or older, complete only if A0310A = 01				
If the resi	dent is 21 years of age or younger, complete only if A0310A = 01, 03, 04, or 05				
↓ cı	neck all conditions that are related to ID/DD status that were manifested before age 22, and are likely to continue indefinitely				
	ID/DD With Organic Condition				
	A. Down syndrome				
	B. Autism				
	C. Epilepsy				
	D. Other organic condition related to ID/DD				
	ID/DD Without Organic Condition				
	E. ID/DD with no organic condition				
	No ID/DD				
	Z. None of the above				
Most Por	cont Admission/Entry or Doontry into this Encility				
	ent Admission/Entry or Reentry into this Facility				
A 1000. I	Entry Date				
	Month Day Year				
A1700. 1	Type of Entry				
Enter Code	1. Admission 2. Reentry				
A1800. I	Entered From				
Enter Code	 01. Community (private home/apt., board/care, assisted living, group home) 02. Another nursing home or swing bed 03. Acute hospital 04. Psychiatric hospital 05. Inpatient rehabilitation facility 06. ID/DD facility 07. Hospice 09. Long Term Care Hospital (LTCH) 99. Other 				
A1900. /	Admission Date (Date this episode of care in this facility began)				
	Month Day Year				
A2000. Discharge Date					
Complete	e only if A0310F = 10, 11, or 12				

Year

Month

Day

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 5 of 183 Date

Section A	Identification Information
A2100. Discharge Status	
Complete only if A0310F = 10	
	r (private home/apt., board/care, assisted living, group home) rsing home or swing bed
03. Acute hospi	ital
04. Psychiatric	
	habilitation facility
06. ID/DD facilit	ty
07. Hospice 08. Deceased	
	Care Hospital (LTCH)
99. Other	care nospital (LICII)
111 5 11151	nt Reference Date for Significant Correction
Complete only if A0310A = 05	
Month -	Day Year
A2300. Assessment Referen	nce Date
Observation end da	ite:
Month -	Day Year
A2400. Medicare Stay	
Enter Code A. Has the resident	thad a Medicare-covered stay since the most recent entry?
0. No → Skip t	o B0100, Comatose
1. Yes → Cont	tinue to A2400B, Start date of most recent Medicare stay
B. Start date of mo	ost recent Medicare stay:
Month -	Day Year
C. End date of mos	st recent Medicare stay - Enter dashes if stay is ongoing:
Month	Day Year

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 6 of 183

Resident

Look back period for all items is 7 days unless another time frame is indicated

Section B	Hearing, Speech, and Vision						
B0100. Comatose							
Enter Code O. No → Continue to B0200, Hearing 1. Yes → Skip to G0110, Activities of Daily Living (ADL) Assistance							
B0200. Hearing							
0. Adequate - r 1. Minimal diff 2. Moderate di	Ability to hear (with hearing aid or hearing appliances if normally used) 0. Adequate - no difficulty in normal conversation, social interaction, listening to TV 1. Minimal difficulty - difficulty in some environments (e.g., when person speaks softly or setting is noisy) 2. Moderate difficulty - speaker has to increase volume and speak distinctly 3. Highly impaired - absence of useful hearing						
B0300. Hearing Aid							
Enter Code 0. No 1. Yes	er hearing appliance used in completing B0200, Hearing						
B0600. Speech Clarity							
0. Clear speech 1. Unclear speech	Select best description of speech pattern 0. Clear speech - distinct intelligible words 1. Unclear speech - slurred or mumbled words 2. No speech - absence of spoken words						
B0700. Makes Self Unders	tood						
0. Understood 1. Usually under	deas and wants, consider both verbal and non-verbal expression erstood - difficulty communicating some words or finishing thoughts but is able if prompted or given time understood - ability is limited to making concrete requests r understood						
B0800. Ability To Understa	and Others						
0. Understand	bal content, however able (with hearing aid or device if used) s - clear comprehension erstands - misses some part/intent of message but comprehends most conversation understands - responds adequately to simple, direct communication only r understands						
B1000. Vision							
0. Adequate - so 1. Impaired - so 2. Moderately 3. Highly impa	equate light (with glasses or other visual appliances) lees fine detail, such as regular print in newspapers/books lees large print, but not regular print in newspapers/books limpaired - limited vision; not able to see newspaper headlines but can identify objects lired - object identification in question, but eyes appear to follow objects lippaired - no vision or sees only light, colors or shapes; eyes do not appear to follow objects						
B1200. Corrective Lenses							
Enter Code O. No 1. Yes	contacts, glasses, or magnifying glass) used in completing B1000, Vision						

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 7 of 183 Resident Section C **Cognitive Patterns** C0100. Should Brief Interview for Mental Status (C0200-C0500) be Conducted? Attempt to conduct interview with all residents 0. No (resident is rarely/never understood) → Skip to and complete C0700-C1000, Staff Assessment for Mental Status 1. **Yes** → Continue to C0200, Repetition of Three Words **Brief Interview for Mental Status (BIMS) C0200.** Repetition of Three Words Ask resident: "I am going to say three words for you to remember. Please repeat the words after I have said all three. The words are: **sock, blue, and bed.** Now tell me the three words." **Enter Code** Number of words repeated after first attempt 0. None 1. **One** 2. **Two** 3. Three After the resident's first attempt, repeat the words using cues ("sock, something to wear; blue, a color; bed, a piece of furniture"). You may repeat the words up to two more times. **C0300. Temporal Orientation** (orientation to year, month, and day) Ask resident: "Please tell me what year it is right now." A. Able to report correct year **Enter Code** 0. Missed by > 5 years or no answer 1. Missed by 2-5 years 2. Missed by 1 year 3. Correct Ask resident: "What month are we in right now?" B. Able to report correct month Enter Code 0. **Missed by > 1 month** or no answer 1. Missed by 6 days to 1 month 2. Accurate within 5 days Ask resident: "What day of the week is today?" **Enter Code** C. Able to report correct day of the week 0. **Incorrect** or no answer 1. Correct C0400. Recall Ask resident: "Let's go back to an earlier question. What were those three words that I asked you to repeat?" If unable to remember a word, give cue (something to wear; a color; a piece of furniture) for that word. A. Able to recall "sock" Enter Code 0. No - could not recall 1. **Yes, after cueing** ("something to wear")

En	ter	Со	de

2. Yes, no cue required

B. Able to recall "blue"

- 0. No could not recall
- 1. Yes, after cueing ("a color")
- 2. Yes, no cue required

C. Able to recall "bed" **Enter Code**

- 0. **No** could not recall
- 1. **Yes, after cueing** ("a piece of furniture")
- 2. Yes, no cue required

C0500.	Summary	/ Score
--------	---------	---------

Enter Score Add scores for questions C0200-C0400 and fill in total score (00-15)

Enter 99 if the resident was unable to complete the interview

Cognitive Patterns C0600. Should the Staff Assessment for Mental Status (C0700 - C1000) be Conducted? 0. No (resident was able to complete interview) \longrightarrow Skip to C1300, Signs and Symptoms of Delirium

0. No (resident was able to complete interview) → Skip to C1300, Signs and Symptoms of Delirium 1. Yes (resident was unable to complete interview) → Continue to C0700, Short-term Memory OK							
Staff Assessment for Mental	Status						
Do not conduct if Brief Interview	for Mental Status (C0200-C0500) was completed						
C0700. Short-term Memory	ок						
Enter Code O. Memory OK 1. Memory prob	recall after 5 minutes						
C0800. Long-term Memory	ок						
Enter Code Seems or appears to 0. Memory OK 1. Memory prob							
C0900. Memory/Recall Abili	ty						
Check all that the resider	↓ Check all that the resident was normally able to recall						
A. Current season							
B. Location of own i	room						
C. Staff names and f	faces						
D. That he or she is	in a nursing home						
Z. None of the abov	e were recalled						
C1000. Cognitive Skills for D	Daily Decision Making						
0. Independent 1. Modified inde 2. Moderately in	Made decisions regarding tasks of daily life						
Delirium							
C1300. Signs and Symptoms	s of Delirium (from CAM®)*						
Code after completing Brief Inter	rview for Mental Status or Staff Assessment, and reviewing medical record						
	↓ Enter Codes in Boxes						
Coding:	A. Inattention - Did the resident have difficulty focusing attention (easily distracted, out of touch or difficulty following what was said)?						
Behavior not present Behavior continuously present, does not	B. Disorganized thinking - Was the resident's thinking disorganized or incoherent (rambling or irrelevant conversation, unclear or illogical flow of ideas, or unpredictable switching from subject to subject)?						
fluctuate 2. Behavior present, fluctuates (comes and goes, changes in severity)	C. Altered level of consciousness - Did the resident have altered level of consciousness (e.g., vigilant - startled easily to any sound or touch; lethargic - repeatedly dozed off when being asked questions, but responded to voice or touch; stuporous - very difficult to arouse and keep aroused for the interview; comatose - could not be aroused)?						
	D. Psychomotor retardation - Did the resident have an unusually decreased level of activity such as sluggishness, staring into space, staying in one position, moving very slowly?						
C1600. Acute Onset Mental S							
	an acute change in mental status from the resident's baseline?						

1. **Yes**

Resident

Section C

^{*} Adapted from Confusion Assessment Method. ©1988, 2003, Hospital Elder Life Program, LLC. Not to be reproduced without permission. All rights reserved.

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 9 of 183 Date

Section	D	Mood
D0100. S	hould Resident N	lood Interview be Conducted? - Attempt to conduct interview with all residents
Enter Code	(PHQ-9-OV)	s rarely/never understood) -> Skip to and complete D0500-D0600, Staff Assessment of Resident Mood
	1 Yes → Cont	inue to D0200 Resident Mood Interview (PHO-9©)

D0200. Resident Mood Interview (PHQ-9©)				
Say to resident: "Over the last 2 weeks, have you been bothered by any of the following	problems?"			
If symptom is present, enter 1 (yes) in column 1, Symptom Presence. If yes in column 1, then ask the resident: "About how often have you been bothered by this?" Read and show the resident a card with the symptom frequency choices. Indicate response in colu	umn 2, Symptom Fr	equency.		
1. Symptom Presence 0. No (enter 0 in column 2) 1. Yes (enter 0-3 in column 2) 1. 2-6 days (several days) 2. Symptom Frequency 1. 2-6 days (several days) 2. 7-11 days (half or more of the days) 3. 12-14 days (nearly every day) Finter Scores in Boxes Enter Scores in Boxes				
A. Little interest or pleasure in doing things				
B. Feeling down, depressed, or hopeless				
C. Trouble falling or staying asleep, or sleeping too much				
D. Feeling tired or having little energy				
E. Poor appetite or overeating				
F. Feeling bad about yourself - or that you are a failure or have let yourself or your family down				
G. Trouble concentrating on things, such as reading the newspaper or watching television				
H. Moving or speaking so slowly that other people could have noticed. Or the opposite - being so fidgety or restless that you have been moving around a lot more than usual				
I. Thoughts that you would be better off dead, or of hurting yourself in some way				
D0300. Total Severity Score				
Add scores for all frequency responses in Column 2, Symptom Frequency. Total score must be between 00 and 27. Enter 99 if unable to complete interview (i.e., Symptom Frequency is blank for 3 or more items).				
D0350. Safety Notification - Complete only if D0200I1 = 1 indicating possibility of resident self harm				
Enter Code				

Resident

Section D Mood				
D0500. Staff Assessment of Resident Mood (PHQ-9-OV*)				
Do not conduct if Resident Mood Interview (D0200-D0300) was completed Over the last 2 weeks, did the resident have any of the following problems or behaviors?				
If symptom is present, enter 1 (yes) in column 1, Symptom Presence.				
Then move to column 2, Symptom Frequency, and indicate symptom frequency.				
 1. Symptom Presence 0. No (enter 0 in column 2) 1. Yes (enter 0-3 in column 2) 2. Symptom Frequency 0. Never or 1 day 1. 2-6 days (several days) 2. 7-11 days (half or more of the days) 	1. Symptom Presence	2. Symptom Frequency		
3. 12-14 days (nearly every day)	↓ Enter Scores in Boxes ↓			
A. Little interest or pleasure in doing things				
B. Feeling or appearing down, depressed, or hopeless				
C. Trouble falling or staying asleep, or sleeping too much				
D. Feeling tired or having little energy				
E. Poor appetite or overeating				
F. Indicating that s/he feels bad about self, is a failure, or has let self or family down				
G. Trouble concentrating on things, such as reading the newspaper or watching television				
H. Moving or speaking so slowly that other people have noticed. Or the opposite - being so fidgety or restless that s/he has been moving around a lot more than usual				
I. States that life isn't worth living, wishes for death, or attempts to harm self				
J. Being short-tempered, easily annoyed				
D0600. Total Severity Score				
Add scores for all frequency responses in Column 2, Symptom Frequency. Total score must be	between 00 and 30.			
D0650. Safety Notification - Complete only if D0500I1 = 1 indicating possibility of resident self has	arm			
Enter Code Was responsible staff or provider informed that there is a potential for resident self harm?				

1. **Yes**

^{*} Copyright © Pfizer Inc. All rights reserved.

Section E	Behavior					
E0100. Potential Indicators of Psychosis						
↓ Check all that apply						
A. Hallucinations (perceptual experience	s in the a	bsenc	e of real external sensory stimuli)		
B. Delusions (misco	onceptions or beliefs th	nat are fir	mly h	eld, contrary to reality)		
Z. None of the abo	ve					
Behavioral Symptoms						
E0200. Behavioral Sympton	m - Presence & Frec	quency				
Note presence of symptoms ar	nd their frequency					
		↓ En	ter C	odes in Boxes		
Coding:			A.	Physical behavioral symptoms directed toward others (e.g., hitting, kicking, pushing, scratching, grabbing, abusing others sexually)		
 Behavior not exhibited Behavior of this type occ 	curred 1 to 3 days		B.	Verbal behavioral symptoms directed toward others (e.g., threatening		
2. Behavior of this type occ		ш		others, screaming at others, cursing at others)		
but less than daily 3. Behavior of this type occ	urred daily		C.	Other behavioral symptoms not directed toward others (e.g., physical symptoms such as hitting or scratching self, pacing, rummaging, public sexual acts, disrobing in public, throwing or smearing food or bodily wastes, or verbal/vocal symptoms like screaming, disruptive sounds)		
E0300. Overall Presence of	Behavioral Sympto	oms				
0. No → Skip to	al symptoms in quest o E0800, Rejection of Ca idering all of E0200, Be	are		ded 1, 2, or 3? toms, answer E0500 and E0600 below		
E0500. Impact on Resident						
Did any of the ident	tified symptom(s):					
Enter Code A. Put the resident	t at significant risk for	r physica	l illne	ess or injury?		
0. No						
1. Yes B. Significantly into	erfere with the reside	nt's save	.2			
0. No	eriere with the reside	ent's care	::			
1. Yes						
	erfere with the reside	ent's part	icipa	tion in activities or social interactions?		
0. No						
I. Tes						
E0600. Impact on Others						
Did any of the ident			_			
Enter Code A. Put others at sig 0. No	nificant risk for phys	ıcaı ınjur	y:			
1. Yes						
	rude on the privacy o	r activity	of o	thers?		
0. No						
1. Yes						
Enter Code C. Significantly disrupt care or living environment? 0. No						
1. Yes						
E0800. Rejection of Care - Presence & Frequency						
Did the resident rej	ect evaluation or care	e (e.g., blo	oodw	ork, taking medications, ADL assistance) that is necessary to achieve the		
	resident's goals for health and well-being? Do not include behaviors that have already been addressed (e.g., by discussion or care					
planning with the res		tetermine	ed to l	be consistent with resident values, preferences, or goals.		
1. Behavior of tl	1. Behavior of this type occurred 1 to 3 days					
	2. Behavior of this type occurred 4 to 6 days, but less than daily 3. Behavior of this type occurred daily					
o. penavior of ti	ins type occurred dall	IV				

Section	n E		Behavior			
E0900. V	Vanderin	g - Presen	ce & Frequency			
Enter Code	Has the resident wandered? 0. Behavior not exhibited → Skip to E1100, Change in Behavioral or Other Symptoms					
	2. Be	havior of th	is type occurred 1 to 3 days is type occurred 4 to 6 days, but less than daily is type occurred daily			
E1000. V	Vanderin	g - Impact				
Enter Code	A. Does facilit 0. No 1. Ye	y)? o	ing place the resident at significant risk of getting to a potentially dangerous place (e.g., stairs, outside of the			
Enter Code	B. Does 0. No 1. Ye	o	ing significantly intrude on the privacy or activities of others?			
	_		or Other Symptoms essed in items E0100 through E1000			
Enter Code	How doe 0. Sa 1. Im 2. W	s resident's on nme nproved orse	current behavior status, care rejection, or wandering compare to prior assessment (OBRA or Scheduled PPS)? The prior MDS assessment			

Section	F	Preferences for Customary Routine and Activities
		or Daily and Activity Preferences be Conducted? - Attempt to interview all residents able to communicate. ete, attempt to complete interview with family member or significant other
Enter Code	Assessment o	s rarely/never understood <u>and</u> family/significant other not available) -> Skip to and complete F0800, Staff f Daily and Activity Preferences inue to F0400, Interview for Daily Preferences

F0400. Interview for Daily Preferences							
Show resident the response options and say: "While you are in this facility" Letter Codes in Boxes							
	A. how important is it to you to choose what clothes to wear?						
Coding:	B. how important is it to you to take care of your personal belongings or things?						
Very important Somewhat important	C. how important is it to you to choose between a tub bath, shower, bed bath, or sponge bath?						
Not very important Not important at all	D. how important is it to you to have snacks available between meals?						
5. Important, but can't do or no choice	E. how important is it to you to choose your own bedtime?						
9. No response or non-responsive	F. how important is it to you to have your family or a close friend involved in discussions about your care?						
	G. how important is it to you to be able to use the phone in private?						
	H. how important is it to you to have a place to lock your things to keep them safe?						
F0500. Interview for Activity Prefe	erences						
Show resident the response options and	say: "While you are in this facility"						
	↓ Enter Codes in Boxes						
	A. how important is it to you to have books, newspapers, and magazines to read?						
Coding:	B. how important is it to you to listen to music you like?						
Very important Somewhat important	C. how important is it to you to be around animals such as pets?						
Not very important Not important at all	D. how important is it to you to keep up with the news?						
5. Important, but can't do or no choice	E. how important is it to you to do things with groups of people?						
9. No response or non-responsive	F. how important is it to you to do your favorite activities?						
	G. how important is it to you to go outside to get fresh air when the weather is good?						
	H. how important is it to you to participate in religious services or practices?						
F0600. Daily and Activity Preferences Primary Respondent							
Indicate primary respondent for Daily and Activity Preferences (F0400 and F0500) 1. Resident 2. Family or significant other (close friend or other representative) 9. Interview could not be completed by resident or family/significant other ("No response" to 3 or more items")							

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 14 of 183 Date

Resident

Section F Preferences for Customary Routine and Activities

F0700. Should the Staff Assessment of Daily and Activity Preferences be Conducted?				
Enter Code	0. 1.	No (because Interview for Daily and Activity Preferences (F0400 and F0500) was completed by resident or family/significant other) → Skip to and complete G0110, Activities of Daily Living (ADL) Assistance Yes (because 3 or more items in Interview for Daily and Activity Preferences (F0400 and F0500) were not completed by resident or family/significant other) → Continue to F0800, Staff Assessment of Daily and Activity Preferences		

F0800. Staff Assessment of Daily and Activity Preferences					
Do not conduct if Interview for Daily and Activity Preferences (F0400-F0500) was completed					
Resident Prefers:					
↓ Ch	Check all that apply				
	A. Choosing clothes to wear				
	B. Caring for personal belongings				
	C. Receiving tub bath				
	D. Receiving shower				
	E. Receiving bed bath				
	F. Receiving sponge bath				
	G. Snacks between meals				
	H. Staying up past 8:00 p.m.				
	I. Family or significant other involvement in care discussions				
	J. Use of phone in private				
	K. Place to lock personal belongings				
	L. Reading books, newspapers, or magazines				
	M. Listening to music				
	N. Being around animals such as pets				
	O. Keeping up with the news				
	P. Doing things with groups of people				
	Q. Participating in favorite activities				
	R. Spending time away from the nursing home				
	S. Spending time outdoors				
	T. Participating in religious activities or practices				
	Z. None of the above				

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 15 of 183

Resident

Functional Status Section G

G0110. Activities of Daily Living (ADL) Assistance

Refer to the ADL flow chart in the RAI manual to facilitate accurate coding

Instructions for Rule of 3

- When an activity occurs three times at any one given level, code that level.
- When an activity occurs three times at multiple levels, code the most dependent, exceptions are total dependence (4), activity must require full assist every time, and activity did not occur (8), activity must not have occurred at all. Example, three times extensive assistance (3) and three times limited assistance (2), code extensive assistance (3).
- When an activity occurs at various levels, but not three times at any given level, apply the following:
- When there is a combination of full staff performance, and extensive assistance, code extensive assistance.
- When there is a combination of full staff performance, weight bearing assistance and/or non-weight bearing assistance code limited assistance (2).

If none of the above are met, code supervision.

1. ADL Self-Performance

Code for **resident's performance** over all shifts - not including setup. If the ADL activity occurred 3 or more times at various levels of assistance, code the most dependent - except for total dependence, which requires full staff performance every time

Coding:

Activity Occurred 3 or More Times

- 0. Independent no help or staff oversight at any time
- 1. **Supervision** oversight, encouragement or cueing
- 2. Limited assistance resident highly involved in activity; staff provide guided maneuvering of limbs or other non-weight-bearing assistance
- 3. **Extensive assistance** resident involved in activity, staff provide weight-bearing support
- 4. Total dependence full staff performance every time during entire 7-day period **Activity Occurred 2 or Fewer Times**
- 7. Activity occurred only once or twice activity did occur but only once or twice

2. ADL Support Provided

Code for **most support provided** over all shifts; code regardless of resident's selfperformance classification

Coding:

- 0. No setup or physical help from staff
- 1. Setup help only
- 2. **One** person physical assist
- 3. **Two+** persons physical assist
- 8. ADL activity itself did not occur or family and/or non-facility staff provided care 100% of the time for that activity over the entire 7-day period

		• • • • • • • • • • • • • • • • • • • •	_•	
	8. Activity did not occur - activity did not occur or family and/or non-facility staff provided	Self-Performance	Support	
	care 100% of the time for that activity over the entire 7-day period	↓ Enter Codes in Boxes ↓		
۹.	Bed mobility - how resident moves to and from lying position, turns side to side, and positions body while in bed or alternate sleep furniture			
В.	Transfer - how resident moves between surfaces including to or from: bed, chair, wheelchair, standing position (excludes to/from bath/toilet)			
с.	Walk in room - how resident walks between locations in his/her room			
D.	Walk in corridor - how resident walks in corridor on unit			
Ε.	Locomotion on unit - how resident moves between locations in his/her room and adjacent corridor on same floor. If in wheelchair, self-sufficiency once in chair			
F.	Locomotion off unit - how resident moves to and returns from off-unit locations (e.g., areas set aside for dining, activities or treatments). If facility has only one floor , how resident moves to and from distant areas on the floor. If in wheelchair, self-sufficiency once in chair			
G.	Dressing - how resident puts on, fastens and takes off all items of clothing, including donning/removing a prosthesis or TED hose. Dressing includes putting on and changing pajamas and housedresses			
Н.	Eating - how resident eats and drinks, regardless of skill. Do not include eating/drinking during medication pass. Includes intake of nourishment by other means (e.g., tube feeding, total parenteral nutrition, IV fluids administered for nutrition or hydration)			
	Toilet use - how resident uses the toilet room, commode, bedpan, or urinal; transfers on/off toilet; cleanses self after elimination; changes pad; manages ostomy or catheter; and adjusts clothes. Do not include emptying of bedpan, urinal, bedside commode, catheter bag or ostomy bag			
J.	Personal hygiene - how resident maintains personal hygiene, including combing hair, brushing teeth, shaving, applying makeup, washing/drying face and hands (excludes baths and showers)			

Section G	Functional Statu	ıs				
G0120. Bathing						
How resident takes full-body bath/shower, sponge bath, and transfers in/out of tub/shower (excludes washing of back and hair). Code for most						
dependent in self-performance and support Enter Code						
B. Support provided (Bathing support codes are as defined in item G0110 column 2, ADL Support Provided, above)						
G0300. Balance During Tra	nsitions and Walking					
After observing the resident, coc	le the following walking a	nd transiti	on items for most dependent			
		↓ Eı	nter Codes in Boxes			
Coding:			A. Moving from seated to standing position			
O. Steady at all times Not steady, but <u>able</u> to stabilize without staff assistance Not steady, <u>only able</u> to stabilize with staff assistance Activity did not occur			B. Walking (with assistive device if used)			
			C. Turning around and facing the opposite direction while walking			
			D. Moving on and off toilet			
			E. Surface-to-surface transfer (transfer between bed and chair or wheelchair)			
G0400. Functional Limitation	on in Range of Motion					
Code for limitation that interfer	red with daily functions or p	laced resid	ent at risk of injury			
Codings		↓ Eı	nter Codes in Boxes			
Coding: 0. No impairment 1. Impairment on one side 2. Impairment on both sides			A. Upper extremity (shoulder, elbow, wrist, hand)			
			B. Lower extremity (hip, knee, ankle, foot)			
G0600. Mobility Devices						
↓ Check all that were norm	nally used					
A. Cane/crutch						
B. Walker	B. Walker					
C. Wheelchair (manual or electric)						
D. Limb prosthesis						
Z. None of the above were used						
G0900. Functional Rehabili Complete only if A0310A = 0						
Enter Code O. No 1. Yes 9. Unable to determine						
Enter Code Direct care staff believe resident is capable of increased independence in at least some ADLs O. No 1. Yes						

Sectio	n l	1	Bladder and Bowel				
H0100.	H0100. Appliances						
↓ Che	eck	all that apply					
	A.	Indwelling cathe	eter (including suprapubic catheter and nephrostomy tube)				
	В.	External cathete	er				
	c.	Ostomy (includin	ng urostomy, ileostomy, and colostomy)				
	D.	Intermittent cat	heterization				
	z.	None of the abov	ve				
H0200. U	Jrir	ary Toileting Pı	rogram				
Enter Code	A.	admission/entry 0. No → Skip 1. Yes → Con	bileting program (e.g., scheduled toileting, prompted voiding, or bladder training) been attempted on or reentry or since urinary incontinence was noted in this facility? to H0300, Urinary Continence tinue to H0200B, Response etermine → Skip to H0200C, Current toileting program or trial				
Enter Code		 No improven Decreased we Completely of Unable to de 	etness Iry (continent) termine or trial in progress				
Enter Code	۲.		g program or trial - Is a toileting program (e.g., scheduled toileting, prompted voiding, or bladder training) currently anage the resident's urinary continence?				
H0300. U	Jrir	ary Continence					
Enter Code	Ur	 Always contil Occasionally Frequently in Always incon 	- Select the one category that best describes the resident nent incontinent (less than 7 episodes of incontinence) ncontinent (7 or more episodes of urinary incontinence, but at least one episode of continent voiding) ntinent (no episodes of continent voiding) sident had a catheter (indwelling, condom), urinary ostomy, or no urine output for the entire 7 days				
H0400. I	Bov	vel Continence					
Enter Code	Вс	 Always continuous Occasionally Frequently in Always incom 	Select the one category that best describes the resident nent incontinent (one episode of bowel incontinence) ncontinent (2 or more episodes of bowel incontinence, but at least one continent bowel movement) attinent (no episodes of continent bowel movements) sident had an ostomy or did not have a bowel movement for the entire 7 days				
H0500. I	3ov	el Toileting Pro	ngram ngram				
Enter Code	Is	a toileting progra 0. No 1. Yes	m currently being used to manage the resident's bowel continence?				
H0600. I	Bov	el Patterns					
Enter Code	Co	nstipation preser 0. No 1. Yes	nt?				

Resident **Active Diagnoses** Section I Active Diagnoses in the last 7 days - Check all that apply Diagnoses listed in parentheses are provided as examples and should not be considered as all-inclusive lists Cancer **I0100.** Cancer (with or without metastasis) **Heart/Circulation** 10200. Anemia (e.g., aplastic, iron deficiency, pernicious, and sickle cell) 10300. Atrial Fibrillation or Other Dysrhythmias (e.g., bradycardias and tachycardias) 10400. Coronary Artery Disease (CAD) (e.g., angina, myocardial infarction, and atherosclerotic heart disease (ASHD)) 10500. Deep Venous Thrombosis (DVT), Pulmonary Embolus (PE), or Pulmonary Thrombo-Embolism (PTE) **10600.** Heart Failure (e.g., congestive heart failure (CHF) and pulmonary edema) 10700. Hypertension 10800. Orthostatic Hypotension 10900. Peripheral Vascular Disease (PVD) or Peripheral Arterial Disease (PAD) Gastrointestinal 11100. Cirrhosis 11200. Gastroesophageal Reflux Disease (GERD) or Ulcer (e.g., esophageal, gastric, and peptic ulcers) 11300. Ulcerative Colitis, Crohn's Disease, or Inflammatory Bowel Disease Genitourinary 11400. Benign Prostatic Hyperplasia (BPH) 11500. Renal Insufficiency, Renal Failure, or End-Stage Renal Disease (ESRD) 11550. Neurogenic Bladder 11650. Obstructive Uropathy **Infections** 11700. Multidrug-Resistant Organism (MDRO) 12000. Pneumonia 12100. Septicemia 12200. Tuberculosis 12300. Urinary Tract Infection (UTI) (LAST 30 DAYS) 12400. Viral Hepatitis (e.g., Hepatitis A, B, C, D, and E) **I2500.** Wound Infection (other than foot) Metabolic **12900.** Diabetes Mellitus (DM) (e.g., diabetic retinopathy, nephropathy, and neuropathy) 13100. Hyponatremia 13200. Hyperkalemia **13300.** Hyperlipidemia (e.g., hypercholesterolemia) **13400.** Thyroid Disorder (e.g., hypothyroidism, hyperthyroidism, and Hashimoto's thyroiditis) Musculoskeletal 13700. Arthritis (e.g., degenerative joint disease (DJD), osteoarthritis, and rheumatoid arthritis (RA)) 13900. Hip Fracture - any hip fracture that has a relationship to current status, treatments, monitoring (e.g., sub-capital fractures, and fractures of the trochanter and femoral neck) 14000. Other Fracture Neurological 14200. Alzheimer's Disease 14300. Aphasia 14400. Cerebral Palsy

14800. Non-Alzheimer's Dementia (e.g. Lewy body dementia, vascular or multi-infarct dementia; mixed dementia; frontotemporal dementia

MDS 3.0 Nursing Home Comprehensive (NC) Version 1.13.2 Effective 10/01/2015

Neurological Diagnoses continued on next page

14500. Cerebrovascular Accident (CVA), Transient Ischemic Attack (TIA), or Stroke

such as Pick's disease; and dementia related to stroke, Parkinson's or Creutzfeldt-Jakob diseases)

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 19 of 183 Date

Sect	ion I	Active Diagnoses								
Active	active Diagnoses in the last 7 days - Check all that apply									
	iagnoses listed in parentheses are provided as examples and should not be considered as all-inclusive lists									
	Neurol	ogical - Continued								
	I4900.	Hemiplegia or Hemiparesis								
	15000.	Paraplegia								
	I5100.	Quadriplegia								
	I5200.	Multiple Sclerosis (MS)								
	15250.	Huntington's Disease								
		Parkinson's Disease								
	15350	Tourette's Syndrome								
		Seizure Disorder or Epilepsy								
		Traumatic Brain Injury (TBI)								
	Nutriti									
		Malnutrition (protein or calorie) or at risk for malnutrition								
		atric/Mood Disorder								
		Anxiety Disorder								
	15800.	Depression (other than bipolar)								
	15900.	Manic Depression (bipolar disease)								
		Psychotic Disorder (other than schizophrenia)								
		Schizophrenia (e.g., schizoaffective and schizophreniform disorders)								
		Post Traumatic Stress Disorder (PTSD)								
	Pulmo									
	l6200.	Asthma, Chronic Obstructive Pulmonary Disease (COPD), or Chronic Lung Disease (e.g., chr diseases such as asbestosis)	onic	brond	hitis	and r	estri	ctive	lung	J
	l6300.	Respiratory Failure								
	Vision									
	l6500.	Cataracts, Glaucoma, or Macular Degeneration								
[f Above								
\sqcup		None of the above active diagnoses within the last 7 days								
	Other	Additional active diagnoses								
		iagnosis on line and ICD code in boxes. Include the decimal for the code in the appropriate box.								
							\neg			
	A					Ш		\bigsqcup		
	_									
	В				ш					
	C									
	·. —									_
	D.									
					\equiv	$\overline{}$	=	$\overline{}$	$\overline{}$	\equiv
	E									
	F					Ш		Ш		
	G									
	Н									
					=					
	l.									
					$\overline{}$		\equiv	$\overline{}$	$\overline{}$	
	J									

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 20 of 183

Resident	Identifier Date
Section	Health Conditions
J0100. Pa	in Management - Complete for all residents, regardless of current pain level
At any time	in the last 5 days, has the resident:
Enter Code	A. Received scheduled pain medication regimen?
	0. No 1. Yes
Enter Code	B. Received PRN pain medications OR was offered and declined?
Linter Code	0. No
\sqcup	1. Yes
Enter Code	C. Received non-medication intervention for pain?
	0. No 1. Yes
J0200. S	hould Pain Assessment Interview be Conducted?
Attempt t	to conduct interview with all residents. If resident is comatose, skip to J1100, Shortness of Breath (dyspnea)
Enter Code	0. No (resident is rarely/never understood) → Skip to and complete J0800, Indicators of Pain or Possible Pain
	1. Yes → Continue to J0300, Pain Presence
Pain Ass	sessment Interview
J0300. P	ain Presence
Enter Code	Ask resident: " Have you had pain or hurting at any time in the last 5 days?"
	0. No → Skip to J1100, Shortness of Breath
	 Yes → Continue to J0400, Pain Frequency Unable to answer → Skip to J0800, Indicators of Pain or Possible Pain
10400 B	ain Frequency
	Ask resident: "How much of the time have you experienced pain or hurting over the last 5 days?"
Enter Code	1. Almost constantly
	2. Frequently
	3. Occasionally
	4. Rarely
	9. Unable to answer
J0500. P	ain Effect on Function
	A. Ask resident: "Over the past 5 days, has pain made it hard for you to sleep at night?"
Enter Code	0. No
	1. Yes
_	9. Unable to answer
Enter Code	B. Ask resident: "Over the past 5 days, have you limited your day-to-day activities because of pain?"
Linter code	0. No
	1. Yes 9. Unable to answer
10600 B	
	ain Intensity - Administer ONLY ONE of the following pain intensity questions (A or B)
Enter Rating	A. Numeric Rating Scale (00-10)
	Ask resident: "Please rate your worst pain over the last 5 days on a zero to ten scale, with zero being no pain and ten
	as the worst pain you can imagine." (Show resident 00 -10 pain scale) Enter two-digit response. Enter 99 if unable to answer.
-	B. Verbal Descriptor Scale
Enter Code	Ask resident: "Please rate the intensity of your worst pain over the last 5 days." (Show resident verbal scale)
	1. Mild
	2. Moderate
	3. Severe
	4. Very severe, horrible

9. Unable to answer

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 21 of 183 Date

Resident

Sectio	n J Health Conditions			
J0700.	Should the Staff Assessment for Pain be Conducted?			
Enter Code	 No (J0400 = 1 thru 4) → Skip to J1100, Shortness of Breath (dyspnea) Yes (J0400 = 9) → Continue to J0800, Indicators of Pain or Possible Pain 			
Staff As	sessment for Pain			
J0800. lı	ndicators of Pain or Possible Pain in the last 5 days			
↓ Che	eck all that apply			
	A. Non-verbal sounds (e.g., crying, whining, gasping, moaning, or groaning)			
	B. Vocal complaints of pain (e.g., that hurts, ouch, stop)			
	C. Facial expressions (e.g., grimaces, winces, wrinkled forehead, furrowed brow, clenched teeth or jaw)			
	D. Protective body movements or postures (e.g., bracing, guarding, rubbing or massaging a body part/area, clutching or holding a body part during movement)			
	Z. None of these signs observed or documented → If checked, skip to J1100, Shortness of Breath (dyspnea)			
J0850. F	requency of Indicator of Pain or Possible Pain in the last 5 days			
Enter Code	Frequency with which resident complains or shows evidence of pain or possible pain 1. Indicators of pain or possible pain observed 1 to 2 days 2. Indicators of pain or possible pain observed 3 to 4 days 3. Indicators of pain or possible pain observed daily			
Other H	ealth Conditions			
J1100. S	hortness of Breath (dyspnea)			
↓ Che	ck all that apply			
	A. Shortness of breath or trouble breathing with exertion (e.g., walking, bathing, transferring)			
	B. Shortness of breath or trouble breathing when sitting at rest			
	C. Shortness of breath or trouble breathing when lying flat			
	Z. None of the above			
J1300. C	urrent Tobacco Use			
Enter Code	Tobacco use 0. No 1. Yes			
J1400. P	rognosis			
Enter Code	Does the resident have a condition or chronic disease that may result in a life expectancy of less than 6 months? (Requires physician documentation) 0. No 1. Yes			
J1550. Problem Conditions				
↓ Che	ck all that apply			
	A. Fever			
	B. Vomiting			
	C. Dehydrated			
	D. Internal bleeding			

Z. None of the above

Section J	Health Conditions					
J1700. Fall History on Admission/Entry or Reentry						
Complete only if A0310A = 01	or A0310E = 1					
Enter code	ave a fall any time in the last month prior to admission/entry or reentry?					
0. No						
1. Yes 9. Unable to det						
, onable to us						
ziitei eode	ave a fall any time in the last 2-6 months prior to admission/entry or reentry?					
0. No						
9. Unable to det	ermine					
Enter Code C. Did the resident h	ave any fracture related to a fall in the 6 months prior to admission/entry or reentry?					
0. No						
1. Yes						
9. Unable to det	ermine					
	ission/Entry or Reentry or Prior Assessment (OBRA or Scheduled PPS), whichever is more recent					
Enter Code Has the resident had	any falls since admission/entry or reentry or the prior assessment (OBRA or Scheduled PPS), whichever is more					
recent?	recent?					
	o K0100, Swallowing Disorder					
1. Yes → Conf	inue to J1900, Number of Falls Since Admission/Entry or Reentry or Prior Assessment (OBRA or Scheduled PPS)					
J1900. Number of Falls Sinc	e Admission/Entry or Reentry or Prior Assessment (OBRA or Scheduled PPS), whichever is more recent					
	↓ Enter Codes in Boxes					
	A. No injury - no evidence of any injury is noted on physical assessment by the nurse or primary					
	care clinician; no complaints of pain or injury by the resident; no change in the resident's					
Coding:	behavior is noted after the fall					
0. None						
1. One	B. Injury (except major) - skin tears, abrasions, lacerations, superficial bruises, hematomas and					
2. Two or more	sprains; or any fall-related injury that causes the resident to complain of pain					
	C. Major injury - bone fractures, joint dislocations, closed head injuries with altered					
	consciousness, subdural hematoma					

nesident	identifier						
Section K Swallowing/Nutritional Status							
K0100. Swallowing Disord	er						
Signs and symptoms of poss	ible swallowing disorder						
A. Loss of liquids/solids from mouth when eating or drinking							
B. Holding food in mouth/cheeks or residual food in mouth after meals							
C. Coughing or ch	oking during meals or when swallowing medications						
D. Complaints of	difficulty or pain with swallowing						
Z. None of the abo	ove						
K0200. Height and Weight	- While measuring, if the number is X.1 - X.4 round down; X.5 or grea	ter round up					
A. Height (in	inches). Record most recent height measure since the most recent admission	n/entry or reentry					
	pounds). Base weight on most recent measure in last 30 days; measure weight ctice (e.g., in a.m. after voiding, before meal, with shoes off, etc.)	ght consistently, accor	ding to standard				
K0300. Weight Loss							
0. No or unkno 1. Yes, on phys	Loss of 5% or more in the last month or loss of 10% or more in last 6 months 0. No or unknown 1. Yes, on physician-prescribed weight-loss regimen 2. Yes, not on physician-prescribed weight-loss regimen						
K0310. Weight Gain							
0. No or unkno 1. Yes, on phys	e in the last month or gain of 10% or more in last 6 months wn vician-prescribed weight-gain regimen physician-prescribed weight-gain regimen						
K0510. Nutritional Approa	iches						
	ional approaches that were performed during the last 7 days						
Performed while NOT a res	i lesident i lesident						
			that apply 🗸				
A. Parenteral/IV feeding							
B. Feeding tube - nasogastric or abdominal (PEG)							
C. Mechanically altered diet thickened liquids)							
D. Therapeutic diet (e.g., low	salt, diabetic, low cholesterol)						

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 24 of 183

Resident

nesiderit			Date					
Section K	Section K Swallowing/Nutritional Status							
K0710. Percent Intake by A	rtificial Route - Complete K0710 only if Column 1 and/or	Column 2 are chec	ked for K0510A ar	nd/or K0510B				
code in column 1 if resident resident last entered 7 or m 2. While a Resident	dent of this facility and within the last 7 days . Only enter a entered (admission or reentry) IN THE LAST 7 DAYS. If ore days ago, leave column 1 blank of this facility and within the last 7 days	1. While NOT a Resident	2. While a Resident	3. During Entire 7 Days				
Performed during the entire	e last 7 days	1	Enter Codes	↓				
A. Proportion of total calories 1. 25% or less 2. 26-50% 3. 51% or more	s the resident received through parenteral or tube feeding							
B. Average fluid intake per da 1. 500 cc/day or less 2. 501 cc/day or more	ay by IV or tube feeding							
Section L	Oral/Dental Status							
L0200. Dental								
↓ Check all that apply								
A. Broken or loose	ly fitting full or partial denture (chipped, cracked, uncleanab	ole, or loose)						

C. Abnormal mouth tissue (ulcers, masses, oral lesions, including under denture or partial if one is worn)

B. No natural teeth or tooth fragment(s) (edentulous)

D. Obvious or likely cavity or broken natural teethE. Inflamed or bleeding gums or loose natural teeth

G. Unable to examine

Z. None of the above were present

F. Mouth or facial pain, discomfort or difficulty with chewing

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 25 of 183 Date

Section M

Resident

Skin Conditions

Report based on highest stage of existing ulcer(s) at its worst; do not "reverse" stage

M0100. I	M0100. Determination of Pressure Ulcer Risk					
↓ Che	ck	all that apply				
	A.	Resident has a stage 1 or greater, a scar over bony prominence, or a non-removable dressing/device				
	В.	Formal assessment instrument/tool (e.g., Braden, Norton, or other)				
	c.	Clinical assessment				
	z.	None of the above				
M0150. I	Risl	c of Pressure Ulcers				
Enter Code	ls t	this resident at risk of developing pressure ulcers?				
		0. No 1. Yes				
M0210.	Unł	nealed Pressure Ulcer(s)				
Enter Code	Do	es this resident have one or more unhealed pressure ulcer(s) at Stage 1 or higher?				
		0. No → Skip to M0900, Healed Pressure Ulcers				
		1. Yes → Continue to M0300, Current Number of Unhealed Pressure Ulcers at Each Stage				
M0300.		rent Number of Unhealed Pressure Ulcers at Each Stage				
Enter Number	A.	Number of Stage 1 pressure ulcers Stage 1: Intact skin with non-blanchable redness of a localized area usually over a bony prominence. Darkly pigmented skin may not have a visible blanching; in dark skin tones only it may appear with persistent blue or purple hues				
Enter Number	В.	Stage 2: Partial thickness loss of dermis presenting as a shallow open ulcer with a red or pink wound bed, without slough. May also present as an intact or open/ruptured blister				
Enter Number		1. Number of Stage 2 pressure ulcers - If 0 → Skip to M0300C, Stage 3				
		2. Number of theta: Stage 2 pressure ulcers that were present upon admission/entry or reentry - enter how many were noted at the time of admission/entry or reentry				
		3. Date of oldest Stage 2 pressure ulcer - Enter dashes if date is unknown:				
		Month Day Year				
Enter Number	c.	Stage 3: Full thickness tissue loss. Subcutaneous fat may be visible but bone, tendon or muscle is not exposed. Slough may be present but does not obscure the depth of tissue loss. May include undermining and tunneling				
		1. Number of Stage 3 pressure ulcers - If 0 → Skip to M0300D, Stage 4				
Enter Number		2. Number of these Stage 3 pressure ulcers that were present upon admission/entry or reentry - enter how many were noted at the time of admission/entry or reentry				
Enter Number	D.	Stage 4: Full thickness tissue loss with exposed bone, tendon or muscle. Slough or eschar may be present on some parts of the wound bed. Often includes undermining and tunneling				
Enter Number		1. Number of Stage 4 pressure ulcers - If 0 → Skip to M0300E, Unstageable: Non-removable dressing				
Litter Number		2. Number of thetae- Stage 4 pressure ulcers that were present upon admission/entry or reentry - enter how many were noted at the time of admission/entry or reentry				
M030	0 c	ontinued on next page				

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 26 of 183 Date

Section	n M	Skin Conditions						
M0300. C	M0300. Current Number of Unhealed Pressure Ulcers at Each Stage - Continued							
	E. Unstag	geable - Non-removable dressing: Known but not stageable due to non-removable dressing/device						
Enter Number		nber of unstageable pressure ulcers due to non-removable dressing/device - If $0 \rightarrow Skip$ to M0300F, Unstageable: ugh and/or eschar						
Enter Number		mber of these unstageable pressure ulcers that were present upon admission/entry or reentry - enter how many were ed at the time of admission/entry or reentry						
	F. Unstag	geable - Slough and/or eschar: Known but not stageable due to coverage of wound bed by slough and/or eschar						
Enter Number		nber of unstageable pressure ulcers due to coverage of wound bed by slough and/or eschar - If 0 → Skip to M0300G, tageable: Deep tissue						
Enter Number		nber of these unstageable pressure ulcers that were present upon admission/entry or reentry - enter how many were ed at the time of admission/entry or reentry						
	G. Unstag	geable - Deep tissue: Suspected deep tissue injury in evolution						
Enter Number Enter Number		nber of unstageable pressure ulcers with suspected deep tissue injury in evolution - If 0 → Skip to M0610, Dimension Inhealed Stage 3 or 4 Pressure Ulcers or Eschar						
		nber of <u>these</u> unstageable pressure ulcers that were present upon admission/entry or reentry - enter how many were ed at the time of admission/entry or reentry						
		ns of Unhealed Stage 3 or 4 Pressure Ulcers or Eschar						
	•	D300C1, M0300D1 or M0300F1 is greater than 0 e or more unhealed Stage 3 or 4 pressure ulcers or an unstageable pressure ulcer due to slough or eschar, identify the pressure						
ulcer with t	the largest	surface area (length x width) and record in centimeters:						
	cm	A. Pressure ulcer length: Longest length from head to toe						
	cm	B. Pressure ulcer width: Widest width of the same pressure ulcer, side-to-side perpendicular (90-degree angle) to length						
	cm	C. Pressure ulcer depth: Depth of the same pressure ulcer from the visible surface to the deepest area (if depth is unknown, enter a dash in each box)						
M0700. N	Most Seve	re Tissue Type for Any Pressure Ulcer						
		best description of the most severe type of tissue present in any pressure ulcer bed						
Enter Code	-	ithelial tissue - new skin growing in superficial ulcer. It can be light pink and shiny, even in persons with darkly pigmented skin anulation tissue - pink or red tissue with shiny, moist, granular appearance						
		bugh - yellow or white tissue that adheres to the ulcer bed in strings or thick clumps, or is mucinous						
		:har - black, brown, or tan tissue that adheres firmly to the wound bed or ulcer edges, may be softer or harder than surrounding						
	skii	n ne of the Above						
M0800. V		g in Pressure Ulcer Status Since Prior Assessment (OBRA or Scheduled PPS) or Last Admission/Entry or Reentry						
Complete								
entry. If no		of current pressure ulcers that were not present or were at a lesser stage on prior assessment (OBRA or scheduled PPS) or last essure ulcer at a given stage, enter 0.						
Enter Number	A. Stage	2						
Enter Number	B. Stage	3						
Enter Number	C. Stage	4						

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 27 of 183 Date

Sectio	n M	Skin Conditions					
M0900. Healed Pressure Ulcers							
Complete only if A0310E = 0 Enter Code A. Were pressure ulcers present on the prior assessment (OBRA or scheduled PPS)?							
Enter Code	0. No → Skip t	 No → Skip to M1030, Number of Venous and Arterial Ulcers Yes → Continue to M0900B, Stage 2 					
	Indicate the number of pressure ulcers that were noted on the prior assessment (OBRA or scheduled PPS) that have completely closed (resurfaced with epithelium). If no healed pressure ulcer at a given stage since the prior assessment (OBRA or scheduled PPS), enter 0.						
Enter Number	B. Stage 2						
Enter Number	C. Stage 3						
Enter Number	D. Stage 4						
M1030.	Number of Venous	and Arterial Ulcers					
Enter Number	Enter the total num	ber of venous and arterial ulcers present					
M1040.	Other Ulcers, Woun	nds and Skin Problems					
↓ CI	neck all that apply						
	Foot Problems						
	A. Infection of the f	foot (e.g., cellulitis, purulent drainage)					
	B. Diabetic foot ulcer(s)						
	C. Other open lesion(s) on the foot						
	Other Problems						
	D. Open lesion(s) of	ther than ulcers, rashes, cuts (e.g., cancer lesion)					
	E. Surgical wound(s)					
	F. Burn(s) (second o	or third degree)					
	G. Skin tear(s)						
	H. Moisture Associa	ated Skin Damage (MASD) (i.e. incontinence (IAD), perspiration, drainage)					
	None of the Above						
	Z. None of the abov	ve were present					
M1200.	Skin and Ulcer Trea	itments					
↓ ci	neck all that apply						
	A. Pressure reducir	ng device for chair					
	B. Pressure reducin	ng device for bed					
	C. Turning/repositi	oning program					
	D. Nutrition or hydi	ration intervention to manage skin problems					
	E. Pressure ulcer ca	ire					
	F. Surgical wound	care					
	G. Application of n	onsurgical dressings (with or without topical medications) other than to feet					
	H. Applications of o	ointments/medications other than to feet					
	I. Application of dr	ressings to feet (with or without topical medications)					
	Z. None of the above	ve were provided					

Section N Medications
N0300. Injections
Record the number of days that injections of any type were received during the last 7 days or since admission/entry or reentry if less than 7 days. If 0
N0350. Insulin
A. Insulin injections - Record the number of days that insulin injections were received during the last 7 days or since admission/entry or reentry if less than 7 days
B. Orders for insulin - Record the number of days the physician (or authorized assistant or practitioner) changed the resident's insulin orders during the last 7 days or since admission/entry or reentry if less than 7 days
N0410. Medications Received
Indicate the number of DAYS the resident received the following medications during the last 7 days or since admission/entry or reentry if less than 7 days. Enter "0" if medication was not received by the resident during the last 7 days
Enter Days A. Antipsychotic
Enter Days B. Antianxiety
Enter Days C. Antidepressant
Enter Days D. Hypnotic
Enter Days E. Anticoagulant (warfarin, heparin, or low-molecular weight heparin)
Enter Days F. Antibiotic
Enter Days G. Diuretic

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 29 of 183 Date

Section O	Special Treatments, Procedures, and Program	ns				
O0100. Special Treatments, Procedures, and Programs						
Check all of the following treatr	nents, procedures, and programs that were performed during the last 14 day	'S				
1. While NOT a Resident Performed while NOT a res resident entered (admission ago, leave column 1 blank 2. While a Resident	1. While NOT a Resident	2. While a Resident				
1	of this facility and within the <i>last 14 days</i>	↓ Check all t	that apply 🗸			
Cancer Treatments						
A. Chemotherapy						
B. Radiation						
Respiratory Treatments						
C. Oxygen therapy						
D. Suctioning						
E. Tracheostomy care						
F. Ventilator or respirator						
G. BiPAP/CPAP						
Other						
H. IV medications						
I. Transfusions						
J. Dialysis						
K. Hospice care						
L. Respite care						
M. Isolation or quarantine fo precautions)	r active infectious disease (does not include standard body/fluid					
None of the Above						
Z. None of the above						
O0250. Influenza Vaccine	- Refer to current version of RAI manual for current influenza vaccinat	on season and repo	rting period			
Enter code	t receive the influenza vaccine in this facility for this year's influenza vaccin to O0250C, If influenza vaccine not received, state reason	ation season?				
	ntinue to O0250B, Date influenza vaccine received					
B. Date influenza	vaccine received → Complete date and skip to O0300A, Is the resident's Pr	eumococcal vaccinati	on up to date?			
Month -	Day Year					
	cine not received, state reason:					
	t in this facility during this year's influenza vaccination season tside of this facility					
3. Not eligible	- medical contraindication					
4. Offered and 5. Not offered	declined					
	obtain influenza vaccine due to a declared shortage					
9. None of the	above					
O0300. Pneumococcal Vac						
Zinter educ	S Pneumococcal vaccination up to date?					
	tinue to O0300B, If Pneumococcal vaccine not received, state reason to O0400, Therapies					
Litter code	l vaccine not received, state reason:					
1. Not eligible 2. Offered and	- medical contraindication declined					
3. Not offered						

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 30 of 183 Date

Resident

Special Treatments, Procedures, and Programs Section O 00400. Therapies A. Speech-Language Pathology and Audiology Services **Enter Number of Minutes** 1. Individual minutes - record the total number of minutes this therapy was administered to the resident individually in the last 7 days **Enter Number of Minutes** 2. Concurrent minutes - record the total number of minutes this therapy was administered to the resident concurrently with one other resident in the last 7 days Enter Number of Minutes 3. Group minutes - record the total number of minutes this therapy was administered to the resident as part of a group of residents in the last 7 days If the sum of individual, concurrent, and group minutes is zero, → skip to 00400A5, Therapy start date **Enter Number of Minutes 3A.** Co-treatment minutes - record the total number of minutes this therapy was administered to the resident in co-treatment sessions in the last 7 days **Enter Number of Days** 4. Days - record the number of days this therapy was administered for at least 15 minutes a day in the last 7 days **6. Therapy end date** - record the date the most recent **5. Therapy start date** - record the date the most recent therapy regimen (since the most recent entry) ended therapy regimen (since the most recent entry) started - enter dashes if therapy is ongoing Month Dav Year Month Day Year **B.** Occupational Therapy **Enter Number of Minutes** 1. Individual minutes - record the total number of minutes this therapy was administered to the resident individually in the last 7 days Enter Number of Minutes 2. Concurrent minutes - record the total number of minutes this therapy was administered to the resident concurrently with one other resident in the last 7 days **Enter Number of Minutes** 3. Group minutes - record the total number of minutes this therapy was administered to the resident as part of a group of residents in the last 7 days If the sum of individual, concurrent, and group minutes is zero, → skip to O0400B5, Therapy start date Enter Number of Minutes **3A.** Co-treatment minutes - record the total number of minutes this therapy was administered to the resident in co-treatment sessions in the last 7 days **Enter Number of Days** 4. Days - record the number of days this therapy was administered for at least 15 minutes a day in the last 7 days **6. Therapy end date** - record the date the most recent **5. Therapy start date** - record the date the most recent therapy regimen (since the most recent entry) ended therapy regimen (since the most recent entry) started - enter dashes if therapy is ongoing

Year

Month

Day

Year

00400 continued on next page

nesiaerie			
Section O	Special Treatments, Procedures, and Programs		
O0400. Therapies - Continued			
	C. Physical Therapy		
Enter Number of Minutes	Individual minutes - record the total number of minutes this therapy was administered to the resident individually in the last 7 days		
Enter Number of Minutes	 Concurrent minutes - record the total number of minutes this therapy was administered to the resident concurrently with one other resident in the last 7 days 		
Enter Number of Minutes	3. Group minutes - record the total number of minutes this therapy was administered to the resident as part of a group of residents in the last 7 days		
	If the sum of individual, concurrent, and group minutes is zero, → skip to O0400C5, Therapy start date		
Enter Number of Minutes	3A. Co-treatment minutes - record the total number of minutes this therapy was administered to the resident in co-treatment sessions in the last 7 days		
Enter Number of Days	4. Days - record the number of days this therapy was administered for at least 15 minutes a day in the last 7 days		
	 5. Therapy start date - record the date the most recent therapy regimen (since the most recent entry) started 6. Therapy end date - record the date the most recent therapy regimen (since the most recent entry) ended - enter dashes if therapy is ongoing 		
	Month Day Year Month Day Year		
	D. Respiratory Therapy		
Enter Number of Minutes	1. Total minutes - record the total number of minutes this therapy was administered to the resident in the last 7 days		
	If zero, → skip to O0400E, Psychological Therapy		
Enter Number of Days	2. Days - record the number of days this therapy was administered for at least 15 minutes a day in the last 7 days		
	E. Psychological Therapy (by any licensed mental health professional)		
Enter Number of Minutes	1. Total minutes - record the total number of minutes this therapy was administered to the resident in the last 7 days		
	If zero, → skip to O0400F, Recreational Therapy		
Enter Number of Days	2. Days - record the number of days this therapy was administered for at least 15 minutes a day in the last 7 days		
	F. Recreational Therapy (includes recreational and music therapy)		
Enter Number of Minutes	1. Total minutes - record the total number of minutes this therapy was administered to the resident in the last 7 days		
	If zero, → skip to O0420, Distinct Calendar Days of Therapy		
Enter Number of Days	2. Days - record the number of days this therapy was administered for at least 15 minutes a day in the last 7 days		
O0420. Distinct Ca	alendar Days of Therapy		
Enter Number of Days	Record the number of calendar days that the resident received Speech-Language Pathology and Audiology Services, Occupational Therapy, or Physical Therapy for at least 15 minutes in the past 7 days.		
O0450. Resumption	on of Therapy - Complete only if A0310C = 2 or 3 and A0310F = 99		
A. Has a previous rehabilitation therapy regimen (speech, occupational, and/or physical therapy) ended, as reported on this End of Therapy OMRA, and has this regimen now resumed at exactly the same level for each discipline?			
0. No	> → Skip to O0500, Restorative Nursing Programs		
	on which therapy regimen resumed:		

Section O		Special Treatments, Procedures, and Programs			
O0500. R	O0500. Restorative Nursing Programs				
	Record the number of days each of the following restorative programs was performed (for at least 15 minutes a day) in the last 7 calendar days (enter 0 if none or less than 15 minutes daily)				
Number of Days	Technique				
	A. Range of motion	n (passive)			
	B. Range of motion	n (active)			
	C. Splint or brace a	ssistance			
Number of Days	Training and Skill P	ractice In:			
	D. Bed mobility				
	E. Transfer				
	F. Walking				
	G. Dressing and/or	grooming			
	H. Eating and/or sv	vallowing			
	I. Amputation/prostheses care				
	J. Communication				
O0600. P	hysician Examinat	ions			
Over the last 14 days, on how many days did the physician (or authorized assistant or practitioner) examine the resident?					
O0700. P	O0700. Physician Orders				
Enter Days	Over the last 14 days	, on how many days did the physician (or authorized assistant or practitioner) change the resident's orders?			

Section P	Restraints				
P0100. Physical Restraints					
		ical device, material or equipment attached or adjacent to the resident's body that ovement or normal access to one's body			
,		↓ Enter Codes in Boxes			
		Used in Bed			
		A. Bed rail			
]	B. Trunk restraint			
Coding:		C. Limb restraint			
0. Not used 1. Used less than daily		D. Other			
2. Used daily		Used in Chair or Out of Bed			
		E. Trunk restraint			
		F. Limb restraint			
		G. Chair prevents rising			
		H. Other			
Section Q	Participation in Ass	sessment and Goal Setting			
Q0100. Participation in Asse	essment				
Enter Code A. Resident particip 0. No	pated in assessment				
1. Yes					
Enter Code 0. No	cant other participated in asses	ssment			
1. Yes					
	9. Resident has no family or significant other C. Guardian or legally authorized representative participated in assessment				
Enter Code 0. No	ily authorized representative	participated in assessment			
1. Yes					
	no guardian or legally authori	zed representative			
Q0300. Resident's Overall E Complete only if A0310E = 1	xpectation				
A. Select one for res	sident's overall goal establishe	ed during assessment process			
1. Expects to be	discharged to the community				
	nain in this facility discharged to another facility/	inctitution			
9. Unknown or u		institution			
B. Indicate informa	ntion source for Q0300A				
1. Resident	41				
	, then family or significant othe . family, or significant other, ther	er n guardian or legally authorized representative			
9. Unknown or u	-	3. 7			
Q0400. Discharge Plan					
	ge planning already occurring	for the resident to return to the community?			
0. No 1. Yes → Skip to	o Q0600, Referral				

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 34 of 183 Date

Resident

Sectio	n Q	Participation in Assessment and Goal Setting			
	Q0490. Resident's Preference to Avoid Being Asked Question Q0500B				
Complete	only if A0310A = 02, 06	o, or 99			
Enter Code	O. No 1. Yes → Skip t 8. Information n				
Q0500. I	Return to Communi	ty			
Enter Code	respond): "Do y o	(or family or significant other or guardian or legally authorized representative if resident is unable to understand or bu want to talk to someone about the possibility of leaving this facility and returning to live and s in the community?" uncertain			
Q0550. I	Resident's Preferen	ce to Avoid Being Asked Question Q0500B Again			
Enter Code	respond) want to assessments.)	t (or family or significant other or guardian or legally authorized representative if resident is unable to understand or be asked about returning to the community on all assessments? (Rather than only on comprehensive ument in resident's clinical record and ask again only on the next comprehensive assessment not available			
Enter Code	 Resident If not resident If not resident 	tion source for Q0550A then family or significant other family or significant other, then guardian or legally authorized representative n source available			
Q0600. I	Referral				
Enter Code	0. No - referral n	nade to the Local Contact Agency? (Document reasons in resident's clinical record) ot needed or may be needed (For more information see Appendix C. Care Area Assessment Resources #20)			

2. **Yes** - referral made

Sectio	n١	V Care Area Assessment (CAA) Sur	nmary
		ns From the Most Recent Prior OBRA or Scheduled PPS Assessr	
Complete	or	aly if $A0310E = 0$ and if the following is true for the prior assessme	nt : A0310A = 01- 06 or A0310B = 01- 06
Enter Code	A.	Prior Assessment Federal OBRA Reason for Assessment (A0310A value) 01. Admission assessment (required by day 14) 02. Quarterly review assessment	ue from prior assessment)
		 03. Annual assessment 04. Significant change in status assessment 05. Significant correction to prior comprehensive assessment 	
		06. Significant correction to prior quarterly assessment99. None of the above	
Enter Code		Prior Assessment PPS Reason for Assessment (A0310B value from prior 01. 5-day scheduled assessment 02. 14-day scheduled assessment 03. 30-day scheduled assessment 04. 60-day scheduled assessment 05. 90-day scheduled assessment 06. Readmission/return assessment 07. Unscheduled assessment used for PPS (OMRA, significant or clini 99. None of the above Prior Assessment Reference Date (A2300 value from prior assessment Month Day Year	cal change, or significant correction assessment)
Enter Score	D.	Prior Assessment Brief Interview for Mental Status (BIMS) Summary	Score (C0500 value from prior assessment)
Enter Score	E.	Prior Assessment Resident Mood Interview (PHQ-9©) Total Severity	Score (D0300 value from prior assessment)
Enter Score	F.	Prior Assessment Staff Assessment of Resident Mood (PHQ-9-OV) To	otal Severity Score (D0600 value from prior assessment)

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 36 of 183 Date

Resident

Section V Care Area Assessment (CAA) Summary

V0200. CAAs and Care Planning

- 1. Check column A if Care Area is triggered.
- 2. For each triggered Care Area, indicate whether a new care plan, care plan revision, or continuation of current care plan is necessary to address the problem(s) identified in your assessment of the care area. The <u>Care Planning Decision</u> column must be completed within 7 days of completing the RAI (MDS and CAA(s)). Check column B if the triggered care area is addressed in the care plan.
- 3. Indicate in the <u>Location and Date of CAA Documentation</u> column where information related to the CAA can be found. CAA documentation should include information on the complicating factors, risks, and any referrals for this resident for this care area.

A. CAA Results				
Care Area	A. Care Area Triggered	B. Care Planning Decision	Location and Date of CAA documentation	
	↓ Check all	that apply ↓		
01. Delirium				
02. Cognitive Loss/Dementia				
03. Visual Function				
04. Communication				
05. ADL Functional/Rehabilitation Potential				
06. Urinary Incontinence and Indwelling Catheter				
07. Psychosocial Well-Being				
08. Mood State				
09. Behavioral Symptoms				
10. Activities				
11. Falls				
12. Nutritional Status				
13. Feeding Tube				
14. Dehydration/Fluid Maintenance				
15. Dental Care				
16. Pressure Ulcer				
17. Psychotropic Drug Use				
18. Physical Restraints				
19. Pain				
20. Return to Community Referral				
B. Signature of RN Coordinator for CAA Process and Date Signed				
1. Signature 2. Date Month Day Year				
C. Signature of Person Completing Care Plan Decision and Date Signed				
1. Signature			2. Date Month Day Year	

Section X Correction Request	
Complete Section X only if A0050 = 2 or 3 dentification of Record to be Modified/Inactivated - The following items identify the existing assessment record that is in error. In ection, reproduce the information EXACTLY as it appeared on the existing erroneous record, even if the information is incorrect. This information is necessary to locate the existing record in the National MDS Database.	this
(0150. Type of Provider (A0200 on existing record to be modified/inactivated)	
Type of provider 1. Nursing home (SNF/NF) 2. Swing Bed	
(0200. Name of Resident (A0500 on existing record to be modified/inactivated)	
A. First name: C. Last name:	
(0300. Gender (A0800 on existing record to be modified/inactivated)	
1. Male 2. Female	
(0400. Birth Date (A0900 on existing record to be modified/inactivated)	
Month Day Year	
X0500. Social Security Number (A0600A on existing record to be modified/inactivated)	
(0600. Type of Assessment (A0310 on existing record to be modified/inactivated)	
A. Federal OBRA Reason for Assessment O1. Admission assessment (required by day 14) O2. Quarterly review assessment O3. Annual assessment O4. Significant change in status assessment O5. Significant correction to prior comprehensive assessment O6. Significant correction to prior quarterly assessment O9. None of the above	
B. PPS Assessment PPS Scheduled Assessments for a Medicare Part A Stay O1. 5-day scheduled assessment O2. 14-day scheduled assessment O3. 30-day scheduled assessment O4. 60-day scheduled assessment O5. 90-day scheduled assessment PPS Unscheduled Assessment PPS Unscheduled Assessment for a Medicare Part A Stay O7. Unscheduled Assessment used for PPS (OMRA, significant or clinical change, or significant correction assessment) Not PPS Assessment 99. None of the above	
C. PPS Other Medicare Required Assessment - OMRA 0. No 1. Start of therapy assessment 2. End of therapy assessment 3. Both Start and End of therapy assessment 4. Change of therapy assessment	
X0600 continued on next page	

Section X	Correction Request			
X0600. Type of Assessment - Continued				
Enter Code D. Is this a Swing B 0. No 1. Yes	sed clinical change assessment? Complete only if X0150 = 2			
11. Discharge a	ng record issessment- return not anticipated issessment- return anticipated issessment- return anticipated ility tracking record			
X0700. Date on existing reco	ord to be modified/inactivated - Complete one only			
A. Assessment Ref	erence Date (A2300 on existing record to be modified/inactivated) - Complete only if X0600F = 99 Day Year			
	(A2000 on existing record to be modified/inactivated) - Complete only if X0600F = 10, 11, or 12 Day Year			
C. Entry Date (A160	00 on existing record to be modified/inactivated) - Complete only if X0600F = 01 Day Year			
Correction Attestation Sect	ion - Complete this section to explain and attest to the modification/inactivation request			
X0800. Correction Number				
Enter Number o	f correction requests to modify/inactivate the existing record, including the present one			
X0900. Reasons for Modifie	cation - Complete only if Type of Record is to modify a record in error (A0050 = 2)			
↓ Check all that apply				
A. Transcription er				
B. Data entry error C. Software produc				
D. Item coding erro				
E. End of Therapy - Resumption (EOT-R) date				
Z. Other error requiring modification If "Other" checked, please specify:				
X1050. Reasons for Inactivation - Complete only if Type of Record is to inactivate a record in error (A0050 = 3)				
↓ Check all that apply				
A. Event did not oc	cur			
Z. Other error required if "Other" checke	uiring inactivation d, please specify:			

Section X	Correction Request
X1100. RN Assessment Coo	ordinator Attestation of Completion
A. Attesting individ	dual's first name:
B. Attesting individ	dual's last name:
C. Attesting individ	dual's title:
D. Signature	
E. Attestation date	
Month -	Day Year

Section Z	Assessment Administration
Z0100. Medicare Part A Bil	ling
A. Medicare Part A	A HIPPS code (RUG group followed by assessment type indicator):
B. RUG version co	de:
Enter Code C. Is this a Medica	re Short Stay assessment?
0. No	
Z0150. Medicare Part A No	n-Therapy Billing
	A non-therapy HIPPS code (RUG group followed by assessment type indicator):
B. RUG version co	de:
70200 State Medicaid Bill	ing (if required by the state)
A. RUG Case Mix g	
7. Hod case mix g	
B. RUG version co	
B. RUG Version Co.	ie:
Z0250. Alternate State Me	dicaid Billing (if required by the state)
A. RUG Case Mix g	roup:
B. RUG version co	de:
Z0300. Insurance Billing	
A. RUG billing cod	e:
B. RUG billing vers	sion:

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 41 of 183 Date

Resident

Section Z Assessment Administration

Z0400. Signature of Persons Completing the Assessment or Entry/Death Reporting

I certify that the accompanying information accurately reflects resident assessment information for this resident and that I collected or coordinated collection of this information on the dates specified. To the best of my knowledge, this information was collected in accordance with applicable Medicare and Medicaid requirements. I understand that this information is used as a basis for ensuring that residents receive appropriate and quality care, and as a basis for payment from federal funds. I further understand that payment of such federal funds and continued participation in the government-funded health care programs is conditioned on the accuracy and truthfulness of this information, and that I may be personally subject to or may subject my organization to substantial criminal, civil, and/or administrative penalties for submitting false information. I also certify that I am authorized to submit this information by this facility on its behalf.

authorized to submit this information by this facility on its beha	alf.		
Signature	Title	Sections	Date Section Completed
A.			
B.			
C.			
D.			
E.			
F.			
G.			
H.			
I.			
J.			
K.			
L.			
500. Signature of RN Assessment Coordinator Verifying Assessment Completion			
A. Signature:		ate RN Assessment Coordinator : sessment as complete:	signed
			/ear

Legal Notice Regarding MDS 3.0 - Copyright 2011 United States of America and interRAI. This work may be freely used and distributed solely within the United States. Portions of the MDS 3.0 are under separate copyright protections; Pfizer Inc. holds the copyright for the PHQ-9; Confusion Assessment Method. © 1988, 2003, Hospital Elder Life Program. All rights reserved. Adapted from: Inouye SK et al. Ann Intern Med. 1990; 113:941-8. Both Pfizer Inc. and the Hospital Elder Life Program, LLC have granted permission to use these instruments in association with the MDS 3.0.

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 42 of 183 Date

Resident

MINIMUM DATA SET (MDS) - Version 3.0 RESIDENT ASSESSMENT AND CARE SCREENING

Nursing Home Discharge (ND) Item Set

Sectio	n A Identification Information		
A0050. T	A0050. Type of Record		
Enter Code	 Add new record → Continue to A0100, Facility Provider Numbers Modify existing record → Continue to A0100, Facility Provider Numbers Inactivate existing record → Skip to X0150, Type of Provider 		
A0100. F	Facility Provider Numbers		
	A. National Provider Identifier (NPI):		
	B. CMS Certification Number (CCN):		
	C. State Provider Number:		
A0200. 1	Type of Provider		
Enter Code	Type of provider 1. Nursing home (SNF/NF)		
	2. Swing Bed		
A0310. 1	Type of Assessment		
Enter Code	A. Federal OBRA Reason for Assessment 01. Admission assessment (required by day 14)		
	02. Quarterly review assessment		
	03. Annual assessment 04. Significant change in status assessment		
	05. Significant correction to prior comprehensive assessment		
	06. Significant correction to prior quarterly assessment 99. None of the above		
	B. PPS Assessment		
Enter Code	PPS Scheduled Assessments for a Medicare Part A Stay		
ш	01. 5-day scheduled assessment 02. 14-day scheduled assessment		
	03. 30-day scheduled assessment		
	04. 60-day scheduled assessment 05. 90-day scheduled assessment		
	PPS Unscheduled Assessments for a Medicare Part A Stay		
	07. Unscheduled assessment used for PPS (OMRA, significant or clinical change, or significant correction assessment) Not PPS Assessment		
	99. None of the above		
Enter Code	C. PPS Other Medicare Required Assessment - OMRA		
	0. No1. Start of therapy assessment		
	2. End of therapy assessment		
	3. Both Start and End of therapy assessment 4. Change of therapy assessment		
Enter Code	D. Is this a Swing Bed clinical change assessment? Complete only if A0200 = 2		
	0. No		
4005	1. Yes		
AU31	0 continued on next page		

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 43 of 183 Date

Section A	Section A Identification Information				
A0310. Type of Assessmen	t - Continued				
Enter Code 0. No 1. Yes	0. No				
01. Entry trackir 10. Discharge a 11. Discharge a 12. Death in fac 99. None of the	F. Entry/discharge reporting 01. Entry tracking record 10. Discharge assessment-return not anticipated 11. Discharge assessment-return anticipated 12. Death in facility tracking record 99. None of the above				
Enter Code G. Type of discharg 1. Planned 2. Unplanned	e - Complete only if A0310F = 10 or 11				
A0410. Unit Certification o	-				
2. Unit is neithe	er Medicare nor Medicaid certified and MDS data is not required by the State er Medicare nor Medicaid certified but MDS data is required by the State care and/or Medicaid certified				
A0500. Legal Name of Resi	dent				
A. First name:	B. Middle initial:				
C. Last name:	D. Suffix:				
A0600. Social Security and	Medicare Numbers				
A. Social Security N	lumber:				
B. Medicare number	B. Medicare number (or comparable railroad insurance number):				
A0700. Medicaid Number -	Enter "+" if pending, "N" if not a Medicaid recipient				
A0800. Gender					
Enter Code 1. Male 2. Female					
A0900. Birth Date					
Month Day Year					
A1000. Race/Ethnicity					
↓ Check all that apply					
A. American Indian	ı or Alaska Native				
B. Asian	B. Asian				
C. Black or African	American				
D. Hispanic or Lati	no				
E. Native Hawaiian	E. Native Hawaiian or Other Pacific Islander				
F. White	F. White				

Sectio	n /	Identification Information		
A1100. I	.an	guage		
Enter Code		Does the resident need or want an interpreter to communicate with a doctor or health care staff? 0. No → Skip to A1200, Marital Status 1. Yes → Specify in A1100B, Preferred language 9. Unable to determine → Skip to A1200, Marital Status Preferred language:		
A1200. I	Mar	ital Status		
Enter Code		 Never married Married Widowed Separated Divorced 		
A1300. 0		ional Resident Items		
	Α.	Medical record number:		
	В.	Room number:		
	C.	Name by which resident prefers to be addressed:		
	D.	Lifetime occupation(s) - put "/" between two occupations:		
Most Red	:ent	Admission/Entry or Reentry into this Facility		
A1600. I	ntr	y Date		
		Month Day Year		
A1700. 1	Гур	e of Entry		
Enter Code		1. Admission 2. Reentry		
A1800. I	nte	ered From		
O1. Community (private home/apt., board/care, assisted living, group home) O2. Another nursing home or swing bed O3. Acute hospital O4. Psychiatric hospital O5. Inpatient rehabilitation facility O6. ID/DD facility O7. Hospice O9. Long Term Care Hospital (LTCH) 99. Other				
A1900. Admission Date (Date this episode of care in this facility began)				
		Month Day Year		

Resident

Section	A Identification Information
	ischarge Date
Complete	only if A0310F = 10, 11, or 12
	Month Day Year
A2100. D	ischarge Status
Complete	only if A0310F = 10, 11, or 12
Enter Code	 01. Community (private home/apt., board/care, assisted living, group home) 02. Another nursing home or swing bed 03. Acute hospital 04. Psychiatric hospital 05. Inpatient rehabilitation facility 06. ID/DD facility 07. Hospice 08. Deceased 09. Long Term Care Hospital (LTCH) 99. Other
A2300. A	ssessment Reference Date
	Observation end date:
	Month Day Year
A2400. M	ledicare Stay
Enter Code	A. Has the resident had a Medicare-covered stay since the most recent entry?
	0. No → Skip to B0100, Comatose
	 Yes → Continue to A2400B, Start date of most recent Medicare stay
	B. Start date of most recent Medicare stay:
	Month Day Year
	C. End date of most recent Medicare stay - Enter dashes if stay is ongoing:
	Month Day Year

Look back period for all items is 7 days unless another time frame is indicated

Section	n B	Hearing, Speech, and Vision	
B0100. C	0100. Comatose		
Enter Code			
		ue to C0100, Should Brief Interview for Mental Status (C0200-C0500) be Conducted?	
	 Yes → Skip to 	o G0110, Activities of Daily Living (ADL) Assistance	

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 46 of 183 Date

Section C	Cognitive Patterns			
C0100. Should Brief Interview for Mental Status (C0200-C0500) be Conducted?				
If A0310G = 2 skip to C07	00. Otherwise, attempt to conduct interview with all residents			
	dent is rarely/never understood) → Skip to and complete C0700-C1000, Staff Assessment for Mental Status Continue to C0200, Repetition of Three Words			

D 1 (1				
Brief Interview for Mental Status (BIMS)				
C0200.	Repetition of Three Words			
Enter Code	Ask resident: "I am going to say three words for you to remember. Please repeat the words after I have said all three. The words are: sock, blue, and bed. Now tell me the three words." Number of words repeated after first attempt 0. None			
	1. One			
	2. Two			
	3. Three			
	After the resident's first attempt, repeat the words using cues ("sock, something to wear; blue, a color; bed, a piece			
	of furniture"). You may repeat the words up to two more times.			
C0300	Temporal Orientation (orientation to year, month, and day)			
C 0300.	Ask resident: "Please tell me what year it is right now."			
	A. Able to report correct year			
Enter Code	0. Missed by > 5 years or no answer			
	1. Missed by 2-5 years			
	2. Missed by 1 year			
	3. Correct			
	Ask resident: "What month are we in right now?"			
Enter Code	B. Able to report correct month			
	0. Missed by > 1 month or no answer			
	1. Missed by 6 days to 1 month			
	2. Accurate within 5 days			
	Ask resident: "What day of the week is today?"			
Enter Code	C. Able to report correct day of the week			
	0. Incorrect or no answer			
	1. Correct			
C0400.	Recall			
	Ask resident: "Let's go back to an earlier question. What were those three words that I asked you to repeat?"			
	If unable to remember a word, give cue (something to wear; a color; a piece of furniture) for that word.			
Enter Code	A. Able to recall "sock"			
	0. No - could not recall			
	1. Yes, after cueing ("something to wear")			
	2. Yes, no cue required			
Enter Code	B. Able to recall "blue" 0. No - could not recall			
	1. Yes, after cueing ("a color")			
	2. Yes, no cue required			
	C. Able to recall "bed"			
Enter Code	0. No - could not recall			
	1. Yes, after cueing ("a piece of furniture")			
	2. Yes, no cue required			
C0500	Summary Score			
Enter Score	· ·			
	Add scores for questions C0200-C0400 and fill in total score (00-15)			
	Enter 99 if the resident was unable to complete the interview			

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 47 of 183 Date Resident Section C **Cognitive Patterns** C0600. Should the Staff Assessment for Mental Status (C0700 - C1000) be Conducted? **Enter Code** 0. No (resident was able to complete interview) → Skip to C1300, Signs and Symptoms of Delirium 1. **Yes** (resident was unable to complete interview) → Continue to C0700, Short-term Memory OK **Staff Assessment for Mental Status** Do not conduct if Brief Interview for Mental Status (C0200-C0500) was completed C0700. Short-term Memory OK Seems or appears to recall after 5 minutes **Enter Code** 0. Memory OK 1. Memory problem C1000. Cognitive Skills for Daily Decision Making Made decisions regarding tasks of daily life **Enter Code** 0. **Independent** - decisions consistent/reasonable 1. **Modified independence** - some difficulty in new situations only 2. **Moderately impaired** - decisions poor; cues/supervision required 3. **Severely impaired** - never/rarely made decisions **Delirium** C1300. Signs and Symptoms of Delirium (from CAM©)* Code after completing Brief Interview for Mental Status or Staff Assessment, and reviewing medical record **Enter Codes in Boxes** A. Inattention - Did the resident have difficulty focusing attention (easily distracted, out of touch or

C	n	d	i	n	a	•

- 0. Behavior not present
- 1. Behavior continuously present, does not fluctuate
- 2. Behavior present, fluctuates (comes and goes, changes in severity)
- difficulty following what was said)?
- B. Disorganized thinking Was the resident's thinking disorganized or incoherent (rambling or irrelevant conversation, unclear or illogical flow of ideas, or unpredictable switching from subject to subject)?
- C. Altered level of consciousness Did the resident have altered level of consciousness (e.g., vigilant startled easily to any sound or touch; lethargic - repeatedly dozed off when being asked questions, but responded to voice or touch; stuporous - very difficult to arouse and keep aroused for the interview; **comatose** - could not be aroused)?
- D. Psychomotor retardation- Did the resident have an unusually decreased level of activity such as sluggishness, staring into space, staying in one position, moving very slowly?

C1600. Acute Onset Mental Status Change

Enter Code

Is there evidence of an acute change in mental status from the resident's baseline?

- 0. **No**
- 1. Yes

^{*} Adapted from Confusion Assessment Method. ©1988, 2003, Hospital Elder Life Program, LLC. Not to be reproduced without permission. All rights reserved.

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 48 of 183

Resident			Identifier		Date
Section I	D	Mood			
		lood Interview be C herwise, attempt to co	Conducted? Induct interview with all residents		
Enter Code	(PHQ-9-OV)	,	ood) → Skip to and complete D0500-D060 nt Mood Interview (PHQ-9©)	0, Staff Assessment o	ıf Resident Mood
D0200. Resident Mood Interview (PHQ-9©)					
Say to resid	lent: "Over the	last 2 weeks, have	you been bothered by any of the f	ollowing problen	ns?"
	•	1 (yes) in column 1, Syne resident: " <i>About h</i>	lymptom Presence. Now often have you been bothered by	v this?"	

D0200. Resident Mood Interview (PHQ-9©)				
Say to resident: "Over the last 2 weeks, have you been bothered by any of the following	problems?"			
If symptom is present, enter 1 (yes) in column 1, Symptom Presence. If yes in column 1, then ask the resident: "About how often have you been bothered by this?" Read and show the resident a card with the symptom frequency choices. Indicate response in column 2, Symptom Frequency.				
1. Symptom Presence O. No (enter 0 in column 2) O. Never or 1 day O. No response (leave column 2) O. No response (leave column 2) O. Never or 1 day O. Never or 1 day O. No response (leave column 2) O. Never or 1 day O. No response (leave column 2) O. Never or 1 day O. Never or 1 day O. No response (leave column 2) O. Never or 1 day O. No response (leave column 2) O. Never or 1 day O. No response (leave column 2) O. Never or 1 day O. No response (leave column 2) O. Never or 1 day O. No response (leave column 2) O. No response (leave colu				
A. Little interest or pleasure in doing things				
B. Feeling down, depressed, or hopeless				
C. Trouble falling or staying asleep, or sleeping too much				
D. Feeling tired or having little energy				
E. Poor appetite or overeating				
F. Feeling bad about yourself - or that you are a failure or have let yourself or your family down				
G. Trouble concentrating on things, such as reading the newspaper or watching television				
H. Moving or speaking so slowly that other people could have noticed. Or the opposite - being so fidgety or restless that you have been moving around a lot more than usual				
I. Thoughts that you would be better off dead, or of hurting yourself in some way				
D0300. Total Severity Score				
Add scores for all frequency responses in Column 2, Symptom Frequency. Total score must be between 00 and 27. Enter 99 if unable to complete interview (i.e., Symptom Frequency is blank for 3 or more items).				
D0350. Safety Notification - Complete only if D0200I1 = 1 indicating possibility of resident self harm				
Enter Code O. No 1. Yes				

	D0350. S	20350. Safety Notification - Complete only if D0200I1 = 1 indicating possibility of resident self harm			
Was responsible staff or provider informed that there is a potential for resident self harm? 0. No 1. Yes	Enter Code	0. No			

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 49 of 183 Date

Section D	Mood			
D0500. Staff Assessment of	Resident Mood (PHQ-9-OV*)			
Do not conduct if Resident Mood	d Interview (D0200-D0300) was completed			
Over the last 2 weeks, did the r	esident have any of the following problems or behaviors?			
	es) in column 1, Symptom Presence. om Frequency, and indicate symptom frequency.			
1. Symptom Presence 0. No (enter 0 in column 2) 1. Yes (enter 0-3 in column)	 2.6 days (several days) 7-11 days (half or more of the days) 	1. Symptom Presence	2. Symptom Frequency	
	3. 12-14 days (nearly every day)	Enter Scor	es in Boxes ↓	
A. Little interest or pleasure i	n doing things			
B. Feeling or appearing down	n, depressed, or hopeless			
C. Trouble falling or staying a	C. Trouble falling or staying asleep, or sleeping too much			
D. Feeling tired or having litt				
E. Poor appetite or overeatin				
F. Indicating that s/he feels b				
G. Trouble concentrating on				
H. Moving or speaking so slo or restless that s/he has be				
I. States that life isn't worth I				
J. Being short-tempered, easily annoyed				
D0600. Total Severity Score				
Add scores for all frequency responses in Column 2, Symptom Frequency. Total score must be between 00 and 30.				
D0650. Safety Notification - Complete only if D0500l1 = 1 indicating possibility of resident self harm				
Enter Code Was responsible staff or provider informed that there is a potential for resident self harm? 0. No 1. Yes				

^{*} Copyright © Pfizer Inc. All rights reserved.

Section E Behavior						
E0100. Potential Indicators of Psychosis						
↓ Check all that apply						
A. Hallucinations (perceptual experie	A. Hallucinations (perceptual experiences in the absence of real external sensory stimuli)					
B. Delusions (misconceptions or belief	fs that are firmly held, contrary to reality)					
Z. None of the above						
Behavioral Symptoms						
E0200. Behavioral Symptom - Presence & I	requency					
Note presence of symptoms and their frequenc						
	↓ Enter Codes in Boxes					
Coding: 0. Behavior not exhibited	A. Physical behavioral symptoms directed toward others (e.g., hitting, kicking, pushing, scratching, grabbing, abusing others sexually)					
Behavior of this type occurred 1 to 3 days Behavior of this type occurred 4 to 6 days	B. Verbal behavioral symptoms directed toward others (e.g., threatening others, screaming at others, cursing at others)					
but less than daily 3. Behavior of this type occurred daily	C. Other behavioral symptoms not directed toward others (e.g., physical symptoms such as hitting or scratching self, pacing, rummaging, public sexual acts, disrobing in public, throwing or smearing food or bodily wastes, or verbal/vocal symptoms like screaming, disruptive sounds)					
E0800. Rejection of Care - Presence & Freq	uency					
Did the resident reject evaluation or care (e.g., bloodwork, taking medications, ADL assistance) that is necessary to achieve the resident's goals for health and well-being? Do not include behaviors that have already been addressed (e.g., by discussion or care planning with the resident or family), and determined to be consistent with resident values, preferences, or goals. 0. Behavior not exhibited 1. Behavior of this type occurred 1 to 3 days 2. Behavior of this type occurred 4 to 6 days, but less than daily 3. Behavior of this type occurred daily						
E0900. Wandering - Presence & Frequency						
Has the resident wandered? 0. Behavior not exhibited 1. Behavior of this type occurred 1 to 3 days 2. Behavior of this type occurred 4 to 6 days, but less than daily 3. Behavior of this type occurred daily						

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 51 of 183 Date Resident **Functional Status** Section G G0110. Activities of Daily Living (ADL) Assistance Refer to the ADL flow chart in the RAI manual to facilitate accurate coding Instructions for Rule of 3 ■ When an activity occurs three times at any one given level, code that level. ■ When an activity occurs three times at multiple levels, code the most dependent, exceptions are total dependence (4), activity must require full assist every time, and activity did not occur (8), activity must not have occurred at all. Example, three times extensive assistance (3) and three times limited assistance (2), code extensive assistance (3). ■ When an activity occurs at various levels, but not three times at any given level, apply the following: • When there is a combination of full staff performance, and extensive assistance, code extensive assistance. • When there is a combination of full staff performance, weight bearing assistance and/or non-weight bearing assistance code limited assistance (2). If none of the above are met, code supervision. 1. ADL Self-Performance 2. ADL Support Provided Code for resident's performance over all shifts - not including setup. If the ADL activity Code for **most support provided** over all occurred 3 or more times at various levels of assistance, code the most dependent - except for shifts; code regardless of resident's selftotal dependence, which requires full staff performance every time performance classification Coding: Coding: **Activity Occurred 3 or More Times** 0. **No** setup or physical help from staff 0. **Independent** - no help or staff oversight at any time 1. Setup help only 1. **Supervision** - oversight, encouragement or cueing 2. **One** person physical assist 2. Limited assistance - resident highly involved in activity; staff provide guided maneuvering 3. **Two+** persons physical assist of limbs or other non-weight-bearing assistance 8. ADL activity itself did not occur or family 3. **Extensive assistance** - resident involved in activity, staff provide weight-bearing support and/or non-facility staff provided care 4. Total dependence - full staff performance every time during entire 7-day period 100% of the time for that activity over the **Activity Occurred 2 or Fewer Times** entire 7-day period 7. **Activity occurred only once or twice** - activity did occur but only once or twice 1. 2. 8. Activity did not occur - activity did not occur or family and/or non-facility staff provided **Self-Performance** Support care 100% of the time for that activity over the entire 7-day period ↓ Enter Codes in Boxes ↓ A. Bed mobility - how resident moves to and from lying position, turns side to side, and positions body while in bed or alternate sleep furniture B. Transfer - how resident moves between surfaces including to or from: bed, chair, wheelchair, standing position (excludes to/from bath/toilet) C. Walk in room - how resident walks between locations in his/her room D. Walk in corridor - how resident walks in corridor on unit **E.** Locomotion on unit - how resident moves between locations in his/her room and adjacent corridor on same floor. If in wheelchair, self-sufficiency once in chair F. Locomotion off unit - how resident moves to and returns from off-unit locations (e.g., areas set aside for dining, activities or treatments). If facility has only one floor, how resident moves to and from distant areas on the floor. If in wheelchair, self-sufficiency once in chair G. Dressing - how resident puts on, fastens and takes off all items of clothing, including donning/removing a prosthesis or TED hose. Dressing includes putting on and changing pajamas and housedresses H. Eating - how resident eats and drinks, regardless of skill. Do not include eating/drinking during medication pass. Includes intake of nourishment by other means (e.g., tube feeding, total parenteral nutrition, IV fluids administered for nutrition or hydration) I. Toilet use - how resident uses the toilet room, commode, bedpan, or urinal; transfers on/off

ostomy bag

and showers)

toilet; cleanses self after elimination; changes pad; manages ostomy or catheter; and adjusts clothes. Do not include emptying of bedpan, urinal, bedside commode, catheter bag or

brushing teeth, shaving, applying makeup, washing/drying face and hands (excludes baths

J. Personal hygiene - how resident maintains personal hygiene, including combing hair,

Resident _____ Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 52 of 183 Date _____

Section G		Functional Status
G0120. B	Bathing	
	ent takes full-body bat It in self-performance	h/shower, sponge bath, and transfers in/out of tub/shower (excludes washing of back and hair). Code for most and support
Enter Code	 Supervision - Physical help Physical help Total depend 	- no help provided oversight help only limited to transfer only in part of bathing activity

Section H		Bladder and Bowel		
H0100. Appliances				
↓ Che	eck all that apply			
	A. Indwelling cathe	eter (including suprapubic catheter and nephrostomy tube)		
	B. External cathete	er		
	C. Ostomy (including	ng urostomy, ileostomy, and colostomy)		
	D. Intermittent catheterization			
	Z. None of the above			
H0300. Urinary Continence				
Enter Code	0. Always conti 1. Occasionally 2. Frequently ir 3. Always incon	- Select the one category that best describes the resident nent incontinent (less than 7 episodes of incontinence) ncontinent (7 or more episodes of urinary incontinence, but at least one episode of continent voiding) ntinent (no episodes of continent voiding) sident had a catheter (indwelling, condom), urinary ostomy, or no urine output for the entire 7 days		
H0400. Bowel Continence				
Enter Code	0. Always conti 1. Occasionally 2. Frequently ir 3. Always incon	incontinent (one episode of bowel incontinence) ncontinent (2 or more episodes of bowel incontinence, but at least one continent bowel movement) ntinent (no episodes of continent bowel movements)		
	Bowel Continence 0. Always continence 1. Occasionally 2. Frequently in 3. Always incon	Select the one category that best describes the resident nent incontinent (one episode of bowel incontinence) neontinent (2 or more episodes of bowel incontinence, but at least one continent bowel movement)		

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 53 of 183 Date

Section I Active Diagnoses							
	Diagnoses in the last 7 days - Check all that apply uses listed in parentheses are provided as examples and should not be considered as all-inclusive lists						
	Heart/Circulation						
	10900. Peripheral Vascular Disease (PVD) or Peripheral Arterial Disease (PAD)						
	Genitourinary						
	I1550. Neurogenic Bladder						
	I1650. Obstructive Uropathy						
	Infections						
	I2300. Urinary Tract Infection (UTI) (LAST 30 DAYS)						
	Metabolic						
	12900. Diabetes Mellitus (DM) (e.g., diabetic retinopathy, nephropathy, and neuropathy)						
	Neurological						
	15250. Huntington's Disease						
	I5350. Tourette's Syndrome						
	Nutritional						
	I5600. Malnutrition (protein or calorie) or at risk for malnutrition						
	Psychiatric/Mood Disorder						
	I5700. Anxiety Disorder						
	15900. Manic Depression (bipolar disease)						
	I5950. Psychotic Disorder (other than schizophrenia)						
	16000. Schizophrenia (e.g., schizoaffective and schizophreniform disorders)						
	I6100. Post Traumatic Stress Disorder (PTSD) Other						
	18000. Additional active diagnoses						
	Enter diagnosis on line and ICD code in boxes. Include the decimal for the code in the appropriate box.						
			Т Т	1 1	$\overline{}$		
	A						
			\top		\neg		
	B						
			ТТ		\neg		
	C						
	D						
	E.						
	L,						
	F						
	F						
	G.						
	G				=		
	H						
			7				
	L						
			$\overline{}$		$\overline{}$	\Box	
	J				<u> </u>		

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 54 of 183

Resident

resident	identifier Date
Section J	Health Conditions
J0100. Pain	Management - Complete for all residents, regardless of current pain level
At any time in	the last 5 days, has the resident:
	Received scheduled pain medication regimen? 0. No 1. Yes
Enter Code B.	Received PRN pain medications OR was offered and declined? 0. No 1. Yes
Enter Code C.	Received non-medication intervention for pain?
	0. No
	1. Yes
10200 61	LLD's Assessment Later See Later 12
	comatose or if A0310G = 2, skip to J1100, Shortness of Breath (dyspnea). Otherwise, attempt to conduct interview with all residents
Enter Code	0. No (resident is rarely/never understood) → Skip to and complete J1100, Shortness of Breath
	1. Yes → Continue to J0300, Pain Presence
Pain Asse	ssment Interview
J0300. Pai	n Presence
Enter Code As	k resident: " Have you had pain or hurting at any time in the last 5 days?"
	0. No → Skip to J1100, Shortness of Breath
	 Yes → Continue to J0400, Pain Frequency
	9. Unable to answer → Skip to J1100, Shortness of Breath (dyspnea)
	n Frequency
	k resident: " How much of the time have you experienced pain or hurting over the last 5 days?"
Enter Code	1. Almost constantly
	2. Frequently
	3. Occasionally
	4. Rarely 9. Unable to answer
IOEOO Pai	n Effect on Function
Enter Code	Ask resident: "Over the past 5 days, has pain made it hard for you to sleep at night?"
	0. No 1. Yes
	9. Unable to answer
B.	Ask resident: "Over the past 5 days, have you limited your day-to-day activities because of pain?"
Enter Code	0. No
	1. Yes
	9. Unable to answer
J0600. Pai	n Intensity - Administer ONLY ONE of the following pain intensity questions (A or B)
	Numeric Rating Scale (00-10)
Enter Rating	Ask resident: "Please rate your worst pain over the last 5 days on a zero to ten scale, with zero being no pain and ten
	as the worst pain you can imagine." (Show resident 00 -10 pain scale)
_	Enter two-digit response. Enter 99 if unable to answer.
Enter Code B.	Verbal Descriptor Scale
	Ask resident: "Please rate the intensity of your worst pain over the last 5 days." (Show resident verbal scale)
	1. Mild 2. Moderate
	3. Severe
	4. Very severe, horrible

9. Unable to answer

Sectio	n J	Health Conditions					
Other Health Conditions							
J1100. Shortness of Breath (dyspnea)							
↓ Check all that apply							
	A. Shortness of brea	ath or trouble breathing with exertion (e.g., walking, bathing, transferring)					
	B. Shortness of breath or trouble breathing when sitting at rest						
	C. Shortness of breath or trouble breathing when lying flat						
	Z. None of the above						
J1400. Prognosis							
Enter Code	Does the resident have a condition or chronic disease that may result in a life expectancy of less than 6 months? (Requires physician documentation) 0. No 1. Yes						
J1550. P	roblem Conditions						
↓ Che	eck all that apply						
	A. Fever						
B. Vomiting							
	C. Dehydrated						
	D. Internal bleeding						
	Z. None of the above						
J1800. A	ny Falls Since Admi	ssion/Entry or Reentry or Prior Assessment (OBRA or Scheduled PPS), whichever is more recent					
Enter Code Has the resident had any falls since admission/entry or reentry or the prior assessment (OBRA or scheduled PPS), whichever is more							
recent? 0. No → Skip to K0200, Height and Weight 1. Yes → Continue to J1900, Number of Falls Since Admission/Entry or Reentry or Prior Assessment (OBRA or Scheduled PPS)							
J1900. N	lumber of Falls Sinc	e Admission/Entry or Reentry or Prior Assessment (OBRA or Scheduled PPS), whichever is more recent					
		↓ Enter Codes in Boxes					
Coding:		A. No injury - no evidence of any injury is noted on physical assessment by the nurse or primary care clinician; no complaints of pain or injury by the resident; no change in the resident's behavior is noted after the fall					
0. Nor 1. One 2. Two		B. Injury (except major) - skin tears, abrasions, lacerations, superficial bruises, hematomas and sprains; or any fall-related injury that causes the resident to complain of pain					
		C. Major injury - bone fractures, joint dislocations, closed head injuries with altered consciousness, subdural hematoma					

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 56 of 183 Date

Section K	Swallowing/Nutritional Status					
K0200. Height and Weigh	t - While measuring, if the number is X.1 - X.4 round down; X.5 or grea	ater round up				
A. Height (i	n inches). Record most recent height measure since admission/entry or reent	ry				
B. Weight (in pounds). Base weight on most recent measure in last 30 days; measure weight consistently, according to standard facility practice (e.g., in a.m. after voiding, before meal, with shoes off, etc.)						
K0300. Weight Loss						
0. No or unkn 1. Yes, on phy	e in the last month or loss of 10% or more in last 6 months own rsician-prescribed weight-loss regimen physician-prescribed weight-loss regimen					
K0310. Weight Gain						
Gain of 5% or more in the last month or gain of 10% or more in last 6 months 0. No or unknown 1. Yes, on physician-prescribed weight-gain regimen 2. Yes, not on physician-prescribed weight-gain regimen						
K0510. Nutritional Approaches						
Check all of the following nutr	itional approaches that were performed during the last 7 days					
 1. While NOT a Resident Performed while NOT a resident of this facility and within the last 7 days. Only check column 1 if resident entered (admission or reentry) IN THE LAST 7 DAYS. If resident last entered 7 or more days ago, leave column 1 blank 2. While NOT a Resident 2. While a Resident 						
Performed while a resident of this facility and within the last 7 days Check all that apply						
A. Parenteral/IV feeding						
B. Feeding tube - nasogastric or abdominal (PEG)						
For the following items, if A	0310G = 2, skip to M0100, Determination of Pressure Ulcer Risk					
C. Mechanically altered die thickened liquids)	t - require change in texture of food or liquids (e.g., pureed food,					
D. Therapeutic diet (e.g., low	salt, diabetic, low cholesterol)					
Z. None of the above	Z. None of the above					

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 57 of 183 $_{\text{Date}}$

Resident

Section M Skin Conditions

Report based on highest stage of existing ulcer(s) at its worst; do not "reverse" stage

M0100.	De	termin	ation of Pressure Ulcer Risk		
↓ cł	neck	all that	apply		
	Α	. Reside	ent has a stage 1 or greater, a scar over bony prominence, or a non-removable dressing/device		
M0210.	Un	healed	Pressure Ulcer(s)		
Enter Code	D		resident have one or more unhealed pressure ulcer(s) at Stage 1 or higher?		
			• → Skip to M0900, Healed Pressure Ulcers •s → Continue to M0300, Current Number of Unhealed Pressure Ulcers at Each Stage		
M0300.	Cu		umber of Unhealed Pressure Ulcers at Each Stage		
Enter Numbe			2: Partial thickness loss of dermis presenting as a shallow open ulcer with a red or pink wound bed, without slough. May also at as an intact or open/ruptured blister		
		1. Nu	mber of Stage 2 pressure ulcers		
Enter Numbe			3: Full thickness tissue loss. Subcutaneous fat may be visible but bone, tendon or muscle is not exposed. Slough may be not but does not obscure the depth of tissue loss. May include undermining and tunneling		
		1. Nu	mber of Stage 3 pressure ulcers		
Enter Numbe		_	4: Full thickness tissue loss with exposed bone, tendon or muscle. Slough or eschar may be present on some parts of the d bed. Often includes undermining and tunneling		
		1. Nu	mber of Stage 4 pressure ulcers		
5. N. I		. Unsta	geable - Non-removable dressing: Known but not stageable due to non-removable dressing/device		
Enter Numbe	r	1. Nur	mber of unstageable pressure ulcers due to non-removable dressing/device		
		Unsta	geable - Slough and/or eschar: Known but not stageable due to coverage of wound bed by slough and/or eschar		
Enter Numbe	r	1. Nur	nber of unstageable pressure ulcers due to coverage of wound bed by slough and/or eschar		
	G	. Unsta	geable - Deep tissue: Suspected deep tissue injury in evolution		
Enter Number	r	 Number of unstageable pressure ulcers with suspected deep tissue injury in evolution - If 0 → Skip to M0610, Dimension of Unhealed Stage 3 or 4 Pressure Ulcers or Eschar 			
Enter Numbe	r		mber of these unstageable pressure ulcers that were present at time of admission/entry or reentry - enter how many were ed at the time of admission/entry or reentry		
			ns of Unhealed Stage 3 or 4 Pressure Ulcers or Eschar 0300C1, M0300D1 or M0300F1 is greater than 0		
			or more unhealed Stage 3 or 4 pressure ulcers or an unstageable pressure ulcer due to slough or eschar, identify the pressure surface area (length x width) and record in centimeters:		
].[cm	A. Pressure ulcer length: Longest length from head to toe		
].[cm	B. Pressure ulcer width: Widest width of the same pressure ulcer, side-to-side perpendicular (90-degree angle) to length		
].[cm	C. Pressure ulcer depth: Depth of the same pressure ulcer from the visible surface to the deepest area (if depth is unknown, enter a dash in each box)		

Section	n M	Skin Conditions				
M0800. Worsening in Pressure Ulcer Status Since Prior Assessment (OBRA or Scheduled PPS) or Last Admission/Entry or Reentry Complete only if A0310E = 0						
1	Indicate the number of current pressure ulcers that were not present or were at a lesser stage on prior assessment (OBRA or scheduled PPS) or last admission/entry or reentry. If no current pressure ulcer at a given stage, enter 0					
Enter Number	A. Stage 2					
Enter Number	B. Stage 3					
Enter Number	C. Stage 4					
11102001	Healed Pressure Ul	cers				
Complete only if A0310E = 0						
Enter Code	nter Code A. Were pressure ulcers present on the prior assessment (OBRA or Scheduled PPS)?					
		to N0410, Medications Received				
		tinue to M0900B, Stage 2				
	l .	of pressure ulcers that were noted on the prior assessment (OBRA or Scheduled PPS) that have completely closed helium). If no healed pressure ulcer at a given stage since the prior assessment (OBRA or Scheduled PPS), enter 0				
Enter Number	B. Stage 2					
Enter Number	C. Stage 3					
Enter Number	D. Stage 4					

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 59 of 183 Date

Indicate the number of DAYS the resident received the following medications during the last 7 days or since admission/entry or than 7 days. Enter "0" if medication was not received by the resident during the last 7 days Enter Days	or reentry if less					
than 7 days. Enter "0" if medication was not received by the resident during the last 7 days Enter Days Enter Days Enter Days Enter Days Enter Days Enter Days C. Antidepressant Enter Days	or reentry if less					
A. Antipsychotic Enter Days Enter Days C. Antidepressant Enter Days						
Enter Days Enter Days Enter Days						
C. Antidepressant Enter Days						
Enter Days E. Anticoagulant (warfarin, heparin, or low-molecular weight heparin)						
Enter Days F. Antibiotic						
Enter Days G. Diuretic						
Continue Con						
Section O Special Treatments, Procedures, and Programs						
O0100. Special Treatments, Procedures, and Programs Check all of the following treatments, procedures, and programs that were performed during the last 14 days						
1. While NOT a Resident Performed while NOT a resident of this facility and within the last 14 days. Only check column 1 if resident entered (admission or reentry) IN THE LAST 14 DAYS. If resident last entered 14 or more days ago, leave column 1 blank 1. 2. While NOT a Resident Resident Resident						
2. While a Resident Performed while a resident of this facility and within the last 14 days Check all that apply						
K. Hospice care						
O0250. Influenza Vaccine - Refer to current version of RAI manual for current influenza vaccination season and reporting	ıg period					
A. Did the resident receive the influenza vaccine in this facility for this year's influenza vaccination season? 0. No → Skip to O0250C, If influenza vaccine not received, state reason 1. Yes → Continue to O0250B, Date influenza vaccine received						
B. Date influenza vaccine received → Complete date and skip to O0300A, Is the resident's Pneumococcal vaccination up to date?						
Month Day Year						

Section O Special Treat			its, Pr	ocedures, and	Programs
O0300. Pneumoco	occal Vacc	ine			
A. Is the resident's Pneumococcal vaccination up to date? 0. No → Continue to O0300B, If Pneumococcal vaccine not received, state reason 1. Yes → Skip to O0400, Therapies B. If Pneumococcal vaccine not received, state reason: 1. Not eligible - medical contraindication 2. Offered and declined					
	t offered	iecinieu			
O0400. Therapies					
	A. Speed	h-Language Pathology and	Audiolo		
	the	erapy start date - record the erapy regimen (since the mos		entry) started	Therapy end date - record the date the most recent therapy regimen (since the most recent entry) ended - enter dashes if therapy is ongoing Month Day Year
		pational Therapy			
	the	erapy start date - record the erapy regimen (since the mos		entry) started	Therapy end date - record the date the most recent therapy regimen (since the most recent entry) ended - enter dashes if therapy is ongoing Month Day Year
	C. Physic	cal Therapy			
	the	erapy start date - record the erapy regimen (since the mos		entry) started	Therapy end date - record the date the most recent therapy regimen (since the most recent entry) ended - enter dashes if therapy is ongoing Month Day Year
Section P		Restraints			
P0100. Physical Ro					
		al method or physical or mech sily which restricts freedom o			nent attached or adjacent to the resident's body that one's body
			↓ Er	nter Codes in Boxes	
				Used in Bed	
				A. Bed rail	
				B. Trunk restraint	
Coding:				C. Limb restraint	
0. Not used 1. Used less than	daily			D. Other	
2. Used daily			_	Used in Chair or Out o	of Bed
				E. Trunk restraint	
			Ш	F. Limb restraint	
				G. Chair prevents risi	ing
				H. Other	

Sectio	n Q	Participation in Assessment and Goal Setting			
Q0400. Discharge Plan					
Enter Code O. No 1. Yes					
Q0600. Referral					
Enter Code	0. No - referral n	s or may be needed (For more information see Appendix C, Care Area Assessment Resources #20)			

Section X Correction Request						
Complete Section X only if A0050 = 2 or 3 Identification of Record to be Modified/Inactivated - The following items identify the existing assessment record that is in error. In this section, reproduce the information EXACTLY as it appeared on the existing erroneous record, even if the information is incorrect. This information is necessary to locate the existing record in the National MDS Database.						
X0150. Type of Provider (A0200 on existing record to be modified/inactivated)						
Type of provider 1. Nursing home (SNF/NF) 2. Swing Bed						
X0200. Name of Resident (A0500 on existing record to be modified/inactivated)						
A. First name:						
C. Last name:						
X0300. Gender (A0800 on existing record to be modified/inactivated)						
Enter Code 1. Male 2. Female						
X0400. Birth Date (A0900 on existing record to be modified/inactivated)						
Month Day Year						
X0500. Social Security Number (A0600A on existing record to be modified/inactivated)						
X0600. Type of Assessment (A0310 on existing record to be modified/inactivated)						
A. Federal OBRA Reason for Assessment 01. Admission assessment (required by day 14) 02. Quarterly review assessment 03. Annual assessment 04. Significant change in status assessment 05. Significant correction to prior comprehensive assessment 06. Significant correction to prior quarterly assessment 99. None of the above						
B. PPS Assessment PPS Scheduled Assessments for a Medicare Part A Stay 01. 5-day scheduled assessment 02. 14-day scheduled assessment 03. 30-day scheduled assessment 04. 60-day scheduled assessment 05. 90-day scheduled assessment PPS Unscheduled Assessments for a Medicare Part A Stay 07. Unscheduled Assessment used for PPS (OMRA, significant or clinical change, or significant correction assessment) Not PPS Assessment 99. None of the above						
C. PPS Other Medicare Required Assessment - OMRA 0. No 1. Start of therapy assessment 2. End of therapy assessment 3. Both Start and End of therapy assessment 4. Change of therapy assessment X0600 continued on next page						

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 63 of 183 Date

Section X	Correction Request					
X0600. Type of Assessment - Continued						
Enter Code D. Is this a Swing 0. No 1. Yes	g Bed clinical change assessment? Complete only if X0150 = 2					
11. Discharge	cking record e assessment-return not anticipated e assessment-return anticipated facility tracking record					
X0700. Date on existing re	ecord to be modified/inactivated - Complete one only					
A. Assessment R	Reference Date (A2300 on existing record to be modified/inactivated) - Complete only if X0600F = 99 Day Year					
B. Discharge Date Month	te (A2000 on existing record to be modified/inactivated) - Complete only if X0600F = 10, 11, or 12 Day Year					
C. Entry Date (A1	1600 on existing record to be modified/inactivated) - Complete only if X0600F = 01 Day Year					
Correction Attestation Section - Complete this section to explain and attest to the modification/inactivation request						
X0800. Correction Number						
Enter Number Enter the number	r of correction requests to modify/inactivate the existing record, including the present one					
X0900. Reasons for Modification - Complete only if Type of Record is to modify a record in error (A0050 = 2)						
↓ Check all that apply						
A. Transcription						
B. Data entry err						
C. Software prod						
	by - Resumption (EOT-R) date					
	equiring modification					
	ked, please specify:					
X1050. Reasons for Inact	ivation - Complete only if Type of Record is to inactivate a record in error (A0050 = 3)					
↓ Check all that apply						
A. Event did not	occur					
	equiring inactivation					

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 64 of 183 Date

Section X	Correction Request				
X1100. RN Assessment Coordinator Attestation of Completion					
A. Attesting individual's first name:					
B. Attesting individ	Jual's last name:				
C. Attesting individ	lual's title:				
D. Signature					
E. Attestation date					
Month -	Day Year				

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 65 of 183

Resident

Se	ection Z	Assessment Admin	istration						
Z 03	Z0300. Insurance Billing								
	A. RUG billing co	ode:							
	B. RUG billing ve	ersion:							
Z04	400. Signature of Pers	ons Completing the Assessmer	nt or Entry/Death Reporting						
	I certify that the accompar collection of this informati Medicare and Medicaid red care, and as a basis for pay government-funded health or may subject my organiz	nying information accurately reflects in the dates specified. To the best quirements. I understand that this informent from federal funds. I further unthe tare programs is conditioned on the tation to substantial criminal, civil, and information by this facility on its behalt	resident assessment information fo to of my knowledge, this informatio formation is used as a basis for ensi iderstand that payment of such fed e accuracy and truthfulness of this d/or administrative penalties for su	n was collected in accordance with uring that residents receive appropole leral funds and continued participat information, and that I may be pers	applicable riate and quality cion in the onally subject to ertify that I am				
	5	Signature	Title	Sections	Date Section Completed				
	A.								
	В.								
	6								
	C.								
	D.								
	E.								
	F.								
	G.								
	Н.								
	I.								
	1.								
	J.								
	K.								
	L.								
Z05	500. Signature of RN Ass	essment Coordinator Verifying As	sessment Completion						
	A. Signature:		as	sessment as complete:	signed				

Legal Notice Regarding MDS 3.0 - Copyright 2011 United States of America and interRAI. This work may be freely used and distributed solely within the United States. Portions of the MDS 3.0 are under separate copyright protections; Pfizer Inc. holds the copyright for the PHQ-9; Confusion Assessment Method. © 1988, 2003, Hospital Elder Life Program. All rights reserved. Adapted from: Inouye SK et al. Ann Intern Med. 1990; 113:941-8. Both Pfizer Inc. and the Hospital Elder Life Program, LLC have granted permission to use these instruments in association with the MDS 3.0.

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 66 of 183 Date

Resident

MINIMUM DATA SET (MDS) - Version 3.0 RESIDENT ASSESSMENT AND CARE SCREENING Nursing Home and Swing Bed OMRA (NO/SO) Item Set

Sectio	n A	Identification Information							
A0050. 1	Type of Record								
Enter Code	2. Modify exist	cord → Continue to A0100, Facility Provider Numbers ting record → Continue to A0100, Facility Provider Numbers xisting record → Skip to X0150, Type of Provider							
A0100. F	acility Provider Nu	mbers							
	A. National Provide	er Identifier (NPI):							
	B. CMS Certification	n Number (CCN):							
	C. State Provider N	umber:							
									
A0200. 1	Type of Provider								
Enter Code	Type of provider 1. Nursing hom	e (SNF/NF)							
	2. Swing Bed	· · ·							
A0310. 7	Type of Assessment								
Enter Code		eason for Assessment							
	02. Quarterly re	assessment (required by day 14) eview assessment							
	03. Annual asse	ssment							
		change in status assessment							
		correction to prior comprehensive assessment correction to prior quarterly assessment							
	99. None of the								
Fata Call	B. PPS Assessment								
Enter Code	PPS Scheduled A 01. 5-day sched	Assessments for a Medicare Part A Stay							
ш		duled assessment							
		duled assessment							
		duled assessment							
	_	duled assessment							
		d Assessments for a Medicare Part A Stay							
	Not PPS Assessn	d assessment used for PPS (OMRA, significant or clinical change, or significant correction assessment)							
	99. None of the								
Enter Code		are Required Assessment - OMRA							
	0. No								
	1. Start of thera 2. End of therap								
		d End of therapy assessment							
		erapy assessment							
Enter Code	_	ed clinical change assessment? Complete only if A0200 = 2							
	0. No								
	1. Yes	•							
A031	0 continued on nex	t page							

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 67 of 183 Date

Section A	Identification Information								
A0310. Type of Assessment - Continued									
Enter Code 0. No 1. Yes	nt the first assessment (OBRA, Scheduled PPS, or Discharge) since the most recent admission/entry or reentry?								
01. Entry trackir 10. Discharge a 11. Discharge a 12. Death in fac 99. None of the	F. Entry/discharge reporting 01. Entry tracking record 10. Discharge assessment-return not anticipated 11. Discharge assessment-return anticipated 12. Death in facility tracking record 99. None of the above								
Enter Code G. Type of discharg 1. Planned 2. Unplanned	ge - Complete only if A0310F = 10 or 11								
A0410. Unit Certification o	-								
2. Unit is neithe	er Medicare nor Medicaid certified and MDS data is not required by the State er Medicare nor Medicaid certified but MDS data is required by the State care and/or Medicaid certified								
A0500. Legal Name of Resi	dent								
A. First name:	B. Middle initial:								
C. Last name:	D. Suffix:								
A0600. Social Security and	Medicare Numbers								
A. Social Security N									
R Medicare numb	er (or comparable railroad insurance number):								
	Signature ramoud insurance name (i).								
A0700. Medicaid Number -	Enter "+" if pending, "N" if not a Medicaid recipient								
A0800. Gender									
Enter Code 1. Male 2. Female									
A0900. Birth Date									
Month -	Day Year								
A1000. Race/Ethnicity									
↓ Check all that apply									
A. American Indiar	or Alaska Native								
B. Asian									
C. Black or African	American								
D. Hispanic or Lati	no								
E. Native Hawaiian	or Other Pacific Islander								
F. White									

_		_							_	_				_						_					
Section A Identification Information																									
A1100. Language																									
Enter Code	A. Does the resident need or want an interpreter to communicate with a doctor or health care staff? 0. No → Skip to A1200, Marital Status 1. Yes → Specify in A1100B, Preferred language 9. Unable to determine → Skip to A1200, Marital Status B. Preferred language:																								
A1200. I	⊔ Mar	ital Statı	us											 _											
Enter Code		 Neve Marr Wido Sepa Divo 	ied wed rate	l d	ı																				
A1300.																									
	A.	Medical	reco	rd nu	umbe	er:							1												
	B.	Room nu	ımb	er:																					
	C.	Name by	/ whi	ich re	eside	nt pre	efers	to b	e ado	dress	ed:			 _							_	_			
	D.	Lifetime	occı	ıpati	on(s)	- put	"/" b	etwe	en tv	vo oc	cupa	ation	S :	 _							_	_			
Most Red	cent	t Admiss	ion/	Entr	v or	Reen	trv	into	this	Faci	litv			=											
A1600. I							<u> </u>						_		_	_	_	_	_	_	_	_			
		Month]-		Day]-[Yea	ar																
A1700.	Гур	e of Entr	у																						
Enter Code		1. Adm 2. Reen		n																					
A1800. I	Ente	ered Fro	m																						
Enter Code	O1. Community (private home/apt., board/care, assisted living, group home) O2. Another nursing home or swing bed O3. Acute hospital O4. Psychiatric hospital O5. Inpatient rehabilitation facility O6. ID/DD facility O7. Hospice O9. Long Term Care Hospital (LTCH) O99. Other																								
A1900.	A1900. Admission Date (Date this episode of care in this facility began)																								
	Month Day Year																								

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 69 of 183

Posidont

resident dentiner Date	
Section A Identification Information	
A2000. Discharge Date	
Complete only if A0310F = 10, 11, or 12	
Month Day Year	
A2100. Discharge Status	
Complete only if A0310F = 10, 11, or 12	
O1. Community (private home/apt., board/care, assisted living, group home) O2. Another nursing home or swing bed O3. Acute hospital O4. Psychiatric hospital O5. Inpatient rehabilitation facility O6. ID/DD facility O7. Hospice O8. Deceased O9. Long Term Care Hospital (LTCH) 99. Other A2300. Assessment Reference Date Observation end date:	
Month Day Year	
A2400. Medicare Stay	
Enter Code A. Has the resident had a Medicare-covered stay since the most recent entry?	
0. No → Skip to B0100, Comatose 1. Yes → Continue to A2400B, Start date of most recent Medicare stay	
B. Start date of most recent Medicare stay:	
Month Day Year	
C. End date of most recent Medicare stay - Enter dashes if stay is ongoing:	
Month Day Year	

Look back period for all items is 7 days unless another time frame is indicated

Section	n B	Hearing, Speech, and Vision								
B0100. C	B0100. Comatose									
	0. No → Contin	re state/no discernible consciousness uue to B0700, Makes Self Understood o G0110, Activities of Daily Living (ADL) Assistance								
Enter Code	0. Understood1. Usually unde	eas and wants, consider both verbal and non-verbal expression rstood - difficulty communicating some words or finishing thoughts but is able if prompted or given time nderstood - ability is limited to making concrete requests understood								

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 70 of 183 Date

Section	С	Cognitive Patterns
	ould Brief Interv conduct interview v	riew for Mental Status (C0200-C0500) be Conducted? vith all residents
Enter Code		rarely/never understood)> Skip to and complete C0700-C1000, Staff Assessment for Mental Status nue to C0200, Repetition of Three Words

D 1 (1	
Brief In	terview for Mental Status (BIMS)
C0200.	Repetition of Three Words
Enter Code	Ask resident: "I am going to say three words for you to remember. Please repeat the words after I have said all three. The words are: sock, blue, and bed. Now tell me the three words." Number of words repeated after first attempt 0. None
	1. One
	2. Two
	3. Three
	After the resident's first attempt, repeat the words using cues ("sock, something to wear; blue, a color; bed, a piece
	of furniture"). You may repeat the words up to two more times.
C0300	Temporal Orientation (orientation to year, month, and day)
	Ask resident: "Please tell me what year it is right now."
	A. Able to report correct year
Enter Code	0. Missed by > 5 years or no answer
	1. Missed by 2-5 years
	2. Missed by 1 year
	3. Correct
	Ask resident: "What month are we in right now?"
Enter Code	B. Able to report correct month
	0. Missed by > 1 month or no answer
	1. Missed by 6 days to 1 month
	2. Accurate within 5 days
	Ask resident: "What day of the week is today?"
Enter Code	C. Able to report correct day of the week
	0. Incorrect or no answer
	1. Correct
C0400.	Recall
	Ask resident: "Let's go back to an earlier question. What were those three words that I asked you to repeat?"
	If unable to remember a word, give cue (something to wear; a color; a piece of furniture) for that word.
Enter Code	A. Able to recall "sock"
	0. No - could not recall
	1. Yes, after cueing ("something to wear")
	2. Yes, no cue required
Enter Code	B. Able to recall "blue" 0. No - could not recall
	1. Yes, after cueing ("a color")
	2. Yes, no cue required
	C. Able to recall "bed"
Enter Code	0. No - could not recall
	1. Yes, after cueing ("a piece of furniture")
	2. Yes, no cue required
C0500.	Summary Score
Enter Score	Add scores for questions C0200-C0400 and fill in total score (00-15)
	Enter 99 if the resident was unable to complete the interview
	Litter 77 if the resident was unable to complete the interview

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 71 of 183

Resident

nesident	ident							
Section C	Cognitive Patterns							
C0600. Should the Staff A	Assessment for Mental Status (C0700 - C10	000) be Conducted?						
	was able to complete interview) -> Skip to D01 t was unable to complete interview) -> Continu		e Conducted?					
Staff Assessment for Ment	al Status							
Do not conduct if Brief Interview	w for Mental Status (C0200-C0500) was completed	d						
C0700. Short-term Memor	ry OK							
Seems or appears 0. Memory OK 1. Memory pro								
C1000. Cognitive Skills for	C1000. Cognitive Skills for Daily Decision Making							
0. Independer	garding tasks of daily life nt - decisions consistent/reasonable dependence - some difficulty in new situations o	nly						

2. **Moderately impaired** - decisions poor; cues/supervision required

3. **Severely impaired** - never/rarely made decisions

				_			
Section	D	Mood					
D0100. S	Should Resident M	lood Interview be	Conducted? - A	ttempt to conduct in	terview with all re	esidents	
Enter Code	(PHQ-9-OV)	s rarely/never unders inue to D0200, Reside	·	·	0600, Staff Assessm	nent of Resident Mood	
		otomiow (DUO 0					

D0200. Resident Mood Interview (PHQ-9©)								
Say to resident: "Over the last 2 weeks, have you been bothered by any of the following problems?"								
If symptom is present, enter 1 (yes) in column 1, Symptom Presence. If yes in column 1, then ask the resident: "About how often have you been bothered by this?" Read and show the resident a card with the symptom frequency choices. Indicate response in column 2, Symptom Frequency.								
 Symptom Presence No (enter 0 in column 2) Yes (enter 0-3 in column 2) No response (leave column 2 blank) Symptom Frequency Never or 1 day 2-6 days (several days) 7-11 days (half or more of the days) 12-14 days (nearly every day) 	1. Symptom Presence	2. Symptom Frequency es in Boxes ↓						
A. Little interest or pleasure in doing things								
B. Feeling down, depressed, or hopeless								
C. Trouble falling or staying asleep, or sleeping too much								
D. Feeling tired or having little energy								
E. Poor appetite or overeating								
F. Feeling bad about yourself - or that you are a failure or have let yourself or your family down								
G. Trouble concentrating on things, such as reading the newspaper or watching television								
H. Moving or speaking so slowly that other people could have noticed. Or the opposite - being so fidgety or restless that you have been moving around a lot more than usual								
I. Thoughts that you would be better off dead, or of hurting yourself in some way								
D0300. Total Severity Score								
Add scores for all frequency responses in Column 2, Symptom Frequency. Total score must be between 00 and 27. Enter 99 if unable to complete interview (i.e., Symptom Frequency is blank for 3 or more items).								
D0350. Safety Notification - Complete only if D0200I1 = 1 indicating possibility of resident self harm								
Enter Code Was responsible staff or provider informed that there is a potential for resident self harm? 0. No 1. Yes								



Section D Mood							
D0500. Staff Assessment of Resident Mood (PHQ-9-OV*) Do not conduct if Resident Mood Interview (D0200-D0300) was completed							
Over the last 2 weeks, did the resident have any of the following problems or behaviors?							
If symptom is present, enter 1 (yes) in column 1, Symptom Presence.							
Then move to column 2, Symptom Frequency, and indicate symptom frequency.							
1. Symptom Presence 0. No (enter 0 in column 2) 1. Yes (enter 0-3 in column 2) 2. Symptom Frequency 0. Never or 1 day 1. 2-6 days (several days) 2. 7-11 days (half or more of the days)	1. Symptom Presence	2. Symptom Frequency es in Boxes ↓					
3. 12-14 days (nearly every day)	↓ Eilter 3cor	es III Boxes ↓					
A. Little interest or pleasure in doing things							
B. Feeling or appearing down, depressed, or hopeless							
C. Trouble falling or staying asleep, or sleeping too much							
D. Feeling tired or having little energy							
E. Poor appetite or overeating							
F. Indicating that s/he feels bad about self, is a failure, or has let self or family down							
G. Trouble concentrating on things, such as reading the newspaper or watching television							
H. Moving or speaking so slowly that other people have noticed. Or the opposite - being so fidgety or restless that s/he has been moving around a lot more than usual							
I. States that life isn't worth living, wishes for death, or attempts to harm self							
J. Being short-tempered, easily annoyed							
D0600. Total Severity Score							
Add scores for all frequency responses in Column 2, Symptom Frequency. Total score must be between 00 and 30.							
D0650. Safety Notification - Complete only if D0500I1 = 1 indicating possibility of resident self harm							
Enter Code O. No 1. Yes							

^{*} Copyright © Pfizer Inc. All rights reserved.

Section E	Behavior			
E0100. Potential Indicators of	of Psychosis			
↓ Check all that apply				
A. Hallucinations (pe	erceptual experience	s in the ab	senc	e of real external sensory stimuli)
B. Delusions (miscon	ceptions or beliefs t	hat are firm	nly h	eld, contrary to reality)
Z. None of the above	•			
Behavioral Symptoms				
E0200. Behavioral Symptom	- Presence & Fre	quency		
Note presence of symptoms and	their frequency			
Coding: 0. Behavior not exhibited 1. Behavior of this type occurred 1 to 3 days 2. Behavior of this type occurred 4 to 6 days, but less than daily 3. Behavior of this type occurred daily		↓ Ente	er Co	odes in Boxes
			A.	Physical behavioral symptoms directed toward others (e.g., hitting, kicking, pushing, scratching, grabbing, abusing others sexually)
			B.	Verbal behavioral symptoms directed toward others (e.g., threatening others, screaming at others, cursing at others)
			C.	Other behavioral symptoms not directed toward others (e.g., physical symptoms such as hitting or scratching self, pacing, rummaging, public sexual acts, disrobing in public, throwing or smearing food or bodily wastes, or verbal/vocal symptoms like screaming, disruptive sounds)
E0800. Rejection of Care - Pro	esence & Frequei	ncy		
resident's goals for he planning with the resident of the planning with the resident of the planning	ealth and well-bein dent or family), and o	ng? Do not determined o 3 days o 6 days, b	incl to k	ork, taking medications, ADL assistance) that is necessary to achieve the ude behaviors that have already been addressed (e.g., by discussion or care be consistent with resident values, preferences, or goals.
E0900. Wandering - Presence	e & Frequency			
2. Behavior of this		o 6 days , b	ut le	ss than daily

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 75 of 183

Resident

Section G Functional Status

G0110. Activities of Daily Living (ADL) Assistance

Refer to the ADL flow chart in the RAI manual to facilitate accurate coding

Instructions for Rule of 3

- When an activity occurs three times at any one given level, code that level.
- When an activity occurs three times at multiple levels, code the most dependent, exceptions are total dependence (4), activity must require full assist every time, and activity did not occur (8), activity must not have occurred at all. Example, three times extensive assistance (3) and three times limited assistance (2), code extensive assistance (3).
- When an activity occurs at various levels, but not three times at any given level, apply the following:
- When there is a combination of full staff performance, and extensive assistance, code extensive assistance.
- When there is a combination of full staff performance, weight bearing assistance and/or non-weight bearing assistance code limited assistance (2).

If none of the above are met, code supervision.

1. ADL Self-Performance

Code for **resident's performance** over all shifts - not including setup. If the ADL activity occurred 3 or more times at various levels of assistance, code the most dependent - except for total dependence, which requires full staff performance every time

Coding:

Activity Occurred 3 or More Times

- 0. **Independent** no help or staff oversight at any time
- 1. **Supervision** oversight, encouragement or cueing
- 2. **Limited assistance** resident highly involved in activity; staff provide guided maneuvering of limbs or other non-weight-bearing assistance
- 3. Extensive assistance resident involved in activity, staff provide weight-bearing support
- 4. **Total dependence** full staff performance every time during entire 7-day period

Activity Occurred 2 or Fewer Times

- 7. **Activity occurred only once or twice** activity did occur but only once or twice
- 8. **Activity did not occur** activity did not occur or family and/or non-facility staff provided care 100% of the time for that activity over the entire 7-day period
- **A. Bed mobility** how resident moves to and from lying position, turns side to side, and positions body while in bed or alternate sleep furniture
- **B. Transfer** how resident moves between surfaces including to or from: bed, chair, wheelchair, standing position (**excludes** to/from bath/toilet)
- **H. Eating** how resident eats and drinks, regardless of skill. Do not include eating/drinking during medication pass. Includes intake of nourishment by other means (e.g., tube feeding, total parenteral nutrition, IV fluids administered for nutrition or hydration)
- Toilet use how resident uses the toilet room, commode, bedpan, or urinal; transfers on/off
 toilet; cleanses self after elimination; changes pad; manages ostomy or catheter; and adjusts
 clothes. Do not include emptying of bedpan, urinal, bedside commode, catheter bag or
 ostomy bag

2. ADL Support Provided

Code for **most support provided** over all shifts; code regardless of resident's self-performance classification

Coding:

- 0. **No** setup or physical help from staff
- 1. Setup help only
- 2. One person physical assist
- 3. **Two+** persons physical assist
- ADL activity itself did not occur or family and/or non-facility staff provided care 100% of the time for that activity over the entire 7-day period

1.	2.
Self-Performance	Support
↓ Enter Code	es in Boxes ↓

Sectio	n H	Bladder and Bowel
H0200. U	Jrinary Toileting P	rogram
Enter Code		oileting program (e.g., scheduled toileting, prompted voiding, or bladder training) been attempted on or reentry or since urinary incontinence was noted in this facility?
	1. Yes → Con	to H0500, Bowel Toileting Program tinue to H0200C, Current toileting program or trial etermine -> Continue to H0200C, Current toileting program or trial
Enter Code		g program or trial - Is a toileting program (e.g., scheduled toileting, prompted voiding, or bladder training) currently anage the resident's urinary continence?

H0500. Bowel Toileting Program

Enter Code	Is a toileting program currently being used to manage the resident's bowel continence?
	0. No
	1. Yes

Resident

Sect	ion I	Active Diagnoses	
Active	e Diagnoses in the last	t 7 days - Check all that apply	
		are provided as examples and should not be considered as all-inclusive lists	
	Infections		
	I2000. Pneumonia		
	I2100. Septicemia		
	Metabolic		
		us (DM) (e.g., diabetic retinopathy, nephropathy, and neuropathy)	
	Neurological		
	14400. Cerebral Palsy		
	14900. Hemiplegia or I	-lemiparesis	
	I5100. Quadriplegia		
	15200. Multiple Sclero	sis (MS)	
	I5300. Parkinson's Dis	ease	
	Pulmonary		
	16200. Asthma, Chroni	ic Obstructive Pulmonary Disease (COPD), or Chronic Lung Disease (e.g., chronic bronchitis and restrictive lung	
	diseases such as	asbestosis)	
	16300. Respiratory Fai	lure	
Sect	ion J	Health Conditions	
Othe	r Health Conditions		
J1100	. Shortness of Breath	(dyspnea)	
1	Check all that apply		
	C. Shortness of bre	eath or trouble breathing when lying flat	
J1550). Problem Conditions		
1	Check all that apply		
	A. Fever		
	B. Vomiting		
Sect	ion K	Swallowing/Nutritional Status	
K0300	0. Weight Loss		
- · ·	,	in the last month or loss of 10% or more in last 6 months	
Enter Co	1 O. NO OI GIIKIIOV		
		ician-prescribed weight-loss regimen physician-prescribed weight-loss regimen	
K0310	D. Weight Gain	nysician presended weight 1933 regimen	
		in the last month or gain of 10% or more in last 6 months	
Enter Co			
	1. Yes, on physician-prescribed weight-gain regimen		

2. **Yes, not on** physician-prescribed weight-gain regimen

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 77 of 183

nesident	identiller		Date _	
Section K	Swallowing/Nutritional Status			
K0510. Nutritional Appro	aches			
	itional approaches that were performed during the last 7 d	ays		
 While NOT a Resident Performed while NOT a resident of this facility and within the last 7 days. Only check column 1 if resident entered (admission or reentry) IN THE LAST 7 DAYS. If resident last entered 7 or more days ago, leave column 1 blank While a Resident 			1. While NOT a Resident	2. While a Resident
Performed while a resider	nt of this facility and within the last 7 days		↓ Check all	I that apply ↓
A. Parenteral/IV feeding				
B. Feeding tube - nasogastric or abdominal (PEG)				
K0710. Percent Intake by	Artificial Route - Complete K0710 only if Column 1 an	d/or Column 2 ar	e checked for K0510	A and/or K0510B
code in column 1 if reside resident last entered 7 or r 2. While a Resident	esident of this facility and within the last 7 days. Only enter nt entered (admission or reentry) IN THE LAST 7 DAYS. If more days ago, leave column 1 blank Int of this facility and within the last 7 days	1. While NO Residen		3. During Entire 7 Days
Performed during the enti	·		↓ Enter Code	s 🗼
A. Proportion of total calori 1. 25% or less 2. 26-50% 3. 51% or more	ies the resident received through parenteral or tube fee	ding		
B. Average fluid intake per day by IV or tube feeding 1. 500 cc/day or less 2. 501 cc/day or more				
Section M	Skin Conditions			
Report based o	on highest stage of existing ulcer(s) a	at its worst;	do not "reve	rse" stage
M0210. Unhealed Pressu	re Ulcer(s)			
	t have one or more unhealed pressure ulcer(s) at Stage	1 or higher?		
0. No → Ski	ip to M1030, Number of Venous and Arterial Ulcers ontinue to M0300, Current Number of Unhealed Pressure U	_	·	
M0300. Current Number	of Unhealed Pressure Ulcers at Each Stage			
present as an i	al thickness loss of dermis presenting as a shallow open ulce ntact or open/ruptured blister	er with a red or pin	k wound bed, withou	t slough. May also
1. Number of	Stage 2 pressure ulcers			
	hickness tissue loss. Subcutaneous fat may be visible but bo es not obscure the depth of tissue loss. May include under			lough may be
	Stage 3 pressure ulcers			
	hickness tissue loss with exposed bone, tendon or muscle. Iften includes undermining and tunneling	Slough or eschar r	nay be present on son	ne parts of the
	Stage 4 pressure ulcers			
F. Unstageable -	Slough and/or eschar: Known but not stageable due to co	overage of wound	bed by slough and/or	r eschar
1. Number of	unstageable pressure ulcers due to coverage of wound	bed by slough an	d/or eschar	

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 78 of 183 Date

Sectio	n M	Skin Conditions	
M1030. I	Number of Venous	and Arterial Ulcers	
Enter Number	Enter the total num	ber of venous and arterial ulcers present	
M1040.	Other Ulcers, Woun	ds and Skin Problems	
↓ Cł	neck all that apply		
	Foot Problems		
		foot (e.g., cellulitis, purulent drainage)	
	B. Diabetic foot ulcer(s)		
	C. Other open lesio	n(s) on the foot	
	Other Problems		
		ther than ulcers, rashes, cuts (e.g., cancer lesion)	
	E. Surgical wound(
	F. Burn(s) (second o	or third degree)	
	G. Skin tear(s)		
		ated Skin Damage (MASD) (i.e. incontinence (IAD), perspiration, drainage)	
	None of the Above		
	Z. None of the abov	·	
	Skin and Ulcer Trea	tments	
↑ CH	neck all that apply		
	A. Pressure reducin		
	B. Pressure reducin		
	C. Turning/repositi	- · · ·	
	-	ration intervention to manage skin problems	
	E. Pressure ulcer ca	ire	
	F. Surgical wound		
	G. Application of no	onsurgical dressings (with or without topical medications) other than to feet	
	H. Applications of o	pintments/medications other than to feet	
	I. Application of dr	ressings to feet (with or without topical medications)	
	Z. None of the abov	ve were provided	
Sectio	n N	Medications	
N0300. I	njections		
Enter Days		er of days that injections of any type were received during the last 7 days or since admission/entry or reentry if less → Skip to O0100, Special Treatments, Procedures, and Programs	
N0350. I	nsulin		
Enter Days	A. Insulin injections or reentry if less t	s - Record the number of days that insulin injections were received during the last 7 days or since admission/entry han 7 days	
Enter Days		n - Record the number of days the physician (or authorized assistant or practitioner) changed the resident's uring the last 7 days or since admission/entry or reentry if less than 7 days	

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 79 of 183 Date

Section O	Special Treatments, Procedures, and Progran	ns	
O0100. Special Tr	eatments, Procedures, and Programs		
	ving treatments, procedures and programs that were performed during the last 14 day	s	
resident entered ago, leave columi 2. While a Residen	NOT a resident of this facility and within the last 14 days. Only check column 1 if (admission or reentry) IN THE LAST 14 DAYS. If resident last entered 14 or more days n 1 blank t	1. While NOT a Resident	2. While a Resident
Cancer Treatments	a resident of this facility and within the last 14 days	↓ Check all	that apply \
A. Chemotherapy			
B. Radiation			
Respiratory Treatme	ents		
C. Oxygen therapy			
E. Tracheostomy ca	re		
F. Ventilator or resp	pirator		
Other			
H. IV medications			
I. Transfusions			
J. Dialysis			
M. Isolation or quar precautions)	rantine for active infectious disease (does not include standard body/fluid		
O0400. Therapies			
	A. Speech-Language Pathology and Audiology Services		
Enter Number of Minutes	Individual minutes - record the total number of minutes this therapy was adn in the last 7 days	ninistered to the resid	ent individually
Enter Number of Minutes	Concurrent minutes - record the total number of minutes this therapy was ad concurrently with one other resident in the last 7 days	ministered to the resi	dent
Enter Number of Minutes	3. Group minutes - record the total number of minutes this therapy was adminis of residents in the last 7 days	stered to the resident	as part of a group
	If the sum of individual, concurrent, and group minutes is zero, → skip to 0040	00A5, Therapy start da	te
Enter Number of Minutes	3A. Co-treatment minutes - record the total number of minutes this therapy was co-treatment sessions in the last 7 days	administered to the re	esident in
Enter Number of Days	4. Days - record the number of days this therapy was administered for at least 1	15 minutes a day in th	e last 7 days
	therapy regimen (since the most recent entry) started therapy regimen (since the most recent entry) started	I date - record the dat men (since the most re is if therapy is ongoing	cent entry) ended
	Month Day Year Month	Day —	Year
O0400 continu	ed on next page		. 501

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 80 of 183 Date

Resident

Section O	Special Treatments, Procedures, and Programs
O0400. Therapies	- Continued
	B. Occupational Therapy
Enter Number of Minutes	 Individual minutes - record the total number of minutes this therapy was administered to the resident individually in the last 7 days
Enter Number of Minutes	2. Concurrent minutes - record the total number of minutes this therapy was administered to the resident concurrently with one other resident in the last 7 days
Enter Number of Minutes	3. Group minutes - record the total number of minutes this therapy was administered to the resident as part of a group of residents in the last 7 days
	If the sum of individual, concurrent, and group minutes is zero, → skip to O0400B5, Therapy start date
Enter Number of Minutes	3A. Co-treatment minutes - record the total number of minutes this therapy was administered to the resident in co-treatment sessions in the last 7 days
Enter Number of Days	4. Days - record the number of days this therapy was administered for at least 15 minutes a day in the last 7 days
	 5. Therapy start date - record the date the most recent therapy regimen (since the most recent entry) started 6. Therapy end date - record the date the most recent therapy regimen (since the most recent entry) ended - enter dashes if therapy is ongoing
	Month Day Year Month Day Year
	C. Physical Therapy
Enter Number of Minutes	Individual minutes - record the total number of minutes this therapy was administered to the resident individually in the last 7 days
Enter Number of Minutes	2. Concurrent minutes - record the total number of minutes this therapy was administered to the resident concurrently with one other resident in the last 7 days
Enter Number of Minutes	3. Group minutes - record the total number of minutes this therapy was administered to the resident as part of a group of residents in the last 7 days
	If the sum of individual, concurrent, and group minutes is zero, → skip to O0400C5, Therapy start date
Enter Number of Minutes	3A. Co-treatment minutes - record the total number of minutes this therapy was administered to the resident in co-treatment sessions in the last 7 days
Enter Number of Days	4. Days - record the number of days this therapy was administered for at least 15 minutes a day in the last 7 days
_	 5. Therapy start date - record the date the most recent therapy regimen (since the most recent entry) started 6. Therapy end date - record the date the most recent therapy regimen (since the most recent entry) ended - enter dashes if therapy is ongoing
	Month Day Year Month Day Year
	D. Respiratory Therapy
Enter Number of Days	2. Days - record the number of days this therapy was administered for at least 15 minutes a day in the last 7 days
O0420. Distinct Ca	alendar Days of Therapy
Enter Number of Days	Record the number of calendar days that the resident received Speech-Language Pathology and Audiology Services,

Occupational Therapy, or Physical Therapy for at least 15 minutes in the past 7 days.

Sectio	n O Special Treatments, Procedures, and Programs
O0450. F	Resumption of Therapy - Complete only if A0310C = 2 or 3 and A0310F = 99
Enter Code	 A. Has a previous rehabilitation therapy regimen (speech, occupational, and/or physical therapy) ended, as reported on this End of Therapy OMRA, and has this regimen now resumed at exactly the same level for each discipline? O. No → Skip to O0500, Restorative Nursing Programs 1. Yes B. Date on which therapy regimen resumed:
00500	Month Day Year Restorative Nursing Programs
	e number of days each of the following restorative programs was performed (for at least 15 minutes a day) in the last 7 calendar days
	none or less than 15 minutes daily)
Number of Days	Technique
	A. Range of motion (passive)
	B. Range of motion (active)
	C. Splint or brace assistance
Number of Days	Training and Skill Practice In:
	D. Bed mobility
	E. Transfer
	F. Walking
	G. Dressing and/or grooming
	H. Eating and/or swallowing
	I. Amputation/prostheses care
	J. Communication
c .:	
Sectio	
	Participation in Assessment
Enter Code	A. Resident participated in assessment0. No1. Yes
Enter Code	B. Family or significant other participated in assessment 0. No
	Yes Resident has no family or significant other
Ento: Cad	C. Guardian or legally authorized representative participated in assessment
Enter Code	0. No 1. Yes
	9. Resident has no guardian or legally authorized representative

Complete Section X only if A0050 = 2 or 3
Identification of Record to be Modified/Inactivated - The following items identify the existing assessment record that is in error. In this section, reproduce the information EXACTLY as it appeared on the existing erroneous record, even if the information is incorrect. This information is necessary to locate the existing record in the National MDS Database.
X0150. Type of Provider (A0200 on existing record to be modified/inactivated)
Type of provider 1. Nursing home (SNF/NF) 2. Swing Bed
X0200. Name of Resident (A0500 on existing record to be modified/inactivated)
A. First name: C. Last name:
X0300. Gender (A0800 on existing record to be modified/inactivated)
Enter Code 1. Male 2. Female
X0400. Birth Date (A0900 on existing record to be modified/inactivated)
Month Day Year
X0500. Social Security Number (A0600A on existing record to be modified/inactivated)
X0600. Type of Assessment (A0310 on existing record to be modified/inactivated)
A. Federal OBRA Reason for Assessment 01. Admission assessment (required by day 14) 02. Quarterly review assessment 03. Annual assessment 04. Significant change in status assessment 05. Significant correction to prior comprehensive assessment 06. Significant correction to prior quarterly assessment 99. None of the above
B. PPS Assessment PPS Scheduled Assessments for a Medicare Part A Stay 01. 5-day scheduled assessment 02. 14-day scheduled assessment 03. 30-day scheduled assessment 04. 60-day scheduled assessment 05. 90-day scheduled assessment PPS Unscheduled Assessments for a Medicare Part A Stay 07. Unscheduled Assessment used for PPS (OMRA, significant or clinical change, or significant correction assessment) Not PPS Assessment 99. None of the above
C. PPS Other Medicare Required Assessment - OMRA 0. No 1. Start of therapy assessment 2. End of therapy assessment 3. Both Start and End of therapy assessment 4. Change of therapy assessment X0600 continued on next page

Section X	Correction Request		
X0600. Type of Assessmen	t - Continued		
Enter Code D. Is this a Swing Bed clinical change assessment? Complete only if X0150 = 2 0. No 1. Yes			
F. Entry/discharge reporting 01. Entry tracking record 10. Discharge assessment-return not anticipated 11. Discharge assessment-return anticipated 12. Death in facility tracking record 99. None of the above			
X0700. Date on existing rec	ord to be modified/inactivated - Complete one only		
A. Assessment Ref	erence Date (A2300 on existing record to be modified/inactivated) - Complete only if X0600F = 99 Day Year		
B. Discharge Date Month	(A2000 on existing record to be modified/inactivated) - Complete only if X0600F = 10, 11, or 12 Day Year		
	00 on existing record to be modified/inactivated) - Complete only if X0600F = 01 Day Year		
Correction Attestation Sect	tion - Complete this section to explain and attest to the modification/inactivation request		
X0800. Correction Number			
Enter Number Enter the number of correction requests to modify/inactivate the existing record, including the present one			
X0900. Reasons for Modifie	cation - Complete only if Type of Record is to modify a record in error $(A0050 = 2)$		
↓ Check all that apply			
A. Transcription er	A. Transcription error		
	B. Data entry error		
	C. Software product error		
	D. Item coding error		
	E. End of Therapy - Resumption (EOT-R) date		
Z. Other error requiring modification If "Other" checked, please specify:			
X1050. Reasons for Inactivation - Complete only if Type of Record is to inactivate a record in error (A0050 = 3)			
↓ Check all that apply			
A. Event did not occur			
	Z. Other error requiring inactivation If "Other" checked, please specify:		

Section X	Correction Request			
X1100. RN Assessment Coordinator Attestation of Completion				
A. Attesting indivi	dual's first name:			
B. Attesting individual's last name:				
C. Attesting individual's title:				
D. Signature				
E. Attestation date				
Month -	Day Year			

Section Z	Assessment Administration			
Z0100. Medicare Part A Billing				
A. Medicare	Part A HIPPS code (RUG group followed by assessment type indicator):			
B. RUG vers	ion code:			
	Enter Code C. Is this a Medicare Short Stay assessment?			
0. No				
Z0150. Medicare Part A Non-Therapy Billing				
A. Medicare	Part A non-therapy HIPPS code (RUG group followed by assessment type indicator):			
B. RUG vers	ion code:			
Z0300. Insurance Billing				
A. RUG billi	ng code:			
B. RUG billi	B. RUG billing version:			

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 86 of 183

Resident

Section Z Assessment Administration

Z0400. Signature of Persons Completing the Assessment or Entry/Death Reporting

I certify that the accompanying information accurately reflects resident assessment information for this resident and that I collected or coordinated collection of this information on the dates specified. To the best of my knowledge, this information was collected in accordance with applicable Medicare and Medicaid requirements. I understand that this information is used as a basis for ensuring that residents receive appropriate and quality care, and as a basis for payment from federal funds. I further understand that payment of such federal funds and continued participation in the government-funded health care programs is conditioned on the accuracy and truthfulness of this information, and that I may be personally subject to or may subject my organization to substantial criminal, civil, and/or administrative penalties for submitting false information. I also certify that I am authorized to submit this information by this facility on its behalf.

authorized to submit this information by this facility on its behalf.				
Signature	Title	Sections	Date Section Completed	
A.				
B.				
C.				
D.				
E.				
F.				
G.				
H.				
I.				
J.				
K.				
L.				
500. Signature of RN Assessment Coordinator Verifying Assessment Completion				
A. Signature:				
		Month Day	Year	

Legal Notice Regarding MDS 3.0 - Copyright 2011 United States of America and interRAI. This work may be freely used and distributed solely within the United States. Portions of the MDS 3.0 are under separate copyright protections; Pfizer Inc. holds the copyright for the PHQ-9; Confusion Assessment Method. © 1988, 2003, Hospital Elder Life Program. All rights reserved. Adapted from: Inouye SK et al. Ann Intern Med. 1990; 113:941-8. Both Pfizer Inc. and the Hospital Elder Life Program, LLC have granted permission to use these instruments in association with the MDS 3.0.

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 87 of 183 Date

Resident

MINIMUM DATA SET (MDS) - Version 3.0 RESIDENT ASSESSMENT AND CARE SCREENING Nursing Home OMRA-Discharge (NOD) Item Set

Section A			Identification Information		
A0050. Type of Record					
1. Add new record → Continue to A0100, Facility Provider Numbers 2. Modify existing record → Continue to A0100, Facility Provider Numbers 3. Inactivate existing record → Skip to X0150, Type of Provider					
A0100. F	acility F	Provider Nu	mbers		
	A. Nati	ional Provide	r Identifier (NPI):		
	B. CMS	S Certification	n Number (CCN):		
	C. Stat	te Provider N	umber:		
A0200. T	-				
Enter Code		f provider Nursing hom	e (SNF/NF)		
	I	Swing Bed			
A0310. T	ype of A	Assessment			
Enter Code	l		ason for Assessment		
	I		ssessment (required by day 14) view assessment		
		Annual asse			
			hange in status assessment orrection to prior comprehensive assessment		
	06.	Significant of	orrection to prior quarterly assessment		
		None of the	above		
Enter Code		Assessment Scheduled A	ssessments for a Medicare Part A Stay		
	01.	5-day sched	uled assessment		
			duled assessment duled assessment		
			duled assessment		
	05.	90-day schee	duled assessment		
			<u>d Assessments for a Medicare Part A Stay</u> d assessment used for PPS (OMRA, significant or clinical change, or significant correction assessment)		
	I	PPS Assessn			
		None of the			
Enter Code	C. PPS 0. I		are Required Assessment - OMRA		
	1. \$	Start of thera	py assessment		
			y assessment d End of therapy assessment		
	I		erapy assessment		
Enter Code	I	_	ed clinical change assessment? Complete only if A0200 = 2		
	0. i 1. i				
A0314		nued on nex	t nage		
7051	Contin	iaca on nex	· puge		

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 88 of 183 Date

Section A Ide	ntification Information			
A0310. Type of Assessment - Continued				
Enter Code D. No 1. Yes				
01. Entry tracking reco	01. Entry tracking record 10. Discharge assessment-return not anticipated 11. Discharge assessment-return anticipated			
99. None of the above G. Type of discharge - Co 1. Planned				
2. Unplanned A0410. Unit Certification or Lice	nsure Designation			
Enter Code 1. Unit is neither Med 2. Unit is neither Med	licare nor Medicaid certified and MDS data is not required by the State licare nor Medicaid certified but MDS data is required by the State nd/or Medicaid certified			
A0500. Legal Name of Resident				
A. First name: C. Last name:	B. Middle initial: D. Suffix:			
A0600. Social Security and Medi	icare Numbers			
A. Social Security Number B. Medicare number (or continuous)	comparable railroad insurance number):			
A0700. Medicaid Number - Enter	"+" if pending, "N" if not a Medicaid recipient			
The fact of the fa				
A0800. Gender				
Enter Code 1. Male 2. Female				
A0900. Birth Date				
Month Day Year				
A1000. Race/Ethnicity				
↓ Check all that apply				
	A. American Indian or Alaska Native			
	B. Asian C. Black or African American			
	C. Black or African American			
D. Hispanic or Latino	E. Native Hawaiian or Other Pacific Islander			
	F. White			

Sectio	n /	<u> </u>	Ide	ntifi	catio	on l	nfo	rm	nati	on														
A1100. I	A1100. Language																							
Enter Code		Does the resider 0. No → Skip to 1. Yes → Spect 9. Unable to det Preferred langua	to A12 ify in <i>F</i> termi i	00, Mai 1100B	rital Sta , Prefer	itus red lai	ngua	ge			cate wi	th a	doc	ctor	or he	ealth	n car	e sta	ff?					
A1200. I	Mar	ital Status																						
Enter Code	Enter Code 2. Married 3. Widowed 4. Separated 5. Divorced																							
A1300. 0		onal Resident I																						
	A.	Medical record n	umbe	er:	_		<u> </u>		Т	1														
	_																							
	В.	Room number:	<u> </u>			1																		
			<u> </u>				\coprod																	
	C.	Name by which r	eside	nt pref	ers to	be add	dress	ed:	Т	1		$\overline{}$				Ι .	Т	Т	Т	\top	\neg			
		Lifetim	:(-)		/!! != = 4				- 4:								<u> </u>	<u> </u>						
	ט.	Lifetime occupat	ion(s)	- put "/	betw	een tv	vo oc	cup	ation	s :		$\overline{}$				Π	Т	Т	Т	Т	\neg			
Most Red	ent	Admission/Ent	ry or	Reent	ry into	this	Faci	lity																
A1600. E	ntr	y Date																						
		Month -	Day]-[Ye	ear																		
A1700. 1	Гур	e of Entry																						
Enter Code																								
A1800. E	nte	ered From																						
01. Community (private home/apt., board/care, assisted living, group home) 02. Another nursing home or swing bed 03. Acute hospital 04. Psychiatric hospital 05. Inpatient rehabilitation facility 06. ID/DD facility 07. Hospice 09. Long Term Care Hospital (LTCH) 99. Other																								
A1900. A	١dn	nission Date (Da	te thi	is epis	ode o	f care	in th	his 1	facili	ty b	egan)													
	Month Day Year																							

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 90 of 183

Resident

TICSTOCITY TO THE TICSTOCITY T									
Section A Identification Information									
A2000. Discharge Date									
Complete only if A0310F = 10, 11, or 12									
Month Day Year									
A2100. Discharge Status									
Complete only if A0310F = 10, 11, or 12									
O1. Community (private home/apt., board/care, assisted living, group home) O2. Another nursing home or swing bed O3. Acute hospital O4. Psychiatric hospital O5. Inpatient rehabilitation facility O6. ID/DD facility O7. Hospice O8. Deceased O9. Long Term Care Hospital (LTCH) 99. Other									
A2300. Assessment Reference Date									
Observation end date:									
Month Day Year									
A2400. Medicare Stay									
Enter Code A. Has the resident had a Medicare-covered stay since the most recent entry?									
0. No → Skip to B0100, Comatose									
1. Yes → Continue to A2400B, Start date of most recent Medicare stay									
B. Start date of most recent Medicare stay:									
Month Day Year									
C. End date of most recent Medicare stay - Enter dashes if stay is ongoing:									
Month Day Year									

Look back period for all items is 7 days unless another time frame is indicated

Section	n B	Hearing, Speech, and Vision							
B0100. C	B0100. Comatose								
Enter Code	0. No → Contin	re state/no discernible consciousness ue to B0700, Makes Self Understood o G0110, Activities of Daily Living (ADL) Assistance							
B0700. N	B0700. Makes Self Understood								
Enter Code	 Understood Usually unde 	eas and wants, consider both verbal and non-verbal expression rstood - difficulty communicating some words or finishing thoughts but is able if prompted or given time nderstood - ability is limited to making concrete requests understood							

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 91 of 183 Date

Section C	Cognitive Patterns
C0100. Should Brief Inter	view for Mental Status (C0200-C0500) be Conducted?
Attempt to conduct interview	with all residents
Enter Code 0. No (resident i	s rarely/never understood) → Skip to and complete C0700-C1000, Staff Assessment for Mental Status

	1. Yes — Continue to Cozoo, Repetition of Three Words							
Brief In	Brief Interview for Mental Status (BIMS)							
C0200.	Repetition of Three Words							
	Ask resident: "I am going to say three words for you to remember. Please repeat the words after I have said all three.							
Enter Code	The words are: sock, blue, and bed. Now tell me the three words."							
Litter Code	Number of words repeated after first attempt							
	0. None							
	1. One							
	2. Two							
	3. Three							
	After the resident's first attempt, repeat the words using cues ("sock, something to wear; blue, a color; bed, a piece							
	of furniture"). You may repeat the words up to two more times.							
C0300.	Temporal Orientation (orientation to year, month, and day)							
	Ask resident: "Please tell me what year it is right now."							
Enter Code	A. Able to report correct year 0. Missed by > 5 years or no answer							
	1. Missed by 2-5 years 1. Missed by 2-5 years							
	2. Missed by 1 year							
	3. Correct							
	Ask resident: "What month are we in right now?"							
Enter Code	B. Able to report correct month							
	0. Missed by > 1 month or no answer							
	1. Missed by 6 days to 1 month							
	2. Accurate within 5 days							
	Ask resident: "What day of the week is today?"							
Enter Code	C. Able to report correct day of the week							
	0. Incorrect or no answer							
	1. Correct							
C0400.								
	Ask resident: "Let's go back to an earlier question. What were those three words that I asked you to repeat?"							
	If unable to remember a word, give cue (something to wear; a color; a piece of furniture) for that word. A. Able to recall "sock"							
Enter Code	0. No - could not recall							
	1. Yes, after cueing ("something to wear")							
_	2. Yes, no cue required							
Enter Code	B. Able to recall "blue"							
	0. No - could not recall							
	1. Yes, after cueing ("a color")							
	2. Yes, no cue required							
Enter Code	C. Able to recall "bed"							
	0. No - could not recall							
	1. Yes, after cueing ("a piece of furniture")							
	2. Yes, no cue required							
C0500.	Summary Score							
Enter Score	Add scores for questions C0200-C0400 and fill in total score (00-15)							
	Enter 99 if the resident was unable to complete the interview							

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 92 of 183 Date Resident Section C **Cognitive Patterns** C0600. Should the Staff Assessment for Mental Status (C0700 - C1000) be Conducted? **Enter Code** 0. No (resident was able to complete interview) → Skip to C1300, Signs and Symptoms of Delirium 1. **Yes** (resident was unable to complete interview) → Continue to C0700, Short-term Memory OK **Staff Assessment for Mental Status** Do not conduct if Brief Interview for Mental Status (C0200-C0500) was completed C0700. Short-term Memory OK Seems or appears to recall after 5 minutes **Enter Code** 0. Memory OK 1. Memory problem C1000. Cognitive Skills for Daily Decision Making Made decisions regarding tasks of daily life **Enter Code** 0. **Independent** - decisions consistent/reasonable 1. **Modified independence** - some difficulty in new situations only 2. **Moderately impaired** - decisions poor; cues/supervision required 3. **Severely impaired** - never/rarely made decisions **Delirium** C1300. Signs and Symptoms of Delirium (from CAM©)* Code after completing Brief Interview for Mental Status or Staff Assessment, and reviewing medical record **Enter Codes in Boxes** A. Inattention - Did the resident have difficulty focusing attention (easily distracted, out of touch or difficulty following what was said)? Coding: 0. Behavior not present

- Behavior continuously present, does not fluctuate
- Behavior present, fluctuates (comes and goes, changes in severity)
- **B. Disorganized thinking** Was the resident's thinking disorganized or incoherent (rambling or irrelevant conversation, unclear or illogical flow of ideas, or unpredictable switching from subject to subject)?
- C. Altered level of consciousness Did the resident have altered level of consciousness (e.g., vigilant startled easily to any sound or touch; lethargic repeatedly dozed off when being asked questions, but responded to voice or touch; stuporous very difficult to arouse and keep aroused for the interview; comatose could not be aroused)?
- **D. Psychomotor retardation** Did the resident have an unusually decreased level of activity such as sluggishness, staring into space, staying in one position, moving very slowly?

C1600. Acute Onset Mental Status Change

Enter Code

Is there evidence of an acute change in mental status from the resident's baseline?

- 0. **No**
- 1. Yes

^{*} Adapted from Confusion Assessment Method. ©1988, 2003, Hospital Elder Life Program, LLC. Not to be reproduced without permission. All rights reserved.

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 93 of 183 Date

Section	D	Mood
D0100. S	Should Resident M	lood Interview be Conducted? - Attempt to conduct interview with all residents
Enter Code	(PHQ-9-OV)	s rarely/never understood) → Skip to and complete D0500-D0600, Staff Assessment of Resident Mood inue to D0200, Resident Mood Interview (PHQ-9©)

D0200. Resident Mood Interview (PHQ-9©)							
Say to resident: "Over the last 2 weeks, have you been bothered by any of the following problems?"							
If symptom is present, enter 1 (yes) in column 1, Symptom Presence. If yes in column 1, then ask the resident: "About how often have you been bothered by this?" Read and show the resident a card with the symptom frequency choices. Indicate response in column 2, Symptom Frequency.							
 Symptom Presence No (enter 0 in column 2) Yes (enter 0-3 in column 2) No response (leave column 2 blank) Symptom Frequency Never or 1 day 2-6 days (several days) 7-11 days (half or more of the days) 12-14 days (nearly every day) 	1. Symptom Presence	2. Symptom Frequency es in Boxes ↓					
A. Little interest or pleasure in doing things							
B. Feeling down, depressed, or hopeless							
C. Trouble falling or staying asleep, or sleeping too much							
D. Feeling tired or having little energy							
E. Poor appetite or overeating							
F. Feeling bad about yourself - or that you are a failure or have let yourself or your family down							
G. Trouble concentrating on things, such as reading the newspaper or watching television							
H. Moving or speaking so slowly that other people could have noticed. Or the opposite - being so fidgety or restless that you have been moving around a lot more than usual							
1. Thoughts that you would be better off dead, or of hurting yourself in some way							
D0300. Total Severity Score							
Add scores for all frequency responses in Column 2, Symptom Frequency. Total score must be between 00 and 27. Enter 99 if unable to complete interview (i.e., Symptom Frequency is blank for 3 or more items).							
D0350. Safety Notification - Complete only if D0200I1 = 1 indicating possibility of resident self harm							
Enter Code O. No 1. Yes							



Resident

Section D Mood						
D0500. Staff Assessment of Resident Mood (PHQ-9-OV*) Do not conduct if Resident Mood Interview (D0200-D0300) was completed						
Over the last 2 weeks, did the resident have any of the following problems or behaviors?						
If symptom is present, enter 1 (yes) in column 1, Symptom Presence.						
Then move to column 2, Symptom Frequency, and indicate symptom frequency.						
 Symptom Presence No (enter 0 in column 2) Yes (enter 0-3 in column 2) Yes (enter 0-3 in column 2) 2. Symptom Frequency Never or 1 day 2-6 days (several days) 7-11 days (half or more of the days) 	1. Symptom Presence	2. Symptom Frequency				
3. 12-14 days (nearly every day)	↓ Enter Scor	es in Boxes 🌡				
A. Little interest or pleasure in doing things						
B. Feeling or appearing down, depressed, or hopeless						
C. Trouble falling or staying asleep, or sleeping too much						
D. Feeling tired or having little energy						
E. Poor appetite or overeating						
F. Indicating that s/he feels bad about self, is a failure, or has let self or family down						
G. Trouble concentrating on things, such as reading the newspaper or watching television						
H. Moving or speaking so slowly that other people have noticed. Or the opposite - being so fidgety or restless that s/he has been moving around a lot more than usual						
I. States that life isn't worth living, wishes for death, or attempts to harm self						
J. Being short-tempered, easily annoyed						
D0600. Total Severity Score						
Add scores for all frequency responses in Column 2, Symptom Frequency. Total score must be between 00 and 30.						
D0650. Safety Notification - Complete only if D0500I1 = 1 indicating possibility of resident self has	arm					
Enter Code Was responsible staff or provider informed that there is a potential for resident self harm? 0. No						

1. **Yes**

^{*} Copyright © Pfizer Inc. All rights reserved.

Section E	Behavior							
E0100. Potential Indicators of Psychosis								
↓ Check all that apply								
A. Hallucinations (perceptual experiences in the absence of real external sensory stimuli)								
B. Delusions (misco	nceptions or beliefs t	hat are firi	nly h	eld, contrary to reality)				
Z. None of the abo	ve							
Behavioral Symptoms								
E0200. Behavioral Sympton	m - Presence & Fre	quency						
Note presence of symptoms ar	nd their frequency							
		↓ Ent	ter C	odes in Boxes				
Coding: 0. Behavior not exhibited			Α.	Physical behavioral symptoms directed toward others (e.g., hitting, kicking, pushing, scratching, grabbing, abusing others sexually)				
Behavior of this type occ Behavior of this type occ			B.	Verbal behavioral symptoms directed toward others (e.g., threatening others, screaming at others, cursing at others)				
but less than daily 3. Behavior of this type occ	·		C.	Other behavioral symptoms not directed toward others (e.g., physical symptoms such as hitting or scratching self, pacing, rummaging, public sexual acts, disrobing in public, throwing or smearing food or bodily wastes, or verbal/vocal symptoms like screaming, disruptive sounds)				
E0800. Rejection of Care - F	resence & Freque	ncy						
Did the resident reject evaluation or care (e.g., bloodwork, taking medications, ADL assistance) that is necessary to achieve the resident's goals for health and well-being? Do not include behaviors that have already been addressed (e.g., by discussion or care planning with the resident or family), and determined to be consistent with resident values, preferences, or goals. 0. Behavior not exhibited 1. Behavior of this type occurred 1 to 3 days 2. Behavior of this type occurred 4 to 6 days, but less than daily 3. Behavior of this type occurred daily								
E0900. Wandering - Presen	E0900. Wandering - Presence & Frequency							
Has the resident wandered? 0. Behavior not exhibited 1. Behavior of this type occurred 1 to 3 days 2. Behavior of this type occurred 4 to 6 days, but less than daily 3. Behavior of this type occurred daily								

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 96 of 183

Resident

Functional Status Section G G0110. Activities of Daily Living (ADL) Assistance

Refer to the ADL flow chart in the RAI manual to facilitate accurate coding

Instructions for Rule of 3

- When an activity occurs three times at any one given level, code that level.
- When an activity occurs three times at multiple levels, code the most dependent, exceptions are total dependence (4), activity must require full assist every time, and activity did not occur (8), activity must not have occurred at all. Example, three times extensive assistance (3) and three times limited assistance (2), code extensive assistance (3).
- When an activity occurs at various levels, but not three times at any given level, apply the following:
- When there is a combination of full staff performance, and extensive assistance, code extensive assistance.
- When there is a combination of full staff performance, weight bearing assistance and/or non-weight bearing assistance code limited assistance (2).

If none of the above are met, code supervision.

1. ADL Self-Performance

Code for **resident's performance** over all shifts - not including setup. If the ADL activity occurred 3 or more times at various levels of assistance, code the most dependent - except for total dependence, which requires full staff performance every time

Coding:

Activity Occurred 3 or More Times

- 0. Independent no help or staff oversight at any time
- 1. **Supervision** oversight, encouragement or cueing
- 2. Limited assistance resident highly involved in activity; staff provide guided maneuvering of limbs or other non-weight-bearing assistance
- 3. **Extensive assistance** resident involved in activity, staff provide weight-bearing support
- 4. Total dependence full staff performance every time during entire 7-day period
- **Activity Occurred 2 or Fewer Times** 7. Activity occurred only once or twice - activity did occur but only once or twice

2. ADL Support Provided

Code for **most support provided** over all shifts; code regardless of resident's selfperformance classification

Coding:

- 0. No setup or physical help from staff
- 1. Setup help only
- 2. **One** person physical assist
- 3. **Two+** persons physical assist
- 8. ADL activity itself did not occur or family and/or non-facility staff provided care 100% of the time for that activity over the entire 7-day period

	8. Activity did not occur - activity did not occur or family and/or non-facility staff provided	Self-Performance	Support
	care 100% of the time for that activity over the entire 7-day period	↓ Enter Code	es in Boxes 🗼
Α.	Bed mobility - how resident moves to and from lying position, turns side to side, and positions body while in bed or alternate sleep furniture		
В.	Transfer - how resident moves between surfaces including to or from: bed, chair, wheelchair, standing position (excludes to/from bath/toilet)		
c.	Walk in room - how resident walks between locations in his/her room		
D.	Walk in corridor - how resident walks in corridor on unit		
E.	Locomotion on unit - how resident moves between locations in his/her room and adjacent corridor on same floor. If in wheelchair, self-sufficiency once in chair		
F.	Locomotion off unit - how resident moves to and returns from off-unit locations (e.g., areas set aside for dining, activities or treatments). If facility has only one floor , how resident moves to and from distant areas on the floor. If in wheelchair, self-sufficiency once in chair		
G.	Dressing - how resident puts on, fastens and takes off all items of clothing, including donning/removing a prosthesis or TED hose. Dressing includes putting on and changing pajamas and housedresses		
Н.	Eating - how resident eats and drinks, regardless of skill. Do not include eating/drinking during medication pass. Includes intake of nourishment by other means (e.g., tube feeding, total parenteral nutrition, IV fluids administered for nutrition or hydration)		
	Toilet use - how resident uses the toilet room, commode, bedpan, or urinal; transfers on/off toilet; cleanses self after elimination; changes pad; manages ostomy or catheter; and adjusts clothes. Do not include emptying of bedpan, urinal, bedside commode, catheter bag or ostomy bag		
J.	Personal hygiene - how resident maintains personal hygiene, including combing hair, brushing teeth, shaving, applying makeup, washing/drying face and hands (excludes baths and showers)		

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 97 of 183 Date

Section G		Functional Status						
G0120. Bathing								
How resident tak	es full-body batl	h/shower, sponge bath, and transfers in/out of tub/shower (excludes washing of back and hair). Code for most						
dependent in se	lf-performance a	and support						
0. 1. 2. 3. 4.	Supervision - Physical help Physical help Total depende	- no help provided oversight help only limited to transfer only in part of bathing activity						

C1! -	11	Di- dd d D l								
Sectio	n H	Bladder and Bowel								
H0100. Appliances										
↓ Che	eck all that apply									
	A. Indwelling catheter (including suprapubic catheter and nephrostomy tube)									
	B. External catheter									
	C. Ostomy (inclu	ding urostomy, ileostomy, and colostomy)								
	D. Intermittent	catheterization								
	Z. None of the a	bove								
H0200. U	Jrinary Toileting	Program								
Enter Code	admission/ent 0. No → Sk 1. Yes → C	a toileting program (e.g., scheduled toileting, prompted voiding, or bladder training) been attempted on any or reentry or since urinary incontinence was noted in this facility? ip to H0300, Urinary Continence ontinue to H0200C, Current toileting program or trial								
	9. Unable to determine → Continue to H0200C, Current toileting program or trial									
Enter Code		ing program or trial - Is a toileting program (e.g., scheduled toileting, prompted voiding, or bladder training) currently manage the resident's urinary continence?								
H0300. U	Jrinary Continen	oce Control of the Co								
Enter Code	0. Always con 1. Occasiona 2. Frequently 3. Always inc	ce - Select the one category that best describes the resident ntinent lly incontinent (less than 7 episodes of incontinence) y incontinent (7 or more episodes of urinary incontinence, but at least one episode of continent voiding) continent (no episodes of continent voiding) resident had a catheter (indwelling, condom), urinary ostomy, or no urine output for the entire 7 days								
H0400. E	Bowel Continenc	e								
Enter Code	0. Always con 1. Occasiona 2. Frequently 3. Always inc	e - Select the one category that best describes the resident ntinent Illy incontinent (one episode of bowel incontinence) y incontinent (2 or more episodes of bowel incontinence, but at least one continent bowel movement) continent (no episodes of continent bowel movements) resident had an ostomy or did not have a bowel movement for the entire 7 days								
H0500. E	Bowel Toileting F	Program								
Enter Code	Is a toileting prog	gram currently being used to manage the resident's bowel continence?								

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 98 of 183

esi	dent		Identifier	Date
Se	ection I		Active Diagnoses	
Ac	tive Diagn	oses in the last	7 days - Check all that apply	
Dia	agnoses liste	d in parentheses a	re provided as examples and should not be considered as all-inclusive lists	
	110000	Circulation		
		<u> </u>	llar Disease (PVD) or Peripheral Arterial Disease (PAD)	
_	Genito			
L	_ I1550.	Neurogenic Blad	der	
] I1650.	Obstructive Uro	pathy	
	Infection	ons		
	I2000.	Pneumonia		
] I2100.	Septicemia		
	12300.	Urinary Tract Inf	ection (UTI) (LAST 30 DAYS)	
	Metabo	olic		
	12900.	Diabetes Mellitu	s (DM) (e.g., diabetic retinopathy, nephropathy, and neuropathy)	
	Neurol			
	14400.	Cerebral Palsy		
	14900.	Hemiplegia or H	emiparesis	
	I5100.	Quadriplegia		
Г	15200.	Multiple Sclerosi	is (MS)	
F	15250.	Huntington's Dis	sease	
F		Parkinson's Dise		
F	_	Tourette's Syndr		
L	Nutritio			
Г			otein or calorie) or at risk for malnutrition	
	_	atric/Mood Disord		
Г		Anxiety Disorde		
Ī	_	•	n (bipolar disease)	
F		-	ler (other than schizophrenia)	
	_	•	.g., schizoaffective and schizophreniform disorders)	

16200. Asthma, Chronic Obstructive Pulmonary Disease (COPD), or Chronic Lung Disease (e.g., chronic bronchitis and restrictive lung

16100. Post Traumatic Stress Disorder (PTSD)

diseases such as asbestosis)

16300. Respiratory Failure

Pulmonary

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 99 of 183 Date

Section I	Active Diagnoses		
Active Diagnoses in t	the last 7 days - Continued		
Other			
	nal active diagnoses on line and ICD code in boxes. Include the de	cimal for the code in the appropriate box	ζ.
A			
В			
F			
I.			
J			

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 100 of 183

Resident	Identifier Date
Section J	Health Conditions
J0100. Pain Management -	Complete for all residents, regardless of current pain level
At any time in the last 5 days, ha	
0. No 1. Yes	lled pain medication regimen? in medications OR was offered and declined?
0. No 1. Yes	edication intervention for pain?
0. No 1. Yes	
IO200 Should Pain Assess	ment Interview be Conducted?
	w with all residents. If resident is comatose, skip to J1100, Shortness of Breath (dyspnea)
	rarely/never understood) → Skip to J1100, Shortness of Breath nue to J0300, Pain Presence
Pain Assessment Interv	/iew
J0300. Pain Presence	
<u> </u>	e you had pain or hurting at any time in the last 5 days?"
	o to J1100, Shortness of Breath ntinue to J0400, Pain Frequency
	answer → Skip to J1100, Shortness of Breath
J0400. Pain Frequency	
	w much of the time have you experienced pain or hurting over the last 5 days?"
1. Almost cor 2. Frequently	· · · · · · · · · · · · · · · · · · ·
3. Occasiona	
4. Rarely	
9. Unable to	
J0500. Pain Effect on Fu	
Enter Code	Over the past 5 days, has pain made it hard for you to sleep at night ?"
0. No 1. Yes	
9. Unable to a	inswer
	Over the past 5 days, have you limited your day-to-day activities because of pain?"
Enter Code 0. No	
1. Yes 9. Unable to a	inswer
	dminister ONLY ONE of the following pain intensity questions (A or B)
A. Numeric Ratin	
	Please rate your worst pain over the last 5 days on a zero to ten scale, with zero being no pain and ten
	ain you can imagine." (Show resident 00 -10 pain scale)
	t response. Enter 99 if unable to answer.
B. Verbal Descrip	
Ask resident: "Ask re	Please rate the intensity of your worst pain over the last 5 days." (Show resident verbal scale)
2. Moderate	
3. Severe	
4. Very sever	
9. Unable to a	inswer

Sectio	n J	Health Conditions				
Other H	Other Health Conditions					
J1100. S	hortness of Breath	(dyspnea)				
↓ Ch	eck all that apply					
A. Shortness of breath or trouble breathing with exertion (e.g., walking, bathing, transferring)						
	B. Shortness of brea	B. Shortness of breath or trouble breathing when sitting at rest				
	C. Shortness of breath or trouble breathing when lying flat					
	Z. None of the abov	re				
J1400. P	Prognosis					
Enter Code	Does the resident have documentation) 0. No 1. Yes	re a condition or chronic disease that may result in a life expectancy of less than 6 months? (Requires physician				
J1550. P	roblem Conditions					
↓ Ch	eck all that apply					
	A. Fever					
	B. Vomiting					
	C. Dehydrated					
	D. Internal bleeding					
	Z. None of the above					
J1800. A	•	ission/Entry or Reentry or Prior Assessment (OBRA or Scheduled PPS), whichever is more recent				
Has the resident had any falls since admission/entry or reentry or the prior assessment (OBRA or scheduled PPS), whichever is no recent? 0. No → Skip to K0200, Height and Weight 1. Yes → Continue to J1900, Number of Falls Since Admission/Entry or Reentry or Prior Assessment (OBRA or Scheduled PPS)						
J1900. N	lumber of Falls Sinc	e Admission/Entry or Reentry or Prior Assessment (OBRA or Scheduled PPS), whichever is more recent				
		↓ Enter Codes in Boxes				
Coding:		A. No injury - no evidence of any injury is noted on physical assessment by the nurse or primary care clinician; no complaints of pain or injury by the resident; no change in the resident's behavior is noted after the fall				
0. Nor 1. One 2. Two		B. Injury (except major) - skin tears, abrasions, lacerations, superficial bruises, hematomas and sprains; or any fall-related injury that causes the resident to complain of pain				
		C. Major injury - bone fractures, joint dislocations, closed head injuries with altered consciousness, subdural hematoma				

Case 7:17-cv-09424-CS Document 13-3, Filed 06/02/21 Page 102 of 183 Resident **Swallowing/Nutritional Status** Section K K0200. Height and Weight - While measuring, if the number is X.1 - X.4 round down; X.5 or greater round up A. Height (in inches). Record most recent height measure since admission/entry or reentry B. Weight (in pounds). Base weight on most recent measure in last 30 days; measure weight consistently, according to standard facility practice (e.g., in a.m. after voiding, before meal, with shoes off, etc.) pounds K0300. Weight Loss Loss of 5% or more in the last month or loss of 10% or more in last 6 months **Enter Code** 0. **No** or unknown 1. Yes, on physician-prescribed weight-loss regimen 2. Yes, not on physician-prescribed weight-loss regimen K0310. Weight Gain Gain of 5% or more in the last month or gain of 10% or more in last 6 months **Enter Code** 0. No or unknown 1. Yes, on physician-prescribed weight-gain regimen 2. Yes, not on physician-prescribed weight-gain regimen **K0510. Nutritional Approaches** Check all of the following nutritional approaches that were performed during the last 7 days Performed while NOT a resident of this facility and within the last 7 days. Only check column 1 if 2. 1. resident entered (admission or reentry) IN THE LAST 7 DAYS. If resident last entered 7 or more days While NOT a While a ago, leave column 1 blank Resident Resident 2. While a Resident Performed while a resident of this facility and within the last 7 days , Check all that apply A. Parenteral/IV feeding **B. Feeding tube** - nasogastric or abdominal (PEG) Mechanically altered diet - require change in texture of food or liquids (e.g., pureed food, thickened liquids) **D. Therapeutic diet** (e.g., low salt, diabetic, low cholesterol) Z. None of the above K0710. Percent Intake by Artificial Route - Complete K0710 only if Column 1 and/or Column 2 are checked for K0510A and/or K0510B

Performed while NOT a resident of this facility and within the last 7 days. Only enter a code in column 1 if resident entered (admission or reentry) IN THE LAST 7 DAYS. If resident last entered 7 or more days ago, leave column 1 blank 2. While a Resident Performed while a resident of this facility and within the last 7 days 3. During Entire 7 Days	1. While NOT a Resident	2. While a Resident	3. During Entire 7 Days
Performed during the entire <i>last 7 days</i>	+	Enter Codes	\
 A. Proportion of total calories the resident received through parenteral or tube feeding 1. 25% or less 2. 26-50% 3. 51% or more 			
B. Average fluid intake per day by IV or tube feeding 1. 500 cc/day or less 2. 501 cc/day or more			

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 103 of 183 $_{\mathrm{Date}}$

Resident _

Section M Skin Conditions

Report based on highest stage of existing ulcer(s) at its worst; do not "reverse" stage

M0100.	M0100. Determination of Pressure Ulcer Risk					
↓ Cł	↓ Check all that apply					
	A.	Resident has a stage 1 or greater, a scar over bony prominence, or a non-removable dressing/device				
M0210.	Unl	nealed Pressure Ulcer(s)				
Enter Code	Do	pes this resident have one or more unhealed pressure ulcer(s) at Stage 1 or higher?				
		 No → Skip to M0900, Healed Pressure Ulcers Yes → Continue to M0300, Current Number of Unhealed Pressure Ulcers at Each Stage 				
M0300.	Cur	rent Number of Unhealed Pressure Ulcers at Each Stage				
Enter Numbe		Stage 2: Partial thickness loss of dermis presenting as a shallow open ulcer with a red or pink wound bed, without slough. May also present as an intact or open/ruptured blister				
		1. Number of Stage 2 pressure ulcers				
Enter Numbe		Stage 3: Full thickness tissue loss. Subcutaneous fat may be visible but bone, tendon or muscle is not exposed. Slough may be present but does not obscure the depth of tissue loss. May include undermining and tunneling				
		1. Number of Stage 3 pressure ulcers				
Enter Numbe		Stage 4: Full thickness tissue loss with exposed bone, tendon or muscle. Slough or eschar may be present on some parts of the wound bed. Often includes undermining and tunneling				
		1. Number of Stage 4 pressure ulcers				
	E.	Unstageable - Non-removable dressing: Known but not stageable due to non-removable dressing/device				
Enter Numbe	r	1. Number of unstageable pressure ulcers due to non-removable dressing/device				
	F.	Unstageable - Slough and/or eschar: Known but not stageable due to coverage of wound bed by slough and/or eschar				
Enter Numbe	r	1. Number of unstageable pressure ulcers due to coverage of wound bed by slough and/or eschar				
	G.	Unstageable - Deep tissue: Suspected deep tissue injury in evolution				
Enter Numbe	r	1. Number of unstageable pressure ulcers with suspected deep tissue injury in evolution - If 0 → Skip to M0610, Dimension of Unhealed Stage 3 or 4 Pressure Ulcers or Eschar				
Enter Numbe	r	2. Number of these unstageable pressure ulcers that were present at time of admission/entry or reentry - enter how many were noted at the time of admission/entry or reentry				
		nensions of Unhealed Stage 3 or 4 Pressure Ulcers or Eschar oly if M0300C1, M0300D1 or M0300F1 is greater than 0				
If the resi	dent	has one or more unhealed Stage 3 or 4 pressure ulcers or an unstageable pressure ulcer due to slough or eschar, identify the pressure largest surface area (length x width) and record in centimeters:				
].[A. Pressure ulcer length: Longest length from head to toe				
].[B. Pressure ulcer width: Widest width of the same pressure ulcer, side-to-side perpendicular (90-degree angle) to length				
].[C. Pressure ulcer depth: Depth of the same pressure ulcer from the visible surface to the deepest area (if depth is unknown, enter a dash in each box)				

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 104 of 183 Date

Section M Skin Conditions						
	M0800. Worsening in Pressure Ulcer Status Since Prior Assessment (OBRA or Scheduled PPS) or Last Admission/Entry or Reentry Complete only if A0310E = 0					
Indicate the	ne number of current pressure ulcers that were not present or were at a lesser stage on prior assessment (OBRA or scheduled PPS) or last /entry or reentry. If no current pressure ulcer at a given stage, enter 0					
Enter Number	A. Stage 2					
Enter Number	B. Stage 3					
Enter Number	C. Stage 4					
	Healed Pressure Ulcers					
· ·	e only if A0310E = 0 A. Were pressure ulcers present on the prior assessment (OBRA or scheduled PPS)?					
Enter Code	 0. No → Skip to M1030, Number of Venous and Arterial Ulcers 1. Yes → Continue to M0900B, Stage 2 					
	Indicate the number of pressure ulcers that were noted on the prior assessment (OBRA or scheduled PPS) that have completely closed (resurfaced with epithelium). If no healed pressure ulcer at a given stage since the prior assessment (OBRA or scheduled PPS), enter 0.					
Enter Number	B. Stage 2					
Enter Number	C. Stage 3					
Enter Number	D. Stage 4					
M1030.	Number of Venous and Arterial Ulcers					
Enter Number	Enter the total number of venous and arterial ulcers present					
M1040. Other Ulcers, Wounds and Skin Problems						
↓ Cł	neck all that apply					
	Foot Problems					
	A. Infection of the foot (e.g., cellulitis, purulent drainage)					
	B. Diabetic foot ulcer(s)					
	C. Other open lesion(s) on the foot					
	Other Problems					
	D. Open lesion(s) other than ulcers, rashes, cuts (e.g., cancer lesion)					
	E. Surgical wound(s)					
	F. Burn(s) (second or third degree)					
	G. Skin tear(s)					
	H. Moisture Associated Skin Damage (MASD) (i.e. incontinence (IAD), perspiration, drainage)					
	None of the Above					
	Z. None of the above were present					

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 105 of 183 Date

		Tuchine Duc				
Section M Skin Conditions						
M1200.	M1200. Skin and Ulcer Treatments					
↓ ci	neck all that apply					
	A. Pressure reducir	ng device for chair				
	B. Pressure reducir	ng device for bed				
	C. Turning/repositi	oning program				
	D. Nutrition or hydi	ration intervention to manage skin problems				
	E. Pressure ulcer ca	ire				
	F. Surgical wound	care				
	G. Application of n	onsurgical dressings (with or without topical medications) other than to feet				
	H. Applications of	pintments/medications other than to feet				
	I. Application of di	ressings to feet (with or without topical medications)				
	Z. None of the above	ve were provided				
a	.					
Sectio		Medications				
N0300. I	njections					
Enter Days		per of days that injections of any type were received during the last 7 days or since admission/entry or reentry if less → Skip to N0410, Medications Received				
N0350. I	nsulin					
Enter Days	A. Insulin injection or reentry if less t	s - Record the number of days that insulin injections were received during the last 7 days or since admission/entry han 7 days				
Enter Days		n - Record the number of days the physician (or authorized assistant or practitioner) changed the resident's uring the last 7 days or since admission/entry or reentry if less than 7 days				
N0410. I	Medications Receiv	ed				
		the resident received the following medications during the last 7 days or since admission/entry or reentry if less tion was not received by the resident during the last 7 days				
Enter Days	A. Antipsychotic					
Enter Days	B. Antianxiety					
Enter Days	C. Antidepressant					
Enter Days	D. Hypnotic					
Enter Days	E. Anticoagulant (v	varfarin, heparin, or low-molecular weight heparin)				
Enter Days	F. Antibiotic					
Enter Days	G. Diuretic					

Section O Special Treatments, Procedures, and Programs					
00100. Special Treatment	s, procedures, and Programs				
Check all of the following treatr	nents, procedures, and programs that were performed during the last 14 day	'S			
1. While NOT a Resident Performed while NOT a resident of this facility and within the last 14 days. Only check column 1 if resident entered (admission or reentry) IN THE LAST 14 DAYS. If resident last entered 14 or more days ago, leave column 1 blank 2. While a Resident Resident Resident					
	of this facility and within the <i>last 14 days</i>	↓ Check all	that apply ↓		
Cancer Treatments		_			
A. Chemotherapy					
B. Radiation			Ш		
Respiratory Treatments C. Oxygen therapy		_			
1.7					
E. Tracheostomy care					
F. Ventilator or respirator					
Other H. IV medications					
I. Transfusions					
J. Dialysis					
K. Hospice care					
M. Isolation or quarantine fo precautions)	M. Isolation or quarantine for active infectious disease (does not include standard body/fluid precautions)				
O0250. Influenza Vaccine	Refer to current version of RAI manual for current influenza vaccinati	on season and repo	orting period		
Zinter coure	t receive the influenza vaccine in this facility for this year's influenza vaccina	ation season?			
	to O0250C, If influenza vaccine not received, state reason ntinue to O0250B, Date influenza vaccine received				
B. Date influenza	vaccine received → Complete date and skip to O0300A, Is the resident's Pn Day Year	eumococcal vaccinati	on up to date?		
1. Resident no 2. Received ou 3. Not eligible 4. Offered and 5. Not offered	obtain influenza vaccine due to a declared shortage				
O0300. Pneumococcal Vaccine					
0. No →Conf	A. Is the resident's Pneumococcal vaccination up to date? 0. No → Continue to O0300B, If Pneumococcal vaccine not received, state reason 1. Yes → Skip to O0400, Therapies				
Enter Code B. If Pneumococca	l vaccine not received, state reason: - medical contraindication				

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 107 of 183 Date

Resident

Special Treatments, Procedures, and Programs Section O 00400. Therapies A. Speech-Language Pathology and Audiology Services **Enter Number of Minutes** 1. Individual minutes - record the total number of minutes this therapy was administered to the resident individually in the last 7 days **Enter Number of Minutes** 2. Concurrent minutes - record the total number of minutes this therapy was administered to the resident concurrently with one other resident in the last 7 days Enter Number of Minutes 3. Group minutes - record the total number of minutes this therapy was administered to the resident as part of a group of residents in the last 7 days If the sum of individual, concurrent, and group minutes is zero, → skip to 00400A5, Therapy start date **Enter Number of Minutes 3A.** Co-treatment minutes - record the total number of minutes this therapy was administered to the resident in co-treatment sessions in the last 7 days **Enter Number of Days** 4. Days - record the number of days this therapy was administered for at least 15 minutes a day in the last 7 days **6. Therapy end date** - record the date the most recent **5. Therapy start date** - record the date the most recent therapy regimen (since the most recent entry) ended therapy regimen (since the most recent entry) started - enter dashes if therapy is ongoing Month Dav Year Month Day Year **B.** Occupational Therapy **Enter Number of Minutes** 1. Individual minutes - record the total number of minutes this therapy was administered to the resident individually in the last 7 days Enter Number of Minutes 2. Concurrent minutes - record the total number of minutes this therapy was administered to the resident concurrently with one other resident in the last 7 days **Enter Number of Minutes** 3. Group minutes - record the total number of minutes this therapy was administered to the resident as part of a group of residents in the last 7 days If the sum of individual, concurrent, and group minutes is zero, → skip to O0400B5, Therapy start date Enter Number of Minutes **3A.** Co-treatment minutes - record the total number of minutes this therapy was administered to the resident in co-treatment sessions in the last 7 days **Enter Number of Days** 4. Days - record the number of days this therapy was administered for at least 15 minutes a day in the last 7 days **6. Therapy end date** - record the date the most recent **5. Therapy start date** - record the date the most recent therapy regimen (since the most recent entry) ended therapy regimen (since the most recent entry) started - enter dashes if therapy is ongoing

Year

Month

Day

Year

00400 continued on next page

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 108 of 183

Resident

Special Treatments, Procedures, and Programs Section O **O0400. Therapies** - Continued C. Physical Therapy **Enter Number of Minutes** 1. Individual minutes - record the total number of minutes this therapy was administered to the resident individually in the last 7 days **Enter Number of Minutes** 2. Concurrent minutes - record the total number of minutes this therapy was administered to the resident concurrently with one other resident in the last 7 days Enter Number of Minutes 3. Group minutes - record the total number of minutes this therapy was administered to the resident as part of a group of residents in the last 7 days If the sum of individual, concurrent, and group minutes is zero, → skip to O0400C5, Therapy start date **Enter Number of Minutes** 3A. Co-treatment minutes - record the total number of minutes this therapy was administered to the resident in co-treatment sessions in the last 7 days Enter Number of Days 4. Days - record the number of days this therapy was administered for at least 15 minutes a day in the last 7 days **6. Therapy end date** - record the date the most recent **5. Therapy start date** - record the date the most recent therapy regimen (since the most recent entry) ended therapy regimen (since the most recent entry) started - enter dashes if therapy is ongoing Month Dav Year Month Day Year D. Respiratory Therapy **Enter Number of Days** 2. Days - record the number of days this therapy was administered for at least 15 minutes a day in the last 7 days **00420. Distinct Calendar Days of Therapy Enter Number of Days** Record the number of calendar days that the resident received Speech-Language Pathology and Audiology Services, Occupational Therapy, or Physical Therapy for at least 15 minutes in the past 7 days. **O0450.** Resumption of Therapy - Complete only if A0310C = 2 or 3 and A0310F = 99 A. Has a previous rehabilitation therapy regimen (speech, occupational, and/or physical therapy) ended, as reported on this End of **Enter Code** Therapy OMRA, and has this regimen now resumed at exactly the same level for each discipline? 0. **No** → Skip to O0500, Restorative Nursing Programs 1. **Yes** B. Date on which therapy regimen resumed:

Month

Day

Year

Sectio	n O	Special Treatments	s, Pr	ocedures, and Programs		
O0500. F	O0500. Restorative Nursing Programs					
Record the number of days each of the following restorative pro (enter 0 if none or less than 15 minutes daily)				was performed (for at least 15 minutes a day) in the last 7 calendar days		
Number of Days	Technique					
	A. Range of motion (passive)					
	B. Range of motion	ı (active)				
	C. Splint or brace a	ssistance				
Number of Days	Training and Skill P	ractice In:				
	D. Bed mobility					
	E. Transfer					
	F. Walking					
	G. Dressing and/or	grooming				
	H. Eating and/or sv	vallowing				
	I. Amputation/pro	stheses care				
	J. Communication					
Sectio	D	Doctypints				
		Restraints				
	Physical Restraints	ll mothod or physical or mochan	rical do	vice, material or equipment attached or adjacent to the resident's body that		
				ent or normal access to one's body		
			↓ En	nter Codes in Boxes		
				Used in Bed		
				A. Bed rail		
				B. Trunk restraint		
Cadina.				C. Limb restraint		
Coding: 0. Not	used d less than daily]		D. Other		
2. Used daily				Used in Chair or Out of Bed		
				E. Trunk restraint		
				F. Limb restraint		
				G. Chair prevents rising		
			\neg	H. Other		

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 110 of 183 Date

Section Q		Participation in Assessment and Goal Setting
Q0100. Partio	ipation in Ass	essment
		pated in assessment
). No I. Yes	
Entor Codo		cant other participated in assessment
	D. No L. Yes	
		no family or significant other
Fatar Cada	_	Illy authorized representative participated in assessment
). No	
	 Yes Resident has 	no guardian or legally authorized representative
Q0400. Disch	arge Plan	
Enter Code A. Is	s active dischar	ge planning already occurring for the resident to return to the community?
). No	
	l. Yes	
Q0600. Refer	ral	
Entar Cada		made to the Local Contact Agency? (Document reasons in resident's clinical record)
	 No - referral n No - referral is 	ot needed or may be needed (For more information see Appendix C, Care Area Assessment Resources #20)
	2. Yes - referral r	

Section X	Correction Request				
Identification of Record to I section, reproduce the informati	Complete Section X only if A0050 = 2 or 3 Identification of Record to be Modified/Inactivated - The following items identify the existing assessment record that is in error. In this section, reproduce the information EXACTLY as it appeared on the existing erroneous record, even if the information is incorrect. This information is necessary to locate the existing record in the National MDS Database.				
X0150. Type of Provider (A	0200 on existing record to be modified/inactivated)				
Type of provider 1. Nursing hom 2. Swing Bed	e (SNF/NF)				
X0200. Name of Resident (A	A0500 on existing record to be modified/inactivated)				
A. First name: C. Last name:					
X0300. Gender (A0800 on e	xisting record to be modified/inactivated)				
Enter Code 1. Male 2. Female					
X0400. Birth Date (A0900 or	n existing record to be modified/inactivated)				
Month -	Day Year				
X0500. Social Security Nun	nber (A0600A on existing record to be modified/inactivated)				
-	·				
X0600. Type of Assessment	t (A0310 on existing record to be modified/inactivated)				
01. Admission a 02. Quarterly re 03. Annual asse 04. Significant o 05. Significant o	change in status assessment correction to prior comprehensive assessment correction to prior quarterly assessment				
01. 5-day sched 02. 14-day sched 03. 30-day sched 04. 60-day sched 05. 90-day sched PPS Unschedule 07. Unschedule Not PPS Assessr 99. None of the	Assessments for a Medicare Part A Stay luled assessment duled assessment ed Assessments for a Medicare Part A Stay ed assessment used for PPS (OMRA, significant or clinical change, or significant correction assessment) ment above				
0. No 1. Start of thera 2. End of thera 3. Both Start an 4. Change of th	py assessment ad End of therapy assessment erapy assessment				
X0600 continued on nex	t page				

Section X	Correction Request						
X0600. Type of Assessment - Continued							
	D. Is this a Swing Bed clinical change assessment? Complete only if X0150 = 2 0. No						
01. Entry tracki 10. Discharge 11. Discharge	01. Entry tracking record 10. Discharge assessment-return not anticipated 11. Discharge assessment-return anticipated 12. Death in facility tracking record						
X0700. Date on existing red	cord to be modified/inactivated - Complete one only						
A. Assessment Ref	ference Date (A2300 on existing record to be modified/inactivated) - Complete only if X0600F = 99 Day Year						
	(A2000 on existing record to be modified/inactivated) - Complete only if X0600F = 10, 11, or 12 Day Year						
	00 on existing record to be modified/inactivated) - Complete only if X0600F = 01 Day Year						
Correction Attestation Sec	tion - Complete this section to explain and attest to the modification/inactivation request						
X0800. Correction Number	r						
Enter Number Enter the number of correction requests to modify/inactivate the existing record, including the present one							
X0900. Reasons for Modifi	cation - Complete only if Type of Record is to modify a record in error $(A0050 = 2)$						
↓ Check all that apply							
A. Transcription e	rror						
B. Data entry erro							
C. Software produ							
D. Item coding err							
	- Resumption (EOT-R) date						
	uiring modification ed, please specify:						
X1050. Reasons for Inactivation - Complete only if Type of Record is to inactivate a record in error (A0050 = 3)							
↓ Check all that apply							
A. Event did not o	ccur						
Z. Other error requirements of "Other" checken	uiring inactivation ed, please specify:						

Section X	Correction Request					
X1100. RN Assessment Coo	rdinator Attestation of Completion					
A. Attesting individ	Jual's first name:					
B. Attesting individ	lual's last name:					
C. Attesting individ	lual's title:					
D. Signature						
E. Attestation date	E. Attestation date					
Month -	Day Year					

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 114 of 183 Date

Section Z	Assessment Administration				
Z0100. Medicare Par	Z0100. Medicare Part A Billing				
A. Medicare	Part A HIPPS code (RUG group followed by assessment type indicator):				
B. RUG vers	ion code:				
	Nedicare Short Stay assessment?				
0. No					
	t A Non-Therapy Billing				
A. Medicare	A. Medicare Part A non-therapy HIPPS code (RUG group followed by assessment type indicator):				
B. RUG vers	ion code:				
Z0300. Insurance Billing					
A. RUG billi	ng code:				
B. RUG billi	ng version:				

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 115 of 183

Resident

Section Z Assessment Administration

Z0400. Signature of Persons Completing the Assessment or Entry Death Reporting

I certify that the accompanying information accurately reflects resident assessment information for this resident and that I collected or coordinated collection of this information on the dates specified. To the best of my knowledge, this information was collected in accordance with applicable Medicare and Medicaid requirements. I understand that this information is used as a basis for ensuring that residents receive appropriate and quality care, and as a basis for payment from federal funds. I further understand that payment of such federal funds and continued participation in the government-funded health care programs is conditioned on the accuracy and truthfulness of this information, and that I may be personally subject to or may subject my organization to substantial criminal, civil, and/or administrative penalties for submitting false information. I also certify that I am authorized to submit this information by this facility on its behalf.

authorized to submit this information by this facility on its beh	nalf.				
Signature	Title	Sections	Date Section Completed		
A.					
B.					
C.					
D.					
E.					
F.					
G.					
H.					
I.					
J.					
K.					
L.					
D500. Signature of RN Assessment Coordinator Verifying Assessment Completion					
A. Signature: B. Date RN Assessment Coordinator signed					
		sessment as complete: Month Day	/ear		

Legal Notice Regarding MDS 3.0 - Copyright 2011 United States of America and interRAI. This work may be freely used and distributed solely within the United States. Portions of the MDS 3.0 are under separate copyright protections; Pfizer Inc. holds the copyright for the PHQ-9; Confusion Assessment Method. © 1988, 2003, Hospital Elder Life Program. All rights reserved. Adapted from: Inouye SK et al. Ann Intern Med. 1990; 113:941-8. Both Pfizer Inc. and the Hospital Elder Life Program, LLC have granted permission to use these instruments in association with the MDS 3.0.

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 116 of 183 Date

MINIMUM DATA SET (MDS) - Version 3.0 RESIDENT ASSESSMENT AND CARE SCREENING

Nursing Home PPS (NP) Item Set

Sectio	n A Identification Information					
A0050. 1	Type of Record					
Enter Code	 Add new record → Continue to A0100, Facility Provider Numbers Modify existing record → Continue to A0100, Facility Provider Numbers Inactivate existing record → Skip to X0150, Type of Provider 					
A0100. F	Facility Provider Numbers					
	A. National Provider Identifier (NPI):					
	B. CMS Certification Number (CCN):					
	C. State Provider Number:					
A0200. 1	Type of Provider					
Enter Code	Type of provider 1. Nursing home (SNF/NF)					
	2. Swing Bed					
A0310. T	Type of Assessment					
Enter Code	A. Federal OBRA Reason for Assessment 01. Admission assessment (required by day 14)					
	02. Quarterly review assessment					
	03. Annual assessment 04. Significant change in status assessment 05. Significant correction to prior comprehensive assessment					
	06. Significant correction to prior quarterly assessment					
	99. None of the above					
Enter Code	B. PPS Assessment PPS Scheduled Assessments for a Medicare Part A Stay					
	01. 5-day scheduled assessment					
	02. 14-day scheduled assessment 03. 30-day scheduled assessment					
	04. 60-day scheduled assessment					
	05. 90-day scheduled assessment					
	PPS Unscheduled Assessments for a Medicare Part A Stay 07. Unscheduled assessment used for PPS (OMRA, significant or clinical change, or significant correction assessment)					
	Not PPS Assessment					
	99. None of the above					
Enter Code	C. PPS Other Medicare Required Assessment - OMRA 0. No					
	1. Start of therapy assessment					
	2. End of therapy assessment3. Both Start and End of therapy assessment					
	4. Change of therapy assessment					
Enter Code	D. Is this a Swing Bed clinical change assessment? Complete only if A0200 = 2					
	0. No 1. Yes					
A021	O continued on next page					
7031	o continued on next page					

Section A	Identification Information						
A0310. Type of Assessment - Continued							
Enter Code O. No 1. Yes							
01. Entry track 10. Discharge 11. Discharge	01. Entry tracking record 10. Discharge assessment-return not anticipated 11. Discharge assessment-return anticipated 12. Death in facility tracking record						
G. Type of discharge 1. Planned 2. Unplanned	rge - Complete only if A0310F = 10 or 11						
A0410. Unit Certification							
2. Unit is neit	her Medicare nor Medicaid certified and MDS data is not required by the State her Medicare nor Medicaid certified but MDS data is required by the State dicare and/or Medicaid certified						
A0500. Legal Name of Res	sident						
A. First name:	B. Middle initial:						
C. Last name:	D. Suffix:						
A0600. Social Security an	d Medicare Numbers						
A. Social Security	Number:						
B. Medicare num	ber (or comparable railroad insurance number):						
A0700. Medicaid Number	- Enter "+" if pending, "N" if not a Medicaid recipient						
A0800. Gender							
Enter Code 1. Male 2. Female							
A0900. Birth Date							
Month Day Year							
A1000. Race/Ethnicity							
↓ Check all that apply							
A. American Indi	an or Alaska Native						
B. Asian							
C. Black or Africa	n American						
D. Hispanic or La	tino						
E. Native Hawaiia	an or Other Pacific Islander						
F. White							

Sectio	n	A Identification Information			
A1100. I	Lan	nguage			
Enter Code		 Does the resident need or want an interpreter to communicate with a doctor or health care staff? No → Skip to A1200, Marital Status Yes → Specify in A1100B, Preferred language Unable to determine → Skip to A1200, Marital Status Preferred language: 			
A1200. I	Maı	arital Status			
Enter Code		 Never married Married Widowed Separated Divorced 			
A1300.		otional Resident Items			
	Α.	A. Medical record number:			
	, D				
	В.	. Room number:			
	ر	. Name by which resident prefers to be addressed:			
	-				
	D.	D. Lifetime occupation(s) - put "/" between two occupations:			
Most Red	cen	nt Admission/Entry or Reentry into this Facility			
A1600. I	Ent	try Date			
		Month Day Year			
A1700.	Тур	pe of Entry			
Enter Code		 Admission Reentry 			
A1800. I	Ent	tered From			
O1. Community (private home/apt., board/care, assisted living, group home) O2. Another nursing home or swing bed O3. Acute hospital O4. Psychiatric hospital O5. Inpatient rehabilitation facility O6. ID/DD facility O7. Hospice O9. Long Term Care Hospital (LTCH) O99. Other					
A1900.	Adr	lmission Date (Date this episode of care in this facility began)			
		Month Day Year			

Section A	Identification Information				
A2000. Discharge Date	2000. Discharge Date				
Complete only if A0310F = 10), 11, or 12				
Month -	Day Year				
A2100. Discharge Status					
Complete only if A0310F = 10					
02. Another nu 03. Acute hospi 04. Psychiatric 05. Inpatient re 06. ID/DD facili 07. Hospice 08. Deceased	hospital habilitation facility				
A2200. Previous Assessme Complete only if A0310A = 05	nt Reference Date for Significant Correction 5 or 06				
Month -	Day Year				
A2300. Assessment Refere	nce Date				
Observation end da	ate:				
Month -	Day Year				
A2400. Medicare Stay					
0. No → Skip t	t had a Medicare-covered stay since the most recent entry? o B0100, Comatose tinue to A2400B, Start date of most recent Medicare stay				
B. Start date of mo	ost recent Medicare stay:				
Month -	Day Year				
C. End date of mos	st recent Medicare stay - Enter dashes if stay is ongoing:				
Month -	Day Year				

Resident

Look back period for all items is 7 days unless another time frame is indicated

Section B	Hearing, Speech, and Vision				
B0100. Comatose					
0. No → Continu	Persistent vegetative state/no discernible consciousness 0. No → Continue to B0200, Hearing 1. Yes → Skip to G0110, Activities of Daily Living (ADL) Assistance				
B0200. Hearing					
0. Adequate - no 1. Minimal diffic 2. Moderate diff	Ability to hear (with hearing aid or hearing appliances if normally used) 0. Adequate - no difficulty in normal conversation, social interaction, listening to TV 1. Minimal difficulty - difficulty in some environments (e.g., when person speaks softly or setting is noisy) 2. Moderate difficulty - speaker has to increase volume and speak distinctly 3. Highly impaired - absence of useful hearing				
B0300. Hearing Aid					
Enter Code 0. No 1. Yes	hearing appliance used in completing B0200, Hearing				
B0600. Speech Clarity					
0. Clear speech 1. Unclear speech	Select best description of speech pattern 0. Clear speech - distinct intelligible words 1. Unclear speech - slurred or mumbled words 2. No speech - absence of spoken words				
B0700. Makes Self Understo	ood				
Ability to express ideas and wants, consider both verbal and non-verbal expression 0. Understood 1. Usually understood - difficulty communicating some words or finishing thoughts but is able if prompted or given time 2. Sometimes understood - ability is limited to making concrete requests 3. Rarely/never understood					
B0800. Ability To Understa	nd Others				
0. Understands 1. Usually under	al content, however able (with hearing aid or device if used) - clear comprehension rstands - misses some part/intent of message but comprehends most conversation nderstands - responds adequately to simple, direct communication only understands				
B1000. Vision					
0. Adequate - see 1. Impaired - see 2. Moderately ir 3. Highly impair	quate light (with glasses or other visual appliances) les fine detail, such as regular print in newspapers/books les large print, but not regular print in newspapers/books les large print, but not regular print in newspapers/books limited - limited vision; not able to see newspaper headlines but can identify objects led - object identification in question, but eyes appear to follow objects laired - no vision or sees only light, colors or shapes; eyes do not appear to follow objects				
B1200. Corrective Lenses					
Enter Code O. No 1. Yes	ontacts, glasses, or magnifying glass) used in completing B1000, Vision				

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 121 of 183 Date

nesident		Meritiner	
Section C		Cognitive Patterns	
	ould Brief Interv onduct interview v	iew for Mental Status (C0200-C0500) be Conducted? vith all residents	
		rarely/never understood) \longrightarrow Skip to and complete C0700-C1000, Staff Assessment for ue to C0200, Repetition of Three Words	Mental Status
Drief Inter	viou for Mon	tal Status (DIMS)	

Brief Interview for Mental Status (BIMS)			
C0200.	Repetition of Three Words		
Enter Code	Ask resident: "I am going to say three words for you to remember. Please repeat the words after I have said all three. The words are: sock, blue, and bed. Now tell me the three words." Number of words repeated after first attempt 0. None 1. One 2. Two 3. Three After the resident's first attempt, repeat the words using cues ("sock, something to wear; blue, a color; bed, a piece		
	of furniture"). You may repeat the words up to two more times.		
C0300.	Temporal Orientation (orientation to year, month, and day)		
Enter Code	Ask resident: "Please tell me what year it is right now." A. Able to report correct year 0. Missed by > 5 years or no answer 1. Missed by 2-5 years 2. Missed by 1 year 3. Correct		
Enter Code	Ask resident: "What month are we in right now?" B. Able to report correct month 0. Missed by > 1 month or no answer 1. Missed by 6 days to 1 month 2. Accurate within 5 days		
Enter Code	Ask resident: "What day of the week is today?" C. Able to report correct day of the week 0. Incorrect or no answer 1. Correct		
C0400.	Recall		
Enter Code	Ask resident: "Let's go back to an earlier question. What were those three words that I asked you to repeat?" If unable to remember a word, give cue (something to wear; a color; a piece of furniture) for that word. A. Able to recall "sock" O. No - could not recall 1. Yes, after cueing ("something to wear") 2. Yes, no cue required		
Enter Code	B. Able to recall "blue" 0. No - could not recall 1. Yes, after cueing ("a color") 2. Yes, no cue required		
Enter Code	C. Able to recall "bed" 0. No - could not recall 1. Yes, after cueing ("a piece of furniture") 2. Yes, no cue required		
C0500.	Summary Score		
Enter Score	Add scores for questions C0200-C0400 and fill in total score (00-15) Enter 99 if the resident was unable to complete the interview		

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 122 of 183 **Cognitive Patterns** C0600. Should the Staff Assessment for Mental Status (C0700 - C1000) be Conducted? 0. No (resident was able to complete interview) → Skip to C1300, Signs and Symptoms of Delirium 1. **Yes** (resident was unable to complete interview) → Continue to C0700, Short-term Memory OK **Staff Assessment for Mental Status** Do not conduct if Brief Interview for Mental Status (C0200-C0500) was completed C0700. Short-term Memory OK Seems or appears to recall after 5 minutes 0. Memory OK 1. Memory problem C0800. Long-term Memory OK Seems or appears to recall long past 0. Memory OK 1. Memory problem C0900. Memory/Recall Ability Check all that the resident was normally able to recall A. Current season B. Location of own room C. Staff names and faces D. That he or she is in a nursing home Z. None of the above were recalled C1000. Cognitive Skills for Daily Decision Making Made decisions regarding tasks of daily life 0. Independent - decisions consistent/reasonable 1. **Modified independence** - some difficulty in new situations only 2. **Moderately impaired** - decisions poor; cues/supervision required 3. **Severely impaired** - never/rarely made decisions Code after completing Brief Interview for Mental Status or Staff Assessment, and reviewing medical record **Enter Codes in Boxes** A. Inattention - Did the resident have difficulty focusing attention (easily distracted, out of touch or

Delirium

Enter Code

Resident

Section C

Enter Code

Enter Code

Enter Code

C1300. Signs and Symptoms of Delirium (from CAM©)*

Coding:

- 0. Behavior not present
- 1. Behavior continuously present, does not fluctuate
- 2. Behavior present, fluctuates (comes and goes, changes in severity)
- difficulty following what was said)?
- B. Disorganized thinking Was the resident's thinking disorganized or incoherent (rambling or irrelevant conversation, unclear or illogical flow of ideas, or unpredictable switching from subject to subject)?
- C. Altered level of consciousness Did the resident have altered level of consciousness (e.g., vigilant startled easily to any sound or touch; lethargic - repeatedly dozed off when being asked questions, but responded to voice or touch; stuporous - very difficult to arouse and keep aroused for the interview; comatose - could not be aroused)?
- D. Psychomotor retardation- Did the resident have an unusually decreased level of activity such as sluggishness, staring into space, staying in one position, moving very slowly?

C1600.	Acute	Onset	Mental	Status	Chang	ie

Enter Code

Is there evidence of an acute change in mental status from the resident's baseline?

- 1. Yes

^{*} Adapted from Confusion Assessment Method. ©1988, 2003, Hospital Elder Life Program, LLC. Not to be reproduced without permission. All rights reserved.

Section D		Mood
D0100. S	Should Resident M	lood Interview be Conducted? - Attempt to conduct interview with all residents
Enter Code	(PHQ-9-OV)	s rarely/never understood) → Skip to and complete D0500-D0600, Staff Assessment of Resident Mood inue to D0200, Resident Mood Interview (PHQ-9©)

D0200. Resident Mood Interview (PHQ-9©)						
Say to resident: "Over the last 2 weeks, have you been bothered by any of the following problems?"						
If symptom is present, enter 1 (yes) in column 1, Symptom Presence. If yes in column 1, then ask the resident: "About how often have you been bothered by this?" Read and show the resident a card with the symptom frequency choices. Indicate response in column 2, Symptom Frequency.						
 Symptom Presence No (enter 0 in column 2) Yes (enter 0-3 in column 2) No response (leave column 2 blank) Symptom Frequency Never or 1 day 2-6 days (several days) 7-11 days (half or more of the days) 12-14 days (nearly every day) 	1. Symptom Presence	2. Symptom Frequency es in Boxes ↓				
A. Little interest or pleasure in doing things						
B. Feeling down, depressed, or hopeless						
C. Trouble falling or staying asleep, or sleeping too much						
D. Feeling tired or having little energy						
E. Poor appetite or overeating						
F. Feeling bad about yourself - or that you are a failure or have let yourself or your family down						
G. Trouble concentrating on things, such as reading the newspaper or watching television						
H. Moving or speaking so slowly that other people could have noticed. Or the opposite - being so fidgety or restless that you have been moving around a lot more than usual						
I. Thoughts that you would be better off dead, or of hurting yourself in some way						
D0300. Total Severity Score						
Add scores for all frequency responses in Column 2, Symptom Frequency. Total score must be between 00 and 27. Enter 99 if unable to complete interview (i.e., Symptom Frequency is blank for 3 or more items).						
D0350. Safety Notification - Complete only if D0200I1 = 1 indicating possibility of resident self harm						
Enter Code O. No 1. Yes						



Res	i٨	on.	+

Section D Mood					
D0500. Staff Assessment of Resident Mood (PHQ-9-OV*) Do not conduct if Resident Mood Interview (D0200-D0300) was completed					
Over the last 2 weeks, did the resident have any of the following problems or behaviors?					
If symptom is present, enter 1 (yes) in column 1, Symptom Presence.					
Then move to column 2, Symptom Frequency, and indicate symptom frequency.					
1. Symptom Presence 0. No (enter 0 in column 2) 1. Yes (enter 0-3 in column 2) 2. Symptom Frequency 0. Never or 1 day 1. 2-6 days (several days) 2. 7-11 days (half or more of the days)	1. Symptom Presence	2. Symptom Frequency			
3. 12-14 days (nearly every day)	↓ Enter Scores in Boxes ↓				
A. Little interest or pleasure in doing things					
B. Feeling or appearing down, depressed, or hopeless					
C. Trouble falling or staying asleep, or sleeping too much					
D. Feeling tired or having little energy					
E. Poor appetite or overeating					
F. Indicating that s/he feels bad about self, is a failure, or has let self or family down					
G. Trouble concentrating on things, such as reading the newspaper or watching television					
H. Moving or speaking so slowly that other people have noticed. Or the opposite - being so fidgety or restless that s/he has been moving around a lot more than usual					
I. States that life isn't worth living, wishes for death, or attempts to harm self					
J. Being short-tempered, easily annoyed					
D0600. Total Severity Score					
Add scores for all frequency responses in Column 2, Symptom Frequency. Total score must be between 00 and 30.					
D0650. Safety Notification - Complete only if D0500I1 = 1 indicating possibility of resident self harm					
Enter Code O. No 1. Yes					

^{*} Copyright © Pfizer Inc. All rights reserved.

Section E	Behavior			
E0100. Potential Indicat	ors of Psychosis			
↓ Check all that apply				
A. Hallucination	ns (perceptual experience	es in the abse	nce of real external sensory stimuli)	
B. Delusions (m	isconceptions or beliefs t	hat are firmly	held, contrary to reality)	
Z. None of the a	bove			
Behavioral Symptoms				
E0200. Behavioral Symp	otom - Presence & Fre	quency		
Note presence of symptoms	s and their frequency			
		↓ Enter	Codes in Boxes	
Coding: 0. Behavior not exhibite	nd.	A	 Physical behavioral symptoms directed toward others (e.g., hitting, kicking, pushing, scratching, grabbing, abusing others sexually) 	
Behavior of this type of t	occurred 1 to 3 days	B.	 Verbal behavioral symptoms directed toward others (e.g., threatening others, screaming at others, cursing at others) 	
but less than daily 3. Behavior of this type occurred daily		C	Other behavioral symptoms not directed toward others (e.g., physical symptoms such as hitting or scratching self, pacing, rummaging, public sexual acts, disrobing in public, throwing or smearing food or bodily wastes, or verbal/vocal symptoms like screaming, disruptive sounds)	
E0800. Rejection of Care	e - Presence & Freque	ncy		
Enter Code Enter Code Behavior of this type occurred 1 to 3 days Behavior of this type occurred 4 to 6 days, but less than daily Behavior of this type occurred daily Did the resident reject evaluation or care (e.g., bloodwork, taking medications, ADL assistance) that is necessary to achieve the resident's goals for health and well-being? Do not include behaviors that have already been addressed (e.g., by discussion or care planning with the resident or family), and determined to be consistent with resident values, preferences, or goals. Did the resident reject evaluation or care (e.g., bloodwork, taking medications, ADL assistance) that is necessary to achieve the resident's goals for health and well-being? Do not include behaviors that have already been addressed (e.g., by discussion or care planning with the resident or family), and determined to be consistent with resident values, preferences, or goals. Did the resident reject evaluation or care (e.g., bloodwork, taking medications, ADL assistance) that is necessary to achieve the resident's goals for health and well-being? Do not include behaviors that have already been addressed (e.g., by discussion or care planning with the resident or family), and determined to be consistent with resident values, preferences, or goals. Did the resident's goals for health and well-being? Do not include behaviors that have already been addressed (e.g., by discussion or care planning with the resident or family), and determined to be consistent with resident values, preferences, or goals.				
E0900. Wandering - Presence & Frequency				
Has the resident wandered? 0. Behavior not exhibited 1. Behavior of this type occurred 1 to 3 days 2. Behavior of this type occurred 4 to 6 days, but less than daily 3. Behavior of this type occurred daily				

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 126 of 183

Resident

Functional Status Section G G0110. Activities of Daily Living (ADL) Assistance

Refer to the ADL flow chart in the RAI manual to facilitate accurate coding

Instructions for Rule of 3

- When an activity occurs three times at any one given level, code that level.
- When an activity occurs three times at multiple levels, code the most dependent, exceptions are total dependence (4), activity must require full assist every time, and activity did not occur (8), activity must not have occurred at all. Example, three times extensive assistance (3) and three times limited assistance (2), code extensive assistance (3).
- When an activity occurs at various levels, but not three times at any given level, apply the following:
- When there is a combination of full staff performance, and extensive assistance, code extensive assistance.
- When there is a combination of full staff performance, weight bearing assistance and/or non-weight bearing assistance code limited assistance (2).

If none of the above are met, code supervision.

1. ADL Self-Performance

Code for resident's performance over all shifts - not including setup. If the ADL activity occurred 3 or more times at various levels of assistance, code the most dependent - except for total dependence, which requires full staff performance every time

Coding:

Activity Occurred 3 or More Times

- 0. Independent no help or staff oversight at any time
- 1. **Supervision** oversight, encouragement or cueing
- 2. Limited assistance resident highly involved in activity; staff provide guided maneuvering of limbs or other non-weight-bearing assistance
- 3. **Extensive assistance** resident involved in activity, staff provide weight-bearing support
- 4. Total dependence full staff performance every time during entire 7-day period
 - **Activity Occurred 2 or Fewer Times** Activity occurred only once or twice - activity did occur but only once or twice

2. ADL Support Provided

Code for **most support provided** over all shifts; code regardless of resident's selfperformance classification

Coding:

- 0. **No** setup or physical help from staff
- 1. Setup help only
- 2. **One** person physical assist
- 3. **Two+** persons physical assist
- 8. ADL activity itself did not occur or family and/or non-facility staff provided care 100% of the time for that activity over the entire 7-day period

8. Activity did not occur - activity did not occur or family and/or non-facility staff provided care 100% of the time for that activity over the entire 7-day period 4. Bed mobility - how resident moves to and from lying position, turns side to side, and positions body while in bed or alternate sleep furniture 3. Transfer - how resident moves between surfaces including to or from: bed, chair, wheelchair, standing position (excludes to/from bath/toilet) C. Walk in room - how resident walks between locations in his/her room D. Walk in corridor - how resident moves between locations in his/her room and adjacent corridor on unit - how resident moves between locations in his/her room and adjacent corridor on same floor. If in wheelchair, self-sufficiency once in chair F. Locomotion off unit - how resident moves to and returns from off-unit locations (e.g., areas set aside for dining, activities or treatments). If facility has only one floor, how resident moves to and from distant areas on the floor. If in wheelchair, self-sufficiency once in chair G. Dressing - how resident puts on, fastens and takes off all items of clothing, including donning/removing a prosthesis or TED hose. Dressing includes putting on and changing pajamas and housedresses H. Eating - how resident eats and drinks, regardless of skill. Do not include eating/drinking during medication pass. Includes intake of nourishment by other means (e.g., tube feeding, total parenteral nutrition, IV fluids administered for nutrition or hydration) 1. Toilet use - how resident uses the toilet room, commode, bedpan, or urinal; transfers on/off toilet; cleanses self after elimination; changes pad; manages ostomy or catheter; and adjusts clothes. Do not include emptying of bedpan, urinal, bedside commode, catheter bag or ostomy bag 1. Personal hygiene - how resident maintains personal hygiene, including combing hair, brushing teeth, shaving, applying makeup, washing/drying face and hands (excludes baths and showers)		7. Activity occurred only office of twice - activity and occur but only office of twice	1.	۷.
A. Bed mobility - how resident moves to and from lying position, turns side to side, and positions body while in bed or alternate sleep furniture 3. Transfer - how resident moves between surfaces including to or from: bed, chair, wheelchair, standing position (excludes to/from bath/toilet) C. Walk in room - how resident walks between locations in his/her room D. Walk in corridor - how resident moves between locations in his/her room and adjacent corridor on same floor. If in wheelchair, self-sufficiency once in chair F. Locomotion off unit - how resident moves to and returns from off-unit locations (e.g., areas set aside for dining, activities or treatments). If facility has only one floor, how resident moves to and from distant areas on the floor. If in wheelchair, self-sufficiency once in chair G. Dressing - how resident puts on, fastens and takes off all items of clothing, including donning/removing a prosthesis or TED hose. Dressing includes putting on and changing pajamas and housedresses H. Eating - how resident eats and drinks, regardless of skill. Do not include eating/drinking during medication pass. Includes intake of nourishment by other means (e.g., tube feeding, total parenteral nutrition, Iv fluids administered for nutrition or hydration) Tollet use - how resident uses the toilet room, commode, bedpan, or urinal; transfers on/off toilet; cleanses self after elimination; changes pad; manages ostomy or catheter; and adjusts clothes. Do not include emptying of bedpan, urinal, bedside commode, catheter bag or ostomy bag D. Personal hygiene - how resident maintains personal hygiene, including combing hair, brushing teeth, shaving, applying makeup, washing/drying face and hands (excludes baths			Self-Performance	Support
positions body while in bed or alternate sleep furniture 3. Transfer - how resident moves between surfaces including to or from: bed, chair, wheelchair, standing position (excludes to/from bath/toilet) C. Walk in room - how resident walks between locations in his/her room D. Walk in corridor - how resident moves between locations in his/her room and adjacent corridor on same floor. If in wheelchair, self-sufficiency once in chair corridor of funit - how resident moves to and returns from off-unit locations (e.g., areas set aside for dining, activities or treatments). If facility has only one floor, how resident moves to and from distant areas on the floor. If in wheelchair, self-sufficiency once in chair moves to and from distant areas on the floor. If in wheelchair, self-sufficiency once in chair for passing - how resident puts on, fastens and takes off all items of clothing, including donning/removing a prosthesis or TED hose. Dressing includes putting on and changing pajamas and housedresses H. Eating - how resident eats and drinks, regardless of skill. Do not include eating/drinking during medication pass. Includes intake of nourishment by other means (e.g., tube feeding, total parenteral nutrition, IV fluids administered for nutrition or hydration) Toilet use - how resident uses the toilet room, commode, bedpan, or urinal; transfers on/off toilet; cleanses self after elimination; changes pad; manages ostomy or catheter; and adjusts clothes. Do not include emptying of bedpan, urinal, bedside commode, catheter bag or ostomy bag D. Personal hygiene - how resident maintains personal hygiene, including combing hair, brushing teeth, shaving, applying makeup, washing/drying face and hands (excludes baths		care 100% of the time for that activity over the entire 7-day period	↓ Enter Code	es in Boxes \downarrow
Standing position (excludes to/from bath/toilet) C. Walk in room - how resident walks between locations in his/her room D. Walk in corridor - how resident moves between locations in his/her room and adjacent corridor on same floor. If in wheelchair, self-sufficiency once in chair F. Locomotion off unit - how resident moves to and returns from off-unit locations (e.g., areas set aside for dining, activities or treatments). If facility has only one floor, how resident moves to and from distant areas on the floor. If in wheelchair, self-sufficiency once in chair G. Dressing - how resident puts on, fastens and takes off all items of clothing, including donning/removing a prosthesis or TED hose. Dressing includes putting on and changing pajamas and housedresses H. Eating - how resident eats and drinks, regardless of skill. Do not include eating/drinking during medication pass. Includes intake of nourishment by other means (e.g., tube feeding, total parenteral nutrition, IV fluids administered for nutrition or hydration) I. Toilet use - how resident uses the toilet room, commode, bedpan, or urinal; transfers on/off toilet; cleanses self after elimination; changes pad; manages ostomy or catheter; and adjusts clothes. Do not include emptying of bedpan, urinal, bedside commode, catheter bag or ostomy bag J. Personal hygiene - how resident maintains personal hygiene, including combing hair, brushing teeth, shaving, applying makeup, washing/drying face and hands (excludes baths	Α.	, , ,		
D. Walk in corridor - how resident walks in corridor on unit E. Locomotion on unit - how resident moves between locations in his/her room and adjacent corridor on same floor. If in wheelchair, self-sufficiency once in chair F. Locomotion off unit - how resident moves to and returns from off-unit locations (e.g., areas set aside for dining, activities or treatments). If facility has only one floor, how resident moves to and from distant areas on the floor. If in wheelchair, self-sufficiency once in chair G. Dressing - how resident puts on, fastens and takes off all items of clothing, including donning/removing a prosthesis or TED hose. Dressing includes putting on and changing pajamas and housedresses H. Eating - how resident eats and drinks, regardless of skill. Do not include eating/drinking during medication pass. Includes intake of nourishment by other means (e.g., tube feeding, total parenteral nutrition, IV fluids administered for nutrition or hydration) Toilet use - how resident uses the toilet room, commode, bedpan, or urinal; transfers on/off toilet; cleanses self after elimination; changes pad; manages ostomy or catheter; and adjusts clothes. Do not include emptying of bedpan, urinal, bedside commode, catheter bag or ostomy bag J. Personal hygiene - how resident maintains personal hygiene, including combing hair, brushing teeth, shaving, applying makeup, washing/drying face and hands (excludes baths	В.			
E. Locomotion on unit - how resident moves between locations in his/her room and adjacent corridor on same floor. If in wheelchair, self-sufficiency once in chair F. Locomotion off unit - how resident moves to and returns from off-unit locations (e.g., areas set aside for dining, activities or treatments). If facility has only one floor, how resident moves to and from distant areas on the floor. If in wheelchair, self-sufficiency once in chair G. Dressing - how resident puts on, fastens and takes off all items of clothing, including donning/removing a prosthesis or TED hose. Dressing includes putting on and changing pajamas and housedresses H. Eating - how resident eats and drinks, regardless of skill. Do not include eating/drinking during medication pass. Includes intake of nourishment by other means (e.g., tube feeding, total parenteral nutrition, IV fluids administered for nutrition or hydration) Toilet use - how resident uses the toilet room, commode, bedpan, or urinal; transfers on/off toilet; cleanses self after elimination; changes pad; manages ostomy or catheter; and adjusts clothes. Do not include emptying of bedpan, urinal, bedside commode, catheter bag or ostomy bag J. Personal hygiene - how resident maintains personal hygiene, including combing hair, brushing teeth, shaving, applying makeup, washing/drying face and hands (excludes baths	c.	Walk in room - how resident walks between locations in his/her room		
corridor on same floor. If in wheelchair, self-sufficiency once in chair F. Locomotion off unit - how resident moves to and returns from off-unit locations (e.g., areas set aside for dining, activities or treatments). If facility has only one floor, how resident moves to and from distant areas on the floor. If in wheelchair, self-sufficiency once in chair G. Dressing - how resident puts on, fastens and takes off all items of clothing, including donning/removing a prosthesis or TED hose. Dressing includes putting on and changing pajamas and housedresses H. Eating - how resident eats and drinks, regardless of skill. Do not include eating/drinking during medication pass. Includes intake of nourishment by other means (e.g., tube feeding, total parenteral nutrition, IV fluids administered for nutrition or hydration) Toilet use - how resident uses the toilet room, commode, bedpan, or urinal; transfers on/off toilet; cleanses self after elimination; changes pad; manages ostomy or catheter; and adjusts clothes. Do not include emptying of bedpan, urinal, bedside commode, catheter bag or ostomy bag J. Personal hygiene - how resident maintains personal hygiene, including combing hair, brushing teeth, shaving, applying makeup, washing/drying face and hands (excludes baths	D.	Walk in corridor - how resident walks in corridor on unit		
set aside for dining, activities or treatments). If facility has only one floor, how resident moves to and from distant areas on the floor. If in wheelchair, self-sufficiency once in chair G. Dressing - how resident puts on, fastens and takes off all items of clothing, including donning/removing a prosthesis or TED hose. Dressing includes putting on and changing pajamas and housedresses H. Eating - how resident eats and drinks, regardless of skill. Do not include eating/drinking during medication pass. Includes intake of nourishment by other means (e.g., tube feeding, total parenteral nutrition, IV fluids administered for nutrition or hydration) Toilet use - how resident uses the toilet room, commode, bedpan, or urinal; transfers on/off toilet; cleanses self after elimination; changes pad; manages ostomy or catheter; and adjusts clothes. Do not include emptying of bedpan, urinal, bedside commode, catheter bag or ostomy bag J. Personal hygiene - how resident maintains personal hygiene, including combing hair, brushing teeth, shaving, applying makeup, washing/drying face and hands (excludes baths	E.	· · · · · · · · · · · · · · · · · · ·		
donning/removing a prosthesis or TED hose. Dressing includes putting on and changing pajamas and housedresses H. Eating - how resident eats and drinks, regardless of skill. Do not include eating/drinking during medication pass. Includes intake of nourishment by other means (e.g., tube feeding, total parenteral nutrition, IV fluids administered for nutrition or hydration) Toilet use - how resident uses the toilet room, commode, bedpan, or urinal; transfers on/off toilet; cleanses self after elimination; changes pad; manages ostomy or catheter; and adjusts clothes. Do not include emptying of bedpan, urinal, bedside commode, catheter bag or ostomy bag J. Personal hygiene - how resident maintains personal hygiene, including combing hair, brushing teeth, shaving, applying makeup, washing/drying face and hands (excludes baths	F.	set aside for dining, activities or treatments). If facility has only one floor, how resident		
during medication pass. Includes intake of nourishment by other means (e.g., tube feeding, total parenteral nutrition, IV fluids administered for nutrition or hydration) Toilet use - how resident uses the toilet room, commode, bedpan, or urinal; transfers on/off toilet; cleanses self after elimination; changes pad; manages ostomy or catheter; and adjusts clothes. Do not include emptying of bedpan, urinal, bedside commode, catheter bag or ostomy bag Personal hygiene - how resident maintains personal hygiene, including combing hair, brushing teeth, shaving, applying makeup, washing/drying face and hands (excludes baths	G.	donning/removing a prosthesis or TED hose. Dressing includes putting on and changing		
toilet; cleanses self after elimination; changes pad; manages ostomy or catheter; and adjusts clothes. Do not include emptying of bedpan, urinal, bedside commode, catheter bag or ostomy bag J. Personal hygiene - how resident maintains personal hygiene, including combing hair, brushing teeth, shaving, applying makeup, washing/drying face and hands (excludes baths	Н.	during medication pass. Includes intake of nourishment by other means (e.g., tube feeding,		
brushing teeth, shaving, applying makeup, washing/drying face and hands (excludes baths		toilet; cleanses self after elimination; changes pad; manages ostomy or catheter; and adjusts clothes. Do not include emptying of bedpan, urinal, bedside commode, catheter bag or		
	J.	brushing teeth, shaving, applying makeup, washing/drying face and hands (excludes baths		

Section G	Section G Functional Status			
G0120. Bathing				
		transfers	in/out of tub/shower (excludes washing of back and hair). Code for most	
A. Self-performance 0. Independent 1. Supervision - 2. Physical help 3. Physical help 4. Total depend 8. Activity itself 7-day period	Enter Code Find the Code A. Self-performance and support			
B. Support provide		G0110 co	lumn 2, ADL Support Provided, above)	
G0300. Balance During Tra	nsitions and Walking			
After observing the resident, coc	de the following walking an	d transiti	on items for most dependent	
		Ų Ei	nter Codes in Boxes	
Coding:			A. Moving from seated to standing position	
O. Steady at all times Not steady, but <u>able</u> to st	tabilize without staff		B. Walking (with assistive device if used)	
assistance 2. Not steady, <u>only able</u> to sassistance	stabilize with staff		C. Turning around and facing the opposite direction while walking	
8. Activity did not occur			D. Moving on and off toilet	
			E. Surface-to-surface transfer (transfer between bed and chair or wheelchair)	
G0400. Functional Limitation	on in Range of Motion			
Code for limitation that interfer	red with daily functions or pla	ced resid	ent at risk of injury	
Coding:		Ų Ei	nter Codes in Boxes	
No impairment Impairment on one side			A. Upper extremity (shoulder, elbow, wrist, hand)	
2. Impairment on both side	es		B. Lower extremity (hip, knee, ankle, foot)	
G0600. Mobility Devices				
↓ Check all that were norn	nally used			
A. Cane/crutch				
B. Walker				
C. Wheelchair (mar	nual or electric)			
D. Limb prosthesis				
Z. None of the above	ve were used			

Sectio	n H	Bladder and Bowel
H0100.	Appliances	
↓ Che	eck all that apply	
	A. Indwelling cathe	eter (including suprapubic catheter and nephrostomy tube)
	B. External cathete	r
	C. Ostomy (includin	g urostomy, ileostomy, and colostomy)
	D. Intermittent catl	heterization
	Z. None of the abov	ve
H0200. U	Urinary Toileting Pr	rogram
Enter Code	admission/entry of the state o	bileting program (e.g., scheduled toileting, prompted voiding, or bladder training) been attempted on or reentry or since urinary incontinence was noted in this facility? to H0300, Urinary Continence tinue to H0200C, Current toileting program or trial etermine → Continue to H0200C, Current toileting program or trial
Enter Code	being used to ma 0. No 1. Yes	program or trial - Is a toileting program (e.g., scheduled toileting, prompted voiding, or bladder training) currently inage the resident's urinary continence?
H0300. U	Urinary Continence	
Enter Code	0. Always continuous 1. Occasionally 2. Frequently in 3. Always incon	- Select the one category that best describes the resident nent incontinent (less than 7 episodes of incontinence) incontinent (7 or more episodes of urinary incontinence, but at least one episode of continent voiding) itinent (no episodes of continent voiding) sident had a catheter (indwelling, condom), urinary ostomy, or no urine output for the entire 7 days
H0400. I	Bowel Continence	
Enter Code	0. Always contil 1. Occasionally 2. Frequently in 3. Always incon	Select the one category that best describes the resident nent incontinent (one episode of bowel incontinence) (one episodes of bowel incontinence, but at least one continent bowel movement) tinent (no episodes of continent bowel movements) (sident had an ostomy or did not have a bowel movement for the entire 7 days
H0500. I	Bowel Toileting Pro	gram
Enter Code	Is a toileting progra 0. No 1. Yes	m currently being used to manage the resident's bowel continence?

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 129 of 183 Date

Sect	ion I	Active Diagnoses
Active	Diagn	oses in the last 7 days - Check all that apply
	_	d in parentheses are provided as examples and should not be considered as all-inclusive lists
	Heart/0	Circulation
	10200.	Anemia (e.g., aplastic, iron deficiency, pernicious, and sickle cell)
	10600.	Heart Failure (e.g., congestive heart failure (CHF) and pulmonary edema)
	10700.	Hypertension
	10800.	Orthostatic Hypotension
	10900.	Peripheral Vascular Disease (PVD) or Peripheral Arterial Disease (PAD)
		urinary
	l1550.	Neurogenic Bladder
	l1650.	Obstructive Uropathy
	Infection	
Ш		Multidrug-Resistant Organism (MDRO)
Ш	12000.	Pneumonia
	I2100.	Septicemia
	12200.	Tuberculosis
	12300.	Urinary Tract Infection (UTI) (LAST 30 DAYS)
	12400.	Viral Hepatitis (e.g., Hepatitis A, B, C, D, and E)
	I2500.	Wound Infection (other than foot)
	Metab	
	12900.	Diabetes Mellitus (DM) (e.g., diabetic retinopathy, nephropathy, and neuropathy)
	I3100.	Hyponatremia
	13200.	Hyperkalemia
		Hyperlipidemia (e.g., hypercholesterolemia)
		loskeletal
	13900.	Hip Fracture - any hip fracture that has a relationship to current status, treatments, monitoring (e.g., sub-capital fractures, and fractures of the trochanter and femoral neck)
	14000.	Other Fracture
	Neurol	•
		Alzheimer's Disease
		Aphasia
		Cerebral Palsy
	I4500.	Cerebrovascular Accident (CVA), Transient Ischemic Attack (TIA), or Stroke
	14800.	Non-Alzheimer's Dementia (e.g. Lewy body dementia, vascular or multi-infarct dementia; mixed dementia; frontotemporal dementia such as Pick's disease; and dementia related to stroke, Parkinson's or Creutzfeldt-Jakob diseases)
	I4900.	Hemiplegia or Hemiparesis
	15000.	Paraplegia
	I5100.	Quadriplegia
	I5200.	Multiple Sclerosis (MS)
	I5250.	Huntington's Disease
	15300.	Parkinson's Disease
	15350.	Tourette's Syndrome
	15400.	Seizure Disorder or Epilepsy
		Traumatic Brain Injury (TBI)
	Nutriti	
	15600.	Malnutrition (protein or calorie) or at risk for malnutrition

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 130 of 183 Date

Sect	ion I	Active Diagnoses					
Active	e Diagnoses in the last	7 days - Check all that apply					
Diagno	•	are provided as examples and should not be considered as all-inclusive lists					
	Psychiatric/Mood Disor						
	15700. Anxiety Disorde						
	I5800. Depression (oth	er than bipolar)					
	15900. Manic Depression	on (bipolar disease)					
	15950. Psychotic Disor	der (other than schizophrenia)					
	I6000. Schizophrenia (e.g., schizoaffective and schizophreniform disorders)					
	I6100. Post Traumatic	Stress Disorder (PTSD)					
	Pulmonary						
	I6200. Asthma, Chroni diseases such as	c Obstructive Pulmonary Disease (COPD), or Chronic Lung Disease (e.g., chroasbestosis)	nic bro	nchitis a	ınd restri	ctive lun	g
	16300. Respiratory Fail	ure					
	Other						
	18000. Additional activ						
	Enter diagnosis on line ai	nd ICD code in boxes. Include the decimal for the code in the appropriate box.					
	A						
	В						
				TT	\Box		
	C			\bot			
	D.			TT			
	D						
	E.						
				\top	$\overline{}$		
	F						
				ТТ	\Box		
	G						Ш
	 н.			\prod			
				$\stackrel{-}{\longrightarrow}$			
	l.						
							$\overline{\Box}$
	J						

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 131 of 183

Resident	Identifier Date
Section .	Health Conditions
J0100. Pain	Management - Complete for all residents, regardless of current pain level
At any time in	the last 5 days, has the resident:
Enter Code A.	Received scheduled pain medication regimen?
	0. No
Files Code R	1. Yes Received PRN pain medications OR was offered and declined?
Enter Code B.	0. No
	1. Yes
Enter Code C.	Received non-medication intervention for pain?
	0. No 1. Yes
J0200. She	ould Pain Assessment Interview be Conducted?
Attempt to	conduct interview with all residents. If resident is comatose, skip to J1100, Shortness of Breath (dyspnea)
Enter Code	0. No (resident is rarely/never understood) → Skip to and complete J0800, Indicators of Pain or Possible Pain
	 Yes → Continue to J0300, Pain Presence
Pain Asse	ssment Interview
J0300. Pai	in Presence
Enter Code As	sk resident: " Have you had pain or hurting at any time in the last 5 days?"
	0. No → Skip to J1100, Shortness of Breath
	1. Yes → Continue to J0400, Pain Frequency
10400 D	9. Unable to answer → Skip to J0800, Indicators of Pain or Possible Pain
	in Frequency
Enter Code	sk resident: "How much of the time have you experienced pain or hurting over the last 5 days?"
	 Almost constantly Frequently
	3. Occasionally
	4. Rarely
	9. Unable to answer
J0500. Pai	in Effect on Function
	. Ask resident: "Over the past 5 days, has pain made it hard for you to sleep at night?"
Enter Code	0. No
	1. Yes
	9. Unable to answer Ask resident: "Over the past 5 days, have you limited your day-to-day activities because of pain?"
Enter Code	Ask resident: Over the past 5 days, have you infilted your day-to-day activities because of pain? No
	1. Yes
	9. Unable to answer
J0600. Pai	in Intensity - Administer ONLY ONE of the following pain intensity questions (A or B)
A	Numeric Rating Scale (00-10)
Enter Rating	Ask resident: "Please rate your worst pain over the last 5 days on a zero to ten scale, with zero being no pain and ten
	as the worst pain you can imagine." (Show resident 00 -10 pain scale)
	Enter two-digit response. Enter 99 if unable to answer.
	. Verbal Descriptor Scale
Enter Code	Ask resident: "Please rate the intensity of your worst pain over the last 5 days." (Show resident verbal scale)
	1. Mild
	2. Moderate 3. Severe
	4. Very severe, horrible

9. Unable to answer

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 132 of 183 Resident Section J **Health Conditions** J0700. Should the Staff Assessment for Pain be Conducted? **Enter Code** 0. No (J0400 = 1 thru 4) -> Skip to J1100, Shortness of Breath (dyspnea) 1. Yes (J0400 = 9) → Continue to J0800, Indicators of Pain or Possible Pain **Staff Assessment for Pain** J0800. Indicators of Pain or Possible Pain in the last 5 days Check all that apply **A. Non-verbal sounds** (e.g., crying, whining, gasping, moaning, or groaning) **B. Vocal complaints of pain** (e.g., that hurts, ouch, stop) C. Facial expressions (e.g., grimaces, winces, wrinkled forehead, furrowed brow, clenched teeth or jaw) D. Protective body movements or postures (e.g., bracing, guarding, rubbing or massaging a body part/area, clutching or holding a body part during movement) **Z.** None of these signs observed or documented → If checked, skip to J1100, Shortness of Breath (dyspnea) **J0850. Frequency of Indicator of Pain or Possible Pain** in the last 5 days Frequency with which resident complains or shows evidence of pain or possible pain Enter Code 1. Indicators of pain or possible pain observed 1 to 2 days 2. Indicators of pain or possible pain observed 3 to 4 days 3. Indicators of pain or possible pain observed daily **Other Health Conditions** J1100. Shortness of Breath (dyspnea) Check all that apply A. Shortness of breath or trouble breathing with exertion (e.g., walking, bathing, transferring) B. Shortness of breath or trouble breathing when sitting at rest C. Shortness of breath or trouble breathing when lying flat Z. None of the above J1400. Prognosis Does the resident have a condition or chronic disease that may result in a life expectancy of less than 6 months? (Requires physician documentation) **Enter Code** 0. **No** 1. Yes J1550. Problem Conditions

A. Fever
B. Vomiting
C. Dehydrated

D. Internal bleeding
Z. None of the above

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 133 of 183 Resident **Health Conditions** Section J J1700. Fall History on Admission/Entry or Reentry Complete only if A0310A = 01 or A0310E = 1**A.** Did the resident have a fall any time in the **last month** prior to admission/entry or reentry? **Enter Code** 1. Yes 9. Unable to determine **B.** Did the resident have a fall any time in the **last 2-6 months** prior to admission/entry or reentry? **Enter Code** 0. **No** 1. Yes 9. Unable to determine C. Did the resident have any fracture related to a fall in the 6 months prior to admission/entry or reentry? Enter Code 0. **No** 1. Yes 9. Unable to determine J1800. Any Falls Since Admission/Entry or Reentry or Prior Assessment (OBRA or Scheduled PPS), whichever is more recent Has the resident had any falls since admission/entry or reentry or the prior assessment (OBRA or scheduled PPS), whichever is more **Enter Code** 0. **No** → Skip to K0100, Swallowing Disorder 1. Yes → Continue to J1900, Number of Falls Since Admission/Entry or Reentry or Prior Assessment (OBRA or Scheduled PPS) J1900. Number of Falls Since Admission/Entry or Reentry or Prior Assessment (OBRA or Scheduled PPS), whichever is more recent ↓ Enter Codes in Boxes **A.** No injury - no evidence of any injury is noted on physical assessment by the nurse or primary care clinician; no complaints of pain or injury by the resident; no change in the resident's behavior is noted after the fall Coding: 0. None B. Injury (except major) - skin tears, abrasions, lacerations, superficial bruises, hematomas and 1. **One** sprains; or any fall-related injury that causes the resident to complain of pain 2. Two or more C. Major injury - bone fractures, joint dislocations, closed head injuries with altered consciousness, subdural hematoma **Swallowing/Nutritional Status Section K** K0100. Swallowing Disorder Signs and symptoms of possible swallowing disorder Check all that apply A. Loss of liquids/solids from mouth when eating or drinking B. Holding food in mouth/cheeks or residual food in mouth after meals C. Coughing or choking during meals or when swallowing medications D. Complaints of difficulty or pain with swallowing Z. None of the above K0200. Height and Weight - While measuring, if the number is X.1 - X.4 round down; X.5 or greater round up A. Height (in inches). Record most recent height measure since the most recent admission/entry or reentry inches B. Weight (in pounds). Base weight on most recent measure in last 30 days; measure weight consistently, according to standard facility practice (e.g., in a.m. after voiding, before meal, with shoes off, etc.) pounds K0300. Weight Loss Loss of 5% or more in the last month or loss of 10% or more in last 6 months

Yes, on physician-prescribed weight-loss regimen
 Yes, not on physician-prescribed weight-loss regimen

0. No or unknown

Enter Code

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 134 of 183 Date

Resident

The state in the s					
Section K	Swallowing/Nutritional Status				
K0310. Weight Gain					
Enter Code 0. No or u	more in the last month or gain of 10% or more in last 6 months inknown n physician-prescribed weight-gain regimen of on physician-prescribed weight-gain regimen				
K0510. Nutritional Ap	pproaches				
	nutritional approaches that were performed during the last 7 days				
Performed while NO1 resident entered (adn	 1. While NOT a Resident Performed while NOT a resident of this facility and within the last 7 days. Only check column 1 if resident entered (admission or reentry) IN THE LAST 7 DAYS. If resident last entered 7 or more days ago, leave column 1 blank 2. While NOT a Resident While a Resident 				
Performed while a re	sident of this facility and within the last 7 days		↓ Check all t	that apply ↓	
A. Parenteral/IV feeding	g				
B. Feeding tube - nasog	astric or abdominal (PEG)				
C. Mechanically altered thickened liquids)	I diet - require change in texture of food or liquids (e.g., pureed food,				
D. Therapeutic diet (e.g.	, low salt, diabetic, low cholesterol)				
Z. None of the above					
K0710. Percent Intak	e by Artificial Route - Complete K0710 only if Column 1 and/or C	Column 2 are ch	ecked for K0510A	and/or K0510B	
 While NOT a Resident Performed while NOT a resident of this facility and within the last 7 days. Only enter a code in column 1 if resident entered (admission or reentry) IN THE LAST 7 DAYS. If resident last entered 7 or more days ago, leave column 1 blank While a Resident Performed while a resident of this facility and within the last 7 days During Entire 7 Days 			2. While a Resident	3. During Entire 7 Days	
Performed during the		,	↓ Enter Codes ↓		
A. Proportion of total calories the resident received through parenteral or tube feeding 1. 25% or less 2. 26-50% 3. 51% or more					
B. Average fluid intake 1. 500 cc/day or less 2. 501 cc/day or mo					
Section L	Oral/Dental Status				
L0200. Dental	,				
Check all that app	ılv				
	loosely fitting full or partial denture (chipped, cracked, uncleanable	e, or loose)			

F. Mouth or facial pain, discomfort or difficulty with chewing

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 135 of 183

Section M

Resident

Skin Conditions

Report based on highest stage of existing ulcer(s) at its worst; do not "reverse" stage

M0100. I	Determination of Pressure Ulcer Risk					
↓ Che	eck all that apply					
	A. Resident has a stage 1 or greater, a scar over bony prominence, or a non-removable dressing/device					
	B. Formal assessment instrument/tool (e.g., Braden, Norton, or other)					
	C. Clinical assessment					
	Z. None of the above					
M0150. I	Risk of Pressure Ulcers					
Enter Code	Is this resident at risk of developing pressure ulcers?					
	0. No 1. Yes					
M0210.	Unhealed Pressure Ulcer(s)					
Enter Code	Does this resident have one or more unhealed pressure ulcer(s) at Stage 1 or higher?					
	0. No → Skip to M0900, Healed Pressure Ulcers					
	1. Yes → Continue to M0300, Current Number of Unhealed Pressure Ulcers at Each Stage					
M0300.	Current Number of Unhealed Pressure Ulcers at Each Stage					
Enter Number	A. Number of Stage 1 pressure ulcers Stage 1: Intact skin with non-blanchable redness of a localized area usually over a bony prominence. Darkly pigmented skin may not have a visible blanching; in dark skin tones only it may appear with persistent blue or purple hues					
Enter Number	B. Stage 2: Partial thickness loss of dermis presenting as a shallow open ulcer with a red or pink wound bed, without slough. May also present as an intact or open/ruptured blister					
Enter Number	 Number of Stage 2 pressure ulcers - If 0 → Skip to M0300C, Stage 3 Number of these Stage 2 pressure ulcers that were present upon admission/entry or reentry - enter how many were noted at the time of a decision (active and active active and active active					
	the time of admission/entry or reentry					
	3. Date of oldest Stage 2 pressure ulcer - Enter dashes if date is unknown:					
	Month Day Year					
Enter Number	C. Stage 3: Full thickness tissue loss. Subcutaneous fat may be visible but bone, tendon or muscle is not exposed. Slough may be present but does not obscure the depth of tissue loss. May include undermining and tunneling					
	1. Number of Stage 3 pressure ulcers - If 0 → Skip to M0300D, Stage 4					
Enter Number	2. Number of these Stage 3 pressure ulcers that were present upon admission/entry or reentry - enter how many were noted at the time of admission/entry or reentry					
D. Stage 4: Full thickness tissue loss with exposed bone, tendon or muscle. Slough or eschar may be present on some parts wound bed. Often includes undermining and tunneling						
Enter Number	1. Number of Stage 4 pressure ulcers - If 0 → Skip to M0300E, Unstageable: Non-removable dressing					
Litter Number	2. Number of the-time-of-admission/entry enter how many were noted at the time of admission/entry or reentry					
M030	00 continued on next page					

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 136 of 183 Date

Section	n M	Skin Conditions
M0300. C	Current N	umber of Unhealed Pressure Ulcers at Each Stage - Continued
	E. Unstag	geable - Non-removable dressing: Known but not stageable due to non-removable dressing/device
Enter Number		mber of unstageable pressure ulcers due to non-removable dressing/device - If 0 → Skip to M0300F, Unstageable: ugh and/or eschar
Enter Number		mber of these unstageable pressure ulcers that were present upon admission/entry or reentry - enter how many were ed at the time of admission/entry or reentry
	F. Unstag	geable - Slough and/or eschar: Known but not stageable due to coverage of wound bed by slough and/or eschar
Enter Number		mber of unstageable pressure ulcers due to coverage of wound bed by slough and/or eschar - If 0 → Skip to M0300G, stageable: Deep tissue
Enter Number		mber of these unstageable pressure ulcers that were present upon admission/entry or reentry - enter how many were ed at the time of admission/entry or reentry
	G. Unstag	geable - Deep tissue: Suspected deep tissue injury in evolution
Enter Number Enter Number		mber of unstageable pressure ulcers with suspected deep tissue injury in evolution - If 0 → Skip to M0610, Dimension Unhealed Stage 3 or 4 Pressure Ulcers or Eschar
		mber of <u>these</u> unstageable pressure ulcers that were present upon admission/entry or reentry - enter how many were ed at the time of admission/entry or reentry
		ns of Unhealed Stage 3 or 4 Pressure Ulcers or Eschar
	•	0300C1, M0300D1 or M0300F1 is greater than 0 e or more unhealed Stage 3 or 4 pressure ulcers or an unstageable pressure ulcer due to slough or eschar, identify the pressure
		surface area (length x width) and record in centimeters:
	cm	A. Pressure ulcer length: Longest length from head to toe
	cm	B. Pressure ulcer width: Widest width of the same pressure ulcer, side-to-side perpendicular (90-degree angle) to length
	cm	C. Pressure ulcer depth: Depth of the same pressure ulcer from the visible surface to the deepest area (if depth is unknown, enter a dash in each box)
M0700. N	Most Seve	ere Tissue Type for Any Pressure Ulcer
		best description of the most severe type of tissue present in any pressure ulcer bed
Enter Code	_	ithelial tissue - new skin growing in superficial ulcer. It can be light pink and shiny, even in persons with darkly pigmented skin
ш		anulation tissue - pink or red tissue with shiny, moist, granular appearance Dugh - yellow or white tissue that adheres to the ulcer bed in strings or thick clumps, or is mucinous
		char - black, brown, or tan tissue that adheres firmly to the wound bed or ulcer edges, may be softer or harder than surrounding
	skii	
MOSOO		one of the above
	only if A0	g in Pressure Ulcer Status Since Prior Assessment (OBRA or Scheduled PPS) or Last Admission/Entry or Reentry 0310E = 0
		of current pressure ulcers that were not present or were at a lesser stage on prior assessment (OBRA or scheduled PPS) or last entry. If no current pressure ulcer at a given stage, enter 0
Enter Number	A. Stage	2
Enter Number	B. Stage	3
Enter Number	C. Stage	4

Sectio	n M	Skin Conditions				
	M0900. Healed Pressure Ulcers					
	e only if A0310E = 0	Jesus museumt on the purious excession and (ORDA out of eduted DDC)?				
Enter Code	 A. Were pressure ulcers present on the prior assessment (OBRA or scheduled PPS)? 0. No → Skip to M1030, Number of Venous and Arterial Ulcers 1. Yes → Continue to M0900B, Stage 2 					
	Indicate the number	of pressure ulcers that were noted on the prior assessment (OBRA or scheduled PPS) that have completely closed helium). If no healed pressure ulcer at a given stage since the prior assessment (OBRA or scheduled PPS), enter 0.				
Enter Number	B. Stage 2					
Enter Number	C. Stage 3					
Enter Number	D. Stage 4					
M1030.	Number of Venous	and Arterial Ulcers				
Enter Number	Enter the total num	ber of venous and arterial ulcers present				
M1040.	Other Ulcers, Woun	nds and Skin Problems				
↓ CI	neck all that apply					
	Foot Problems					
	A. Infection of the f	foot (e.g., cellulitis, purulent drainage)				
	B. Diabetic foot ulc	er(s)				
	C. Other open lesion(s) on the foot					
	Other Problems					
	D. Open lesion(s) of	ther than ulcers, rashes, cuts (e.g., cancer lesion)				
	E. Surgical wound(s)				
	F. Burn(s) (second o	or third degree)				
	G. Skin tear(s)					
	H. Moisture Associa	ated Skin Damage (MASD) (i.e. incontinence (IAD), perspiration, drainage)				
	None of the Above					
	Z. None of the abov	ve were present				
M1200.	Skin and Ulcer Trea	itments				
↓ ci	neck all that apply					
	A. Pressure reducir	ng device for chair				
	B. Pressure reducin	ng device for bed				
	C. Turning/repositi	oning program				
	D. Nutrition or hydi	ration intervention to manage skin problems				
	E. Pressure ulcer ca	ire				
	F. Surgical wound	care				
	G. Application of n	onsurgical dressings (with or without topical medications) other than to feet				
	H. Applications of o	ointments/medications other than to feet				
	I. Application of dr	ressings to feet (with or without topical medications)				
	Z. None of the above	ve were provided				

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 138 of 183 Date

nesident deritiner						
Section N Medications						
N0300. Injections	N0300. Injections					
Record the number of days that injections of any type were received during the than 7 days. If 0	last 7 days or since admission/entry or reentry if less					
N0350. Insulin						
A. Insulin injections - Record the number of days that insulin injections were record to reentry if less than 7 days	eived during the last 7 days or since admission/entry					
B. Orders for insulin - Record the number of days the physician (or authorized as insulin orders during the last 7 days or since admission/entry or reentry if less that						
N0410. Medications Received						
Indicate the number of DAYS the resident received the following medications during the lathan 7 days. Enter "0" if medication was not received by the resident during the last 7 days	st 7 days or since admission/entry or reentry if less					
Enter Days A. Antipsychotic						
Enter Days B. Antianxiety						
Enter Days C. Antidepressant						
Enter Days D. Hypnotic						
Enter Days E. Anticoagulant (warfarin, heparin, or low-molecular weight heparin)						
Enter Days F. Antibiotic						
G. Diuretic						

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 139 of 183 Date

Section O) S	pecial Treatments, Procedures, and Progran	ns							
O0100. Spec	ial Treatments, Pr	ocedures, and Programs								
Check all of the	following treatment	s, procedures, and programs that were performed during the last 14 day	'S							
resident en	while NOT a residen tered (admission or r column 1 blank	1. While NOT a Resident	2. While a Resident							
Performed	while a resident of the	nis facility and within the <i>last 14 days</i>	↓ Check all t	that apply 🗸						
Cancer Treatm	ents		,	•						
A. Chemother	rapy									
B. Radiation										
Respiratory Tr	eatments									
C. Oxygen the	erapy									
D. Suctioning										
E. Tracheosto	my care									
F. Ventilator	or respirator									
Other										
H. IV medicati	ons									
I. Transfusion	15									
J. Dialysis										
K. Hospice car	re									
1	•	ive infectious disease (does not include standard body/fluid								
precautions	·	iou to assument service of DAI manual for assument influence services	on coocon on al non-	uting posical						
Α.		er to current version of RAI manual for current influenza vaccinati eive the influenza vaccine in this facility for this year's influenza vaccina	<u>.</u>	rting period						
Litter code		10250C, If influenza vaccine in this facility for this year's influenza vaccine	ation season:							
		e to O0250B, Date influenza vaccine received								
B.	Date influenza vacc	ine received → Complete date and skip to O0300A, Is the resident's Pn	eumococcal vaccinati	on up to date?						
	Month Da	y Year								
Enter Code	C If influenza vaccine not received state reason:									
00300. Pneu	ımococcal Vaccine									
Ziitei educ		umococcal vaccination up to date?								
	 No → Continue Yes → Skip to C 	to O0300B, If Pneumococcal vaccine not received, state reason 0400, Therapies								
Enter Code B.		ccine not received, state reason:								
	•	dical contraindication								
	 Offered and dec Not offered 	iinea								

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 140 of 183

Resident

Special Treatments, Procedures, and Programs Section O 00400. Therapies A. Speech-Language Pathology and Audiology Services **Enter Number of Minutes** 1. Individual minutes - record the total number of minutes this therapy was administered to the resident individually in the last 7 days **Enter Number of Minutes** 2. Concurrent minutes - record the total number of minutes this therapy was administered to the resident concurrently with one other resident in the last 7 days Enter Number of Minutes 3. Group minutes - record the total number of minutes this therapy was administered to the resident as part of a group of residents in the last 7 days If the sum of individual, concurrent, and group minutes is zero, → skip to 00400A5, Therapy start date **Enter Number of Minutes 3A.** Co-treatment minutes - record the total number of minutes this therapy was administered to the resident in co-treatment sessions in the last 7 days **Enter Number of Days** 4. Days - record the number of days this therapy was administered for at least 15 minutes a day in the last 7 days **6. Therapy end date** - record the date the most recent **5. Therapy start date** - record the date the most recent therapy regimen (since the most recent entry) ended therapy regimen (since the most recent entry) started - enter dashes if therapy is ongoing Month Dav Year Month Day Year **B.** Occupational Therapy **Enter Number of Minutes** 1. Individual minutes - record the total number of minutes this therapy was administered to the resident individually in the last 7 days Enter Number of Minutes 2. Concurrent minutes - record the total number of minutes this therapy was administered to the resident concurrently with one other resident in the last 7 days **Enter Number of Minutes** 3. Group minutes - record the total number of minutes this therapy was administered to the resident as part of a group of residents in the last 7 days If the sum of individual, concurrent, and group minutes is zero, → skip to O0400B5, Therapy start date Enter Number of Minutes **3A.** Co-treatment minutes - record the total number of minutes this therapy was administered to the resident in co-treatment sessions in the last 7 days **Enter Number of Days** 4. Days - record the number of days this therapy was administered for at least 15 minutes a day in the last 7 days **6. Therapy end date** - record the date the most recent **5. Therapy start date** - record the date the most recent therapy regimen (since the most recent entry) ended therapy regimen (since the most recent entry) started - enter dashes if therapy is ongoing Year Month Day Year

00400 continued on next page

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 141 of 183

Resident

Special Treatments, Procedures, and Programs Section O **00400.** Therapies - Continued C. Physical Therapy **Enter Number of Minutes** 1. Individual minutes - record the total number of minutes this therapy was administered to the resident individually in the last 7 days **Enter Number of Minutes** 2. Concurrent minutes - record the total number of minutes this therapy was administered to the resident concurrently with one other resident in the last 7 days Enter Number of Minutes 3. Group minutes - record the total number of minutes this therapy was administered to the resident as part of a group of residents in the last 7 days If the sum of individual, concurrent, and group minutes is zero, → skip to O0400C5, Therapy start date **Enter Number of Minutes** 3A. Co-treatment minutes - record the total number of minutes this therapy was administered to the resident in co-treatment sessions in the last 7 days **Enter Number of Days** 4. Days - record the number of days this therapy was administered for at least 15 minutes a day in the last 7 days **6. Therapy end date** - record the date the most recent **5. Therapy start date** - record the date the most recent therapy regimen (since the most recent entry) ended therapy regimen (since the most recent entry) started - enter dashes if therapy is ongoing Month Dav Year Month Day Year D. Respiratory Therapy **Enter Number of Days** 2. Days - record the number of days this therapy was administered for at least 15 minutes a day in the last 7 days **E. Psychological Therapy** (by any licensed mental health professional) **Enter Number of Days** 2. Days - record the number of days this therapy was administered for at least 15 minutes a day in the last 7 days **00420. Distinct Calendar Days of Therapy Enter Number of Days** Record the number of calendar days that the resident received Speech-Language Pathology and Audiology Services, Occupational Therapy, or Physical Therapy for at least 15 minutes in the past 7 days. **O0450.** Resumption of Therapy - Complete only if A0310C = 2 or 3 and A0310F = 99 A. Has a previous rehabilitation therapy regimen (speech, occupational, and/or physical therapy) ended, as reported on this End of **Enter Code** Therapy OMRA, and has this regimen now resumed at exactly the same level for each discipline? 0. **No** → Skip to O0500, Restorative Nursing Programs B. Date on which therapy regimen resumed:

Month

Section	n O	Special Treatments, Procedures, and Programs									
O0500. R	Restorative Nursing	J Programs									
Record the number of days each of the following restorative programs was performed (for at least 15 minutes a day) in the last 7 calendar days (enter 0 if none or less than 15 minutes daily)											
Number of Days	Technique										
	A. Range of motion (passive)										
	B. Range of motion (active)										
	C. Splint or brace assistance										
Number of Days	I training and Skill Practice In:										
	D. Bed mobility										
	E. Transfer										
	F. Walking										
	G. Dressing and/or	grooming									
	H. Eating and/or sv	vallowing									
	I. Amputation/pro	stheses care									
	J. Communication										
O0600. P	hysician Examinat	ions									
Enter Days	Over the last 14 days	, on how many days did the physician (or authorized assistant or practitioner) examine the resident?									
00700. P	hysician Orders										
Enter Days	Over the last 14 days	, on how many days did the physician (or authorized assistant or practitioner) change the resident's orders?									

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 143 of 183 Date

Section P	Restraints	
P0100. Physical Restraints	•	
Physical restraints are any manu		device, material or equipment attached or adjacent to the resident's body that
the individual cannot remove ea	asily which restricts freedom of mover	Enter Codes in Boxes
	*	Used in Bed
		A. Bed rail
		B. Trunk restraint
Codings		C. Limb restraint
Coding: 0. Not used 1. Used less than daily		D. Other
2. Used daily		Used in Chair or Out of Bed
		E. Trunk restraint
		F. Limb restraint
		G. Chair prevents rising
		H. Other
Coation O	Dauticination in Acces	rement and Coal Satting
Section Q	· •	ssment and Goal Setting
Q0100. Participation in Ass		
Enter Code A. Resident partici 0. No	pated in assessment	
1. Yes		
Enter Code 0. No	cant other participated in assessm	ent
1. Yes	no family or significant other	
	ally authorized representative part	icipated in assessment
Enter Code 0. No	, , , , , , , , , , , , , , , , , , , ,	
1. Yes 9. Resident has	no guardian or legally authorized	representative
Q0300. Resident's Overall I	Expectation	
Complete only if A0310E = 1		
1. Expects to be	esident's overall goal established d discharged to the community main in this facility	uring assessment process
	discharged to another facility/inst	itution
I Enter Code I	ation source for Q0300A	
1. Resident 2. If not resident	t, then family or significant other	
	t, family, or significant other, then gu	ardian or legally authorized representative
Q0400. Discharge Plan		
	ge planning already occurring for t	the resident to return to the community?
0. No 1. Yes → Skip t	to Q0600, Referral	

Resident

Sectio	n Q	Participation in Assessment and Goal Setting								
		ce to Avoid Being Asked Question Q0500B								
Complete	only if A0310A = 02, 06									
Enter Code	Does the resident's clinical record document a request that this question be asked only on comprehensive assessments? 0. No 1. Yes → Skip to Q0600, Referral 8. Information not available									
Q0500. I	Return to Communi	ty								
Enter Code	respond): "Do y o	(or family or significant other or guardian or legally authorized representative if resident is unable to understand or bu want to talk to someone about the possibility of leaving this facility and returning to live and is in the community?" uncertain								
Q0550. I	Resident's Preferen	ce to Avoid Being Asked Question Q0500B Again								
Enter Code	respond) want to assessments.)	t (or family or significant other or guardian or legally authorized representative if resident is unable to understand or be asked about returning to the community on all assessments? (Rather than only on comprehensive ument in resident's clinical record and ask again only on the next comprehensive assessment not available								
Enter Code	 Resident If not resident, If not resident, 	tion source for Q0550A then family or significant other family or significant other, then guardian or legally authorized representative on source available								
Q0600. I	Referral									
Enter Code	0. No - referral n	made to the Local Contact Agency? (Document reasons in resident's clinical record) ot needed or may be needed (For more information see Appendix C, Care Area Assessment Resources #20)								

2. Yes - referral made

Section X	Correction Request								
Identification of Record to I section, reproduce the informati	Complete Section X only if A0050 = 2 or 3 Identification of Record to be Modified/Inactivated - The following items identify the existing assessment record that is in error. In this section, reproduce the information EXACTLY as it appeared on the existing erroneous record, even if the information is incorrect. This information is necessary to locate the existing record in the National MDS Database.								
X0150. Type of Provider (A0200 on existing record to be modified/inactivated)									
Type of provider 1. Nursing hom 2. Swing Bed	e (SNF/NF)								
X0200. Name of Resident (A	A0500 on existing record to be modified/inactivated)								
A. First name: C. Last name:									
X0300. Gender (A0800 on e	xisting record to be modified/inactivated)								
Enter Code 1. Male 2. Female									
X0400. Birth Date (A0900 or	n existing record to be modified/inactivated)								
Month -	Day Year								
X0500. Social Security Nun	nber (A0600A on existing record to be modified/inactivated)								
X0600. Type of Assessment	t (A0310 on existing record to be modified/inactivated)								
01. Admission a 02. Quarterly re 03. Annual asse 04. Significant o 05. Significant o	change in status assessment correction to prior comprehensive assessment correction to prior quarterly assessment								
01. 5-day sched 02. 14-day sched 03. 30-day sched 04. 60-day sched 05. 90-day sched PPS Unschedule 07. Unschedule Not PPS Assessr 99. None of the	Assessments for a Medicare Part A Stay uled assessment duled assessment duled assessment duled assessment duled assessment duled assessment duled assessment ed Assessments for a Medicare Part A Stay ed Assessment used for PPS (OMRA, significant or clinical change, or significant correction assessment) nent above								
0. No 1. Start of thera 2. End of thera 3. Both Start an	by assessment ad End of therapy assessment erapy assessment								
ACCOUNT CONTINUES ON HEA	· · · · · · ·								

Section X	Correction Request										
X0600. Type of Assessment	t - Continued										
Enter Code D. Is this a Swing B 0. No 1. Yes	ed clinical change assessment? Complete only if X0150 = 2										
01. Entry trackir 10. Discharge a 11. Discharge a 12. Death in fac	F. Entry/discharge reporting 01. Entry tracking record 10. Discharge assessment-return not anticipated 11. Discharge assessment-return anticipated 12. Death in facility tracking record 99. None of the above										
X0700. Date on existing reco	ord to be modified/inactivated - Complete one only										
A. Assessment Refe	erence Date (A2300 on existing record to be modified/inactivated) - Complete only if X0600F = 99 Day Year										
B. Discharge Date	(A2000 on existing record to be modified/inactivated) - Complete only if X0600F = 10, 11, or 12 Day Year										
	00 on existing record to be modified/inactivated) - Complete only if X0600F = 01 Day Year										
Correction Attestation Sect	ion - Complete this section to explain and attest to the modification/inactivation request										
X0800. Correction Number											
Enter Number o	f correction requests to modify/inactivate the existing record, including the present one										
X0900. Reasons for Modific	cation - Complete only if Type of Record is to modify a record in error $(A0050 = 2)$										
↓ Check all that apply											
A. Transcription er											
B. Data entry error											
C. Software produc											
	Resumption (EOT-R) date										
Z. Other error require "Other" checke	iring modification										
	ation - Complete only if Type of Record is to inactivate a record in error (A0050 = 3)										
↓ Check all that apply	,,,,,,,, .										
A. Event did not oc	cur										
Z. Other error requ											

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 147 of 183 Date

Section X	Correction Request											
X1100. RN Assessment Coordinator Attestation of Completion												
A. Attesting individ	Jual's first name:											
B. Attesting individ	B. Attesting individual's last name:											
C. Attesting individ	lual's title:											
D. Signature												
E. Attestation date												
Month -	Day Year											

Section Z	Assessment Administration
Z0100. Medic	care Part A Billing
A. 1	Medicare Part A HIPPS code (RUG group followed by assessment type indicator):
В. Б	RUG version code:
	s this a Medicare Short Stay assessment?
	0. No 1. Yes
Z0150. Medic	care Part A Non-Therapy Billing
A. I	Medicare Part A non-therapy HIPPS code (RUG group followed by assessment type indicator):
В. г	RUG version code:
L	
Z0200. State	Medicaid Billing (if required by the state)
A. F	RUG Case Mix group:
В. Г	RUG version code:
Z0250. Alterr	nate State Medicaid Billing (if required by the state)
A. F	RUG Case Mix group:
В. Б	RUG version code:
Z0300. Insura	ance Billing
	RUG billing code:
1.,	
B. F	RUG billing version:

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 149 of 183

Resident

Section Z Assessment Administration

Z0400. Signature of Persons Completing the Assessment or Entry/Death Reporting

I certify that the accompanying information accurately reflects resident assessment information for this resident and that I collected or coordinated collection of this information on the dates specified. To the best of my knowledge, this information was collected in accordance with applicable Medicare and Medicaid requirements. I understand that this information is used as a basis for ensuring that residents receive appropriate and quality care, and as a basis for payment from federal funds. I further understand that payment of such federal funds and continued participation in the government-funded health care programs is conditioned on the accuracy and truthfulness of this information, and that I may be personally subject to or may subject my organization to substantial criminal, civil, and/or administrative penalties for submitting false information. I also certify that I am authorized to submit this information by this facility on its behalf.

authorized to submit this informati	on by this facility on its behalf.			D
Signatur	e	Title	Sections	Date Section Completed
A.				Completed
B.				
_				
C.				
D.				
-				
E.				
F.				
G.				
.				
H.				
l.				
J.				
K.				
L.				
600. Signature of RN Assessment	Coordinator Verifying Assess	ment Completion		
A. Signature:	, ,		ate RN Assessment Coordinator	sianed
			ssessment as complete:	. .
		Γ	<u> </u>	
		L	Month Day	Year

Legal Notice Regarding MDS 3.0 - Copyright 2011 United States of America and interRAI. This work may be freely used and distributed solely within the United States. Portions of the MDS 3.0 are under separate copyright protections; Pfizer Inc. holds the copyright for the PHQ-9; Confusion Assessment Method. © 1988, 2003, Hospital Elder Life Program. All rights reserved. Adapted from: Inouye SK et al. Ann Intern Med. 1990; 113:941-8. Both Pfizer Inc. and the Hospital Elder Life Program, LLC have granted permission to use these instruments in association with the MDS 3.0.

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 150 of 183 Date

Resident

MINIMUM DATA SET (MDS) - Version 3.0 RESIDENT ASSESSMENT AND CARE SCREENING

Nursing Home Quarterly (NQ) Item Set

Sectio	n /	1	Identification Information							
A0050. 1	ур	of Record								
Enter Code	1. Add new record → Continue to A0100, Facility Provider Numbers 2. Modify existing record → Continue to A0100, Facility Provider Numbers 3. Inactivate existing record → Skip to X0150, Type of Provider									
A0100. F	aci	lity Provider Nu	mbers							
	A.	National Provide	er Identifier (NPI):							
	В.	CMS Certification	n Number (CCN):							
	ر	State Provider N	umber:							
	٠.	State Floride N								
A0200. T	-	of Provider								
Enter Code	Ту	pe of provider 1. Nursing home	e (SNF/NF)							
Ш		2. Swing Bed								
A0310. T	ур	of Assessment								
Enter Code	A.		eason for Assessment							
		01. Admission a 02. Quarterly re	issessment (required by day 14) view assessment							
		03. Annual asses	ssment							
			change in status assessment correction to prior comprehensive assessment							
			correction to prior quarterly assessment							
		99. None of the	above							
Enter Code	B.	PPS Assessment								
		01. 5-day schedu	Assessments for a Medicare Part A Stay uled assessment							
		02. 14-day sched	duled assessment							
		•	duled assessment							
			duled assessment duled assessment							
		•	d Assessments for a Medicare Part A Stay							
		07. Unschedule	d assessment used for PPS (OMRA, significant or clinical change, or significant correction assessment)							
		Not PPS Assessm 99. None of the								
	C		are Required Assessment - OMRA							
Enter Code	<u> </u>	0. No	are nequired Assessment Ownix							
		1. Start of thera								
		2. End of therap	by assessment d End of therapy assessment							
			erapy assessment							
Enter Code	D.	Is this a Swing Be	ed clinical change assessment? Complete only if A0200 = 2							
		0. No								
		1. Yes								
A031) CO	ntinued on nex	τ page							

Section A	Identification Information											
A0310. Type of Assessme	A0310. Type of Assessment - Continued											
Enter Code 0. No 1. Yes												
01. Entry track 10. Discharge 11. Discharge	F. Entry/discharge reporting 01. Entry tracking record 10. Discharge assessment-return not anticipated 11. Discharge assessment-return anticipated 12. Death in facility tracking record											
	99. None of the above G. Type of discharge - Complete only if A0310F = 10 or 11 1. Planned											
A0410. Unit Certification												
2. Unit is neitl	her Medicare nor Medicaid certified and MDS data is not required by the State her Medicare nor Medicaid certified but MDS data is required by the State dicare and/or Medicaid certified											
A0500. Legal Name of Res	sident											
A. First name: C. Last name:	B. Middle initial: D. Suffix:											
A0600. Social Security an	d Medicare Numbers											
A. Social Security B. Medicare num	w Number: -											
A0700. Medicaid Number	- Enter "+" if pending, "N" if not a Medicaid recipient											
A0800. Gender												
Enter Code 1. Male 2. Female												
A0900. Birth Date												
Month -	Day Year											
A1000. Race/Ethnicity												
Check all that apply												
	an or Alaska Native											
B. Asian												
C. Black or Africa												
D. Hispanic or La												
	nn or Other Pacific Islander											
F. White												

Sectio	n /	Δ			Ide	ntií	fica	atio	n lı	nfo	rm	ati	<u>on</u>		_											
	A1100. Language																									
Enter Code	A.	A. Does the resident need or want an interpreter to communicate with a doctor or health care staff? 0. No → Skip to A1200, Marital Status 1. Yes → Specify in A1100B, Preferred language 9. Unable to determine → Skip to A1200, Marital Status B. Preferred language:																								
A1200. Marital Status																										
Enter Code	1 Never married																									
A1300. (
	Α.	Medical	reco 	rd nu	umbe	er:		1	ı	l	Ι	Π	1													
	_	Room nu																								
	Б.	Koom nu	Imbe	<u> </u>	Т			Π																		
	ر	Name by	whi	ich re	side	nt pre	efers	to b	e ado	dress	ed.															
	-		T	T	I						<u> </u>	1	Π				Π	Τ	Τ	Ι	Т	Т				
	D.	Lifetime	occu	 ıpati	on(s)	- put	"/" b	etwe	en tv	vo oc	cupa	I ation	 s:			 <u> </u>							_			
				İ		Ĺ					Ė															
Most Pos		· A dunina	: a = a /	F4		Daan	A.z.	:t.	4la : a	F	:1:4															
Most Red			1011/	EIIU	y OI	neen	iti y	IIICO	uiis	гасі	illy					 						_				
		Month]-		Pay]-[Yea	ar																	
A1700. 1	Гур	e of Entr	y																							
Enter Code		1. Admi 2. Reen		n																						
A1800. I	nte	ered Fron	n																							
O1. Community (private home/apt., board/care, assisted living, group home) O2. Another nursing home or swing bed O3. Acute hospital O4. Psychiatric hospital O5. Inpatient rehabilitation facility O6. ID/DD facility O7. Hospice O9. Long Term Care Hospital (LTCH) 99. Other																										
A1900.	Adn	nission D	ate	(Dat	e thi	is epi	isod	le of	care	in t	his 1	facili	ty b	egar	1)											
		Month]-		Day]-[Yea	ar																	

Section A	Identification Information			
A2000. Discharge Date				
Complete only if $A0310F = 10$	0, 11, or 12			
Month -	Day Year			
A2100. Discharge Status				
Complete only if A0310F = 10), 11, or 12			
02. Another nu 03. Acute hosp 04. Psychiatric 05. Inpatient re 06. ID/DD facili 07. Hospice 08. Deceased	hospital Phabilitation facility			
A2200. Previous Assessme	nt Reference Date for Significant Correction			
Complete only if A0310A = 0	5 or 06			
Month -	Month Day Year			
A2300. Assessment Refere	nce Date			
Observation end da	ate:			
Month -	Day Year			
A2400. Medicare Stay				
0. No →Skip	t had a Medicare-covered stay since the most recent entry? to B0100, Comatose tinue to A2400B, Start date of most recent Medicare stay			
B. Start date of mo	ost recent Medicare stay:			
Month -	Day Year			
C. End date of mo	st recent Medicare stay - Enter dashes if stay is ongoing:			
Month -	Day Year			

Resident

Look back period for all items is 7 days unless another time frame is indicated

Section B	Hearing, Speech, and Vision			
B0100. Comatose				
Enter Code O. No → Continue to B0200, Hearing 1. Yes → Skip to G0110, Activities of Daily Living (ADL) Assistance				
B0200. Hearing				
0. Adequate - no 1. Minimal diffic 2. Moderate diff	Ability to hear (with hearing aid or hearing appliances if normally used) 0. Adequate - no difficulty in normal conversation, social interaction, listening to TV 1. Minimal difficulty - difficulty in some environments (e.g., when person speaks softly or setting is noisy) 2. Moderate difficulty - speaker has to increase volume and speak distinctly 3. Highly impaired - absence of useful hearing			
B0300. Hearing Aid				
Enter Code O. No 1. Yes	hearing appliance used in completing B0200, Hearing			
B0600. Speech Clarity				
0. Clear speech 1. Unclear speec	on of speech pattern - distinct intelligible words ch - slurred or mumbled words bsence of spoken words			
B0700. Makes Self Understo	ood			
0. Understood 1. Usually under	eas and wants, consider both verbal and non-verbal expression rstood - difficulty communicating some words or finishing thoughts but is able if prompted or given time nderstood - ability is limited to making concrete requests understood			
B0800. Ability To Understand Others				
0. Understands 1. Usually under	al content, however able (with hearing aid or device if used) - clear comprehension rstands - misses some part/intent of message but comprehends most conversation nderstands - responds adequately to simple, direct communication only understands			
B1000. Vision				
0. Adequate - see 1. Impaired - see 2. Moderately ir 3. Highly impair	quate light (with glasses or other visual appliances) les fine detail, such as regular print in newspapers/books les large print, but not regular print in newspapers/books les large print, but not regular print in newspapers/books limited - limited vision; not able to see newspaper headlines but can identify objects led - object identification in question, but eyes appear to follow objects laired - no vision or sees only light, colors or shapes; eyes do not appear to follow objects			
B1200. Corrective Lenses				
Enter Code 0. No 1. Yes	ontacts, glasses, or magnifying glass) used in completing B1000, Vision			

Section C	Cognitive Patterns
C0100. Should Brief Interview	erview for Mental Status (C0200-C0500) be Conducted? w with all residents
	nt is rarely/never understood) → Skip to and complete C0700-C1000, Staff Assessment for Mental Status ontinue to C0200, Repetition of Three Words

Brief In	Brief Interview for Mental Status (BIMS)			
C0200.	Repetition of Three Words			
Enter Code	Ask resident: "I am going to say three words for you to remember. Please repeat the words after I have said all three. The words are: sock, blue, and bed. Now tell me the three words." Number of words repeated after first attempt 0. None 1. One			
	2. Two 3. Three			
	After the resident's first attempt, repeat the words using cues ("sock, something to wear; blue, a color; bed, a piece of furniture"). You may repeat the words up to two more times.			
C0300.	Temporal Orientation (orientation to year, month, and day)			
Enter Code	Ask resident: "Please tell me what year it is right now." A. Able to report correct year 0. Missed by > 5 years or no answer 1. Missed by 2-5 years 2. Missed by 1 year 3. Correct			
Enter Code	Ask resident: "What month are we in right now?" B. Able to report correct month 0. Missed by > 1 month or no answer 1. Missed by 6 days to 1 month 2. Accurate within 5 days			
Enter Code	Ask resident: "What day of the week is today?" C. Able to report correct day of the week 0. Incorrect or no answer 1. Correct			
C0400.	Recall			
Enter Code	Ask resident: "Let's go back to an earlier question. What were those three words that I asked you to repeat?" If unable to remember a word, give cue (something to wear; a color; a piece of furniture) for that word. A. Able to recall "sock" O. No - could not recall 1. Yes, after cueing ("something to wear") 2. Yes, no cue required			
Enter Code	B. Able to recall "blue" 0. No - could not recall 1. Yes, after cueing ("a color") 2. Yes, no cue required			
Enter Code	C. Able to recall "bed" 0. No - could not recall 1. Yes, after cueing ("a piece of furniture") 2. Yes, no cue required			
C0500.	Summary Score			
Enter Score	Add scores for questions C0200-C0400 and fill in total score (00-15) Enter 99 if the resident was unable to complete the interview			

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 156 of 183 **Cognitive Patterns** C0600. Should the Staff Assessment for Mental Status (C0700 - C1000) be Conducted? 0. No (resident was able to complete interview) → Skip to C1300, Signs and Symptoms of Delirium

1. Yes (resident was unable to complete interview) → Continue to C0700, Short-term Memory OK				
Staff Assessment for Mental Status				
Do not conduct if Brief Interview f	Do not conduct if Brief Interview for Mental Status (C0200-C0500) was completed			
C0700. Short-term Memory	ок			
0. Memory OK	Enter Code Seems or appears to recall after 5 minutes			
C0800. Long-term Memory (ок			
Enter Code O. Memory OK 1. Memory probl				
C0900. Memory/Recall Abilit	ty			
Check all that the residen	t was normally able to recall			
A. Current season				
B. Location of own r	oom			
C. Staff names and f	aces			
D. That he or she is i	n a nursing home			
Z. None of the above	e were recalled			
C1000. Cognitive Skills for D	aily Decision Making			
Made decisions regarding tasks of daily life 0. Independent - decisions consistent/reasonable 1. Modified independence - some difficulty in new situations only 2. Moderately impaired - decisions poor; cues/supervision required 3. Severely impaired - never/rarely made decisions				
Delirium				
C1300. Signs and Symptoms	of Delirium (from CAM©)*			
Code after completing Brief Inter	view for Mental Status or Staff Assessment, and reviewing medical record			
	↓ Enter Codes in Boxes			
Coding:	A. Inattention - Did the resident have difficulty focusing attention (easily distracted, out of touch or difficulty following what was said)?			
Behavior not present Behavior continuously present, does not	B. Disorganized thinking - Was the resident's thinking disorganized or incoherent (rambling or irrelevant conversation, unclear or illogical flow of ideas, or unpredictable switching from subject to subject)?			
fluctuate 2. Behavior present, fluctuates (comes and goes, changes in severity)	C. Altered level of consciousness - Did the resident have altered level of consciousness (e.g., vigilant - startled easily to any sound or touch; lethargic - repeatedly dozed off when being asked questions, but responded to voice or touch; stuporous - very difficult to arouse and keep aroused for the interview; comatose - could not be aroused)?			
	D. Psychomotor retardation - Did the resident have an unusually decreased level of activity such as sluggishness, staring into space, staying in one position, moving very slowly?			
C1600. Acute Onset Mental Status Change				
Enter Code Is there evidence of an acute change in mental status from the resident's baseline?				

1. **Yes**

Resident

Section C

Enter Code

^{*} Adapted from Confusion Assessment Method. ©1988, 2003, Hospital Elder Life Program, LLC. Not to be reproduced without permission. All rights reserved.

Section	D	Mood
D0100. S	Should Resident M	lood Interview be Conducted? - Attempt to conduct interview with all residents
Enter Code	(PHQ-9-OV)	s rarely/never understood) -> Skip to and complete D0500-D0600, Staff Assessment of Resident Mood inue to D0200, Resident Mood Interview (PHQ-9©)

D0200. Resident Mood Interview (PHQ-9©)			
Say to resident: "Over the last 2 weeks, have you been bothered by any of the following	problems?"		
If symptom is present, enter 1 (yes) in column 1, Symptom Presence. If yes in column 1, then ask the resident: "About how often have you been bothered by this?" Read and show the resident a card with the symptom frequency choices. Indicate response in column 2, Symptom Frequency.			
 Symptom Presence No (enter 0 in column 2) Yes (enter 0-3 in column 2) No response (leave column 2 blank) Symptom Frequency Never or 1 day 2-6 days (several days) 7-11 days (half or more of the days) 12-14 days (nearly every day) 	1. Symptom Presence	2. Symptom Frequency es in Boxes ↓	
A. Little interest or pleasure in doing things	Linter Score	ES III DOXES V	
B. Feeling down, depressed, or hopeless			
C. Trouble falling or staying asleep, or sleeping too much			
D. Feeling tired or having little energy			
E. Poor appetite or overeating			
F. Feeling bad about yourself - or that you are a failure or have let yourself or your family down			
G. Trouble concentrating on things, such as reading the newspaper or watching television			
H. Moving or speaking so slowly that other people could have noticed. Or the opposite - being so fidgety or restless that you have been moving around a lot more than usual			
Thoughts that you would be better off dead, or of hurting yourself in some way			
D0300. Total Severity Score			
Add scores for all frequency responses in Column 2, Symptom Frequency. Total score must be between 00 and 27. Enter 99 if unable to complete interview (i.e., Symptom Frequency is blank for 3 or more items).			
D0350. Safety Notification - Complete only if D0200I1 = 1 indicating possibility of resident self harm			
Enter Code			

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 158 of 183 Date

Section D Mood				
D0500. Staff Assessment of Resident Mood (PHQ-9-OV*) Do not conduct if Resident Mood Interview (D0200-D0300) was completed				
Over the last 2 weeks, did the resident have any of the following problems or behaviors?				
If symptom is present, enter 1 (yes) in column 1, Symptom Presence. Then move to column 2, Symptom Frequency, and indicate symptom frequency.				
 1. Symptom Presence 0. No (enter 0 in column 2) 1. Yes (enter 0-3 in column 2) 2. Symptom Frequency 0. Never or 1 day 1. 2-6 days (several days) 2. 7-11 days (half or more of the days) 3. 12-14 days (nearly every day) 	1. Symptom Presence	2. Symptom Frequency es in Boxes ↓		
A. Little interest or pleasure in doing things				
B. Feeling or appearing down, depressed, or hopeless				
C. Trouble falling or staying asleep, or sleeping too much				
D. Feeling tired or having little energy				
E. Poor appetite or overeating				
F. Indicating that s/he feels bad about self, is a failure, or has let self or family down				
G. Trouble concentrating on things, such as reading the newspaper or watching television				
H. Moving or speaking so slowly that other people have noticed. Or the opposite - being so fidgety or restless that s/he has been moving around a lot more than usual				
I. States that life isn't worth living, wishes for death, or attempts to harm self				
J. Being short-tempered, easily annoyed				
D0600. Total Severity Score				
Add scores for all frequency responses in Column 2, Symptom Frequency. Total score must be between 00 and 30.				
D0650. Safety Notification - Complete only if D0500I1 = 1 indicating possibility of resident self harm				
Enter Code Was responsible staff or provider informed that there is a potential for resident self harm? 0. No 1. Yes				

^{*} Copyright © Pfizer Inc. All rights reserved.

Section E Behavior			
E0100. Potential Indicators of Psychosis			
A. Hallucinations	(perceptual experience	es in the absenc	e of real external sensory stimuli)
B. Delusions (misc	onceptions or beliefs t	hat are firmly h	eld, contrary to reality)
Z. None of the abo	ove		
Behavioral Symptoms			
E0200. Behavioral Sympto	om - Presence & Free	quency	
Note presence of symptoms a	nd their frequency		
		↓ Enter Co	odes in Boxes
Coding: 0. Behavior not exhibited 1. Behavior of this type occurred 1 to 3 days 2. Behavior of this type occurred 4 to 6 days, but less than daily 3. Behavior of this type occurred daily		A.	Physical behavioral symptoms directed toward others (e.g., hitting, kicking, pushing, scratching, grabbing, abusing others sexually)
		B.	Verbal behavioral symptoms directed toward others (e.g., threatening others, screaming at others, cursing at others)
		C.	Other behavioral symptoms not directed toward others (e.g., physical symptoms such as hitting or scratching self, pacing, rummaging, public sexual acts, disrobing in public, throwing or smearing food or bodily wastes, or verbal/vocal symptoms like screaming, disruptive sounds)
E0800. Rejection of Care - Presence & Frequency			
Did the resident reject evaluation or care (e.g., bloodwork, taking medications, ADL assistance) that is necessary to achieve the resident's goals for health and well-being? Do not include behaviors that have already been addressed (e.g., by discussion or care planning with the resident or family), and determined to be consistent with resident values, preferences, or goals. 0. Behavior not exhibited 1. Behavior of this type occurred 1 to 3 days 2. Behavior of this type occurred 4 to 6 days, but less than daily 3. Behavior of this type occurred daily			
E0900. Wandering - Presence & Frequency			
Has the resident wandered? 0. Behavior not exhibited 1. Behavior of this type occurred 1 to 3 days 2. Behavior of this type occurred 4 to 6 days, but less than daily 3. Behavior of this type occurred daily			

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 160 of 183 Resident **Functional Status** Section G G0110. Activities of Daily Living (ADL) Assistance Refer to the ADL flow chart in the RAI manual to facilitate accurate coding Instructions for Rule of 3 ■ When an activity occurs three times at any one given level, code that level. ■ When an activity occurs three times at multiple levels, code the most dependent, exceptions are total dependence (4), activity must require full assist every time, and activity did not occur (8), activity must not have occurred at all. Example, three times extensive assistance (3) and three times limited assistance (2), code extensive assistance (3). ■ When an activity occurs at various levels, but not three times at any given level, apply the following: • When there is a combination of full staff performance, and extensive assistance, code extensive assistance. When there is a combination of full staff performance, weight bearing assistance and/or non-weight bearing assistance code limited assistance (2). If none of the above are met, code supervision. 1. ADL Self-Performance 2. ADL Support Provided Code for resident's performance over all shifts - not including setup. If the ADL activity Code for **most support provided** over all occurred 3 or more times at various levels of assistance, code the most dependent - except for shifts; code regardless of resident's selftotal dependence, which requires full staff performance every time performance classification Coding: Coding: **Activity Occurred 3 or More Times** 0. **No** setup or physical help from staff 0. **Independent** - no help or staff oversight at any time 1. Setup help only 1. **Supervision** - oversight, encouragement or cueing 2. **One** person physical assist 2. Limited assistance - resident highly involved in activity; staff provide guided maneuvering 3. **Two+** persons physical assist of limbs or other non-weight-bearing assistance 8. ADL activity itself did not occur or family 3. Extensive assistance - resident involved in activity, staff provide weight-bearing support and/or non-facility staff provided care 4. Total dependence - full staff performance every time during entire 7-day period 100% of the time for that activity over the **Activity Occurred 2 or Fewer Times** entire 7-day period 7. **Activity occurred only once or twice** - activity did occur but only once or twice 1. 2. 8. Activity did not occur - activity did not occur or family and/or non-facility staff provided **Self-Performance** Support

	care 100% of the time for that activity over the entire 7-day period	↓ Enter Codes in Boxes ↓		
A.	Bed mobility - how resident moves to and from lying position, turns side to side, and positions body while in bed or alternate sleep furniture			
В.	Transfer - how resident moves between surfaces including to or from: bed, chair, wheelchair, standing position (excludes to/from bath/toilet)			
c.	Walk in room - how resident walks between locations in his/her room			
D.	Walk in corridor - how resident walks in corridor on unit			
E.	Locomotion on unit - how resident moves between locations in his/her room and adjacent corridor on same floor. If in wheelchair, self-sufficiency once in chair			
F.	Locomotion off unit - how resident moves to and returns from off-unit locations (e.g., areas set aside for dining, activities or treatments). If facility has only one floor , how resident moves to and from distant areas on the floor. If in wheelchair, self-sufficiency once in chair			
G.	Dressing - how resident puts on, fastens and takes off all items of clothing, including donning/removing a prosthesis or TED hose. Dressing includes putting on and changing pajamas and housedresses			
H.	Eating - how resident eats and drinks, regardless of skill. Do not include eating/drinking during medication pass. Includes intake of nourishment by other means (e.g., tube feeding, total parenteral nutrition, IV fluids administered for nutrition or hydration)			
I.	Toilet use - how resident uses the toilet room, commode, bedpan, or urinal; transfers on/off toilet; cleanses self after elimination; changes pad; manages ostomy or catheter; and adjusts clothes. Do not include emptying of bedpan, urinal, bedside commode, catheter bag or ostomy bag			
J.	Personal hygiene - how resident maintains personal hygiene, including combing hair, brushing teeth, shaving, applying makeup, washing/drying face and hands (excludes baths and showers)			

Section G	Functional Statu	S					
G0120. Bathing							
How resident takes full-body badependent in self-performance		transfers	in/out of tub/shower (excludes washing of back and hair). Code for most				
Enter Code A. Self-performance 0. Independent - no help provided 1. Supervision - oversight help only 2. Physical help limited to transfer only 3. Physical help in part of bathing activity 4. Total dependence 8. Activity itself did not occur or family and/or non-facility staff provided care 100% of the time for that activity over the entire 7-day period							
(Bathing support	B. Support provided (Bathing support codes are as defined in item G0110 column 2, ADL Support Provided, above)						
G0300. Balance During Tra							
After observing the resident, co	de the following walking an		ion items for most dependent				
		↓ Eı	nter Codes in Boxes				
Coding:			A. Moving from seated to standing position				
0. Steady at all times 1. Not steady, but <u>able</u> to s	stabilize without staff		B. Walking (with assistive device if used)				
assistance 2. Not steady, <u>only able</u> to	stabilize with staff		C. Turning around and facing the opposite direction while walking				
assistance 8. Activity did not occur			D. Moving on and off toilet				
			E. Surface-to-surface transfer (transfer between bed and chair or wheelchair)				
G0400. Functional Limitat	ion in Range of Motion						
Code for limitation that interfe	ered with daily functions or pla	ced resid	ent at risk of injury				
Coding:		↓ Eı	nter Codes in Boxes				
No impairment Impairment on one side			A. Upper extremity (shoulder, elbow, wrist, hand)				
2. Impairment on both sid	es		B. Lower extremity (hip, knee, ankle, foot)				
G0600. Mobility Devices							
↓ Check all that were nor	mally used						
A. Cane/crutch							
B. Walker	B. Walker						
C. Wheelchair (ma	nual or electric)						
D. Limb prosthesi	D. Limb prosthesis						
Z. None of the abo	Z. None of the above were used						

Sectio	n H	Bladder and Bowel					
H0100. /	H0100. Appliances						
↓ Che	↓ Check all that apply						
	A. Indwelling catheter (including suprapubic catheter and nephrostomy tube)						
	B. External catheter						
	C. Ostomy (including urostomy, ileostomy, and colostomy)						
	D. Intermittent cath	neterization					
	Z. None of the abov	re					
H0200. l	Urinary Toileting Pr	ogram					
Enter Code	admission/entry of 0. No → Skip to 1. Yes → Cont	ileting program (e.g., scheduled toileting, prompted voiding, or bladder training) been attempted on or reentry or since urinary incontinence was noted in this facility? o H0300, Urinary Continence tinue to H0200C, Current toileting program or trial termine → Continue to H0200C, Current toileting program or trial					
Enter Code		program or trial - Is a toileting program (e.g., scheduled toileting, prompted voiding, or bladder training) currently nage the resident's urinary continence?					
H0300. U	Urinary Continence						
Enter Code	O. Always contin Coccasionally i Englished Transport Always income Always income	Select the one category that best describes the resident incontinent (less than 7 episodes of incontinence) continent (7 or more episodes of urinary incontinence, but at least one episode of continent voiding) tinent (no episodes of continent voiding) ident had a catheter (indwelling, condom), urinary ostomy, or no urine output for the entire 7 days					
H0400. E	Bowel Continence						
Enter Code	O. Always contin Occasionally i Frequently in Always incont	Select the one category that best describes the resident nent incontinent (one episode of bowel incontinence) continent (2 or more episodes of bowel incontinence, but at least one continent bowel movement) tinent (no episodes of continent bowel movements) ident had an ostomy or did not have a bowel movement for the entire 7 days					
H0500. E	Bowel Toileting Pro	gram					
Enter Code	Is a toileting program 0. No 1. Yes	m currently being used to manage the resident's bowel continence?					

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 163 of 183 Date

Resident

Sect	ion I	Active Diagnoses						
		oses in the last 7 days - Check all that apply						
Diagno		d in parentheses are provided as examples and should not be considered as all-inclusive lists						
		Circulation						
		10200. Anemia (e.g., aplastic, iron deficiency, pernicious, and sickle cell)						
		0600. Heart Failure (e.g., congestive heart failure (CHF) and pulmonary edema)						
		700. Hypertension						
		Orthostatic Hypotension						
Ш		Peripheral Vascular Disease (PVD) or Peripheral Arterial Disease (PAD)						
		urinary						
		Neurogenic Bladder						
	Infection	Obstructive Uropathy						
		Multidrug-Resistant Organism (MDRO)						
		Pneumonia						
		Septicemia						
		Tuberculosis						
		Urinary Tract Infection (UTI) (LAST 30 DAYS)						
		Viral Hepatitis (e.g., Hepatitis A, B, C, D, and E)						
		Wound Infection (other than foot)						
	Metabo	Diabetes Mellitus (DM) (e.g., diabetic retinopathy, nephropathy, and neuropathy)						
		Hyponatremia						
		Hyperkalemia						
		Hyperlipidemia (e.g., hypercholesterolemia)						
		loskeletal						
		Hip Fracture - any hip fracture that has a relationship to current status, treatments, monitoring (e.g., sub-capital fractures, and						
		fractures of the trochanter and femoral neck)						
Ш		Other Fracture						
	Neurol	ogical Alzheimer's Disease						
片		Aphasia Cerebral Palsy						
		·						
님		Cerebrovascular Accident (CVA), Transient Ischemic Attack (TIA), or Stroke						
	14800.	Non-Alzheimer's Dementia (e.g. Lewy body dementia, vascular or multi-infarct dementia; mixed dementia; frontotemporal dementia such as Pick's disease; and dementia related to stroke, Parkinson's or Creutzfeldt-Jakob diseases)						
	I4900.	Hemiplegia or Hemiparesis						
	I5000.	Paraplegia						
	I5100.	Quadriplegia						
	I5200.	Multiple Sclerosis (MS)						
	I5250.	Huntington's Disease						
	I5300.	Parkinson's Disease						
	15350.	Tourette's Syndrome						
	I5400.	Seizure Disorder or Epilepsy						
	15500.	Traumatic Brain Injury (TBI)						

15600. Malnutrition (protein or calorie) or at risk for malnutrition

Nutritional

Sect	ion I		Active Dia	gnoses										
Active	e Diagn	oses in the last	7 days - Check a	all that appl	ly									
Diagno		<u> </u>	re provided as exa	amples and sh	ould not be	e considere	d as all-inclus	ive lists						
		atric/Mood Disor												
	-	15700. Anxiety Disorder												
	15800.	Depression (oth	er than bipolar)											
	15900.	Manic Depression	n (bipolar disease	4)										
	15950.	Psychotic Disord	ler (other than sch	izophrenia)										
	16000.	Schizophrenia (e.g., schizoaffective	e and schizoph	hreniform o	disorders)								
	I6100.	Post Traumatic	Stress Disorder (P	TSD)										
	Pulmo	nary												
	l6200.		Obstructive Pul	monary Disea	ase (COPD)), or Chroni	c Lung Disea	i se (e.g., chr	onic b	ronchit	is and	restri	ctive lu	ng
l	16300	diseases such as	•											
	Other	Respiratory Fail	ure											
		Additional activ	e diagnoses											
			id ICD code in box	es. Include th	ne decimal f	for the code	in the appro	priate box.						
										$\neg \vdash$	Т	П	\neg	
	A													
	_													
	B								ш					
	C.													
	—								브		<u> </u>			
	D.													
									\equiv				\equiv	
	E.													
											1		$\neg \neg$	
	F													
	_									-	Т	П	$\neg \top$	
	G								Ш					
	H.													
	' '' —								브					
	l.													
	· —								=				\equiv	
	J.													

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 165 of 183

Resident	Identifier Date						
Section J	Health Conditions						
J0100. Pain Management -	Complete for all residents, regardless of current pain level						
At any time in the last 5 days, ha							
0. No 1. Yes	uled pain medication regimen?						
Enter Code B. Received PRN pain medications OR was offered and declined? 0. No 1. Yes Enter Code C. Received non-medication intervention for pain?							
0. No 1. Yes							
IN200 Should Pain Asses	sment Interview be Conducted?						
	ew with all residents. If resident is comatose, skip to J1100, Shortness of Breath (dyspnea)						
	s rarely/never understood) → Skip to and complete J0800, Indicators of Pain or Possible Pain inue to J0300, Pain Presence						
Pain Assessment Inter	view						
J0300. Pain Presence							
<u> </u>	ve you had pain or hurting at any time in the last 5 days?"						
	p to J1100, Shortness of Breath ontinue to J0400, Pain Frequency						
	answer → Skip to J0800, Indicators of Pain or Possible Pain						
J0400. Pain Frequency							
	w much of the time have you experienced pain or hurting over the last 5 days?"						
1. Almost co 2. Frequentl	· · · · · · · · · · · · · · · · · · ·						
3. Occasiona							
4. Rarely							
9. Unable to	answer						
J0500. Pain Effect on Fu	nction						
Enter Code	'Over the past 5 days, has pain made it hard for you to sleep at night? "						
1. Yes 9. Unable to	answer						
	'Over the past 5 days, have you limited your day-to-day activities because of pain?"						
Enter Code 0. No							
1. Yes							
9. Unable to							
<u> </u>	dminister ONLY ONE of the following pain intensity questions (A or B)						
A. Numeric Ratio	ng Scale (00-10) 'Please rate your worst pain over the last 5 days on a zero to ten scale, with zero being no pain and ten						
Ask resident:	pain you can imagine." (Show resident 00 -10 pain scale)						
	it response. Enter 99 if unable to answer.						
B. Verbal Descri	•						
	Please rate the intensity of your worst pain over the last 5 days." (Show resident verbal scale)						
1. Mild							
2. Moderate							
3. Severe 4. Very sever	re harrible						
9. Unable to							

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 166 of 183 Resident Section J **Health Conditions** J0700. Should the Staff Assessment for Pain be Conducted? **Enter Code** 0. No (J0400 = 1 thru 4) -> Skip to J1100, Shortness of Breath (dyspnea) 1. Yes (J0400 = 9) → Continue to J0800, Indicators of Pain or Possible Pain **Staff Assessment for Pain** J0800. Indicators of Pain or Possible Pain in the last 5 days Check all that apply **A. Non-verbal sounds** (e.g., crying, whining, gasping, moaning, or groaning) **B. Vocal complaints of pain** (e.g., that hurts, ouch, stop) C. Facial expressions (e.g., grimaces, winces, wrinkled forehead, furrowed brow, clenched teeth or jaw) D. Protective body movements or postures (e.g., bracing, guarding, rubbing or massaging a body part/area, clutching or holding a body part during movement) **Z.** None of these signs observed or documented → If checked, skip to J1100, Shortness of Breath (dyspnea) **J0850. Frequency of Indicator of Pain or Possible Pain** in the last 5 days Frequency with which resident complains or shows evidence of pain or possible pain Enter Code 1. Indicators of pain or possible pain observed 1 to 2 days 2. Indicators of pain or possible pain observed 3 to 4 days 3. Indicators of pain or possible pain observed daily **Other Health Conditions** J1100. Shortness of Breath (dyspnea) Check all that apply A. Shortness of breath or trouble breathing with exertion (e.g., walking, bathing, transferring) B. Shortness of breath or trouble breathing when sitting at rest C. Shortness of breath or trouble breathing when lying flat Z. None of the above J1400. Prognosis Does the resident have a condition or chronic disease that may result in a life expectancy of less than 6 months? (Requires physician documentation) **Enter Code** 0. **No** 1. Yes J1550. Problem Conditions

A. Fever
B. Vomiting
C. Dehydrated

D. Internal bleeding
Z. None of the above

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 167 of 183

Resident **Health Conditions** Section J J1700. Fall History on Admission/Entry or Reentry Complete only if A0310A = 01 or A0310E = 1**A.** Did the resident have a fall any time in the **last month** prior to admission/entry or reentry? **Enter Code** 1. Yes 9. Unable to determine **B.** Did the resident have a fall any time in the **last 2-6 months** prior to admission/entry or reentry? **Enter Code** 0. **No** 1. Yes 9. Unable to determine C. Did the resident have any fracture related to a fall in the 6 months prior to admission/entry or reentry? Enter Code 0. **No** 1. Yes 9. Unable to determine J1800. Any Falls Since Admission/Entry or Reentry or Prior Assessment (OBRA or Scheduled PPS), whichever is more recent Has the resident had any falls since admission/entry or reentry or the prior assessment (OBRA or scheduled PPS), whichever is more **Enter Code** 0. **No** → Skip to K0100, Swallowing Disorder 1. Yes → Continue to J1900, Number of Falls Since Admission/Entry or Reentry or Prior Assessment (OBRA or Scheduled PPS) J1900. Number of Falls Since Admission/Entry or Reentry or Prior Assessment (OBRA or Scheduled PPS), whichever is more recent ↓ Enter Codes in Boxes **A.** No injury - no evidence of any injury is noted on physical assessment by the nurse or primary care clinician; no complaints of pain or injury by the resident; no change in the resident's behavior is noted after the fall Coding: 0. None B. Injury (except major) - skin tears, abrasions, lacerations, superficial bruises, hematomas and 1. **One** sprains; or any fall-related injury that causes the resident to complain of pain 2. Two or more C. Major injury - bone fractures, joint dislocations, closed head injuries with altered consciousness, subdural hematoma **Section K Swallowing/Nutritional Status** K0100. Swallowing Disorder Signs and symptoms of possible swallowing disorder Check all that apply A. Loss of liquids/solids from mouth when eating or drinking B. Holding food in mouth/cheeks or residual food in mouth after meals C. Coughing or choking during meals or when swallowing medications D. Complaints of difficulty or pain with swallowing Z. None of the above K0200. Height and Weight - While measuring, if the number is X.1 - X.4 round down; X.5 or greater round up A. Height (in inches). Record most recent height measure since the most recent admission/entry or reentry inches B. Weight (in pounds). Base weight on most recent measure in last 30 days; measure weight consistently, according to standard facility practice (e.g., in a.m. after voiding, before meal, with shoes off, etc.) K0300. Weight Loss Loss of 5% or more in the last month or loss of 10% or more in last 6 months **Enter Code** 0. **No** or unknown 1. **Yes, on** physician-prescribed weight-loss regimen

2. **Yes, not on** physician-prescribed weight-loss regimen

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 168 of 183 Date

Resident

Section K	Swallowing/Nutritional Status				
K0310. Weight Gain					
Enter Code 0. No or unk 1. Yes, on p	ore in the last month or gain of 10% or more in last 6 months nown hysician-prescribed weight-gain regimen physician-prescribed weight-gain regimen				
K0510. Nutritional App					
Check all of the following nutritional approaches that were performed during the last 7 days 1. While NOT a Resident Performed while NOT a resident of this facility and within the last 7 days. Only check column 1 if resident entered (admission or reentry) IN THE LAST 7 DAYS. If resident last entered 7 or more days ago, leave column 1 blank 2. While a Resident Resident					
Performed while a resid	ent of this facility and within the last 7 days		↓ Check all	that apply ↓	
A. Parenteral/IV feeding					
B. Feeding tube - nasogast	ric or abdominal (PEG)				
C. Mechanically altered d thickened liquids)	iet - require change in texture of food or liquids (e.g., pureed food,				
D. Therapeutic diet (e.g., lo	w salt, diabetic, low cholesterol)				
Z. None of the above					
K0710. Percent Intake b	y Artificial Route - Complete K0710 only if Column 1 and/or G	Column 2 are o	hecked for K0510A	and/or K0510B	
code in column 1 if resic resident last entered 7 o 2. While a Resident	resident of this facility and within the last 7 days. Only enter a lent entered (admission or reentry) IN THE LAST 7 DAYS. If r more days ago, leave column 1 blank ent of this facility and within the last 7 days	1. While NOT a Resident	2. a While a Resident	3. During Entire 7 Days	
Performed during the en	ntire <i>last 7 days</i>		↓ Enter Codes ↓		
1. 25% or less 2. 26-50% 3. 51% or more	ries the resident received through parenteral or tube feeding				
B. Average fluid intake pe 1. 500 cc/day or less 2. 501 cc/day or more					
Section L	Oral/Dental Status				
L0200. Dental					
↓ Check all that apply					
	osely fitting full or partial denture (chipped, cracked, uncleanab	le, or loose)			

F. Mouth or facial pain, discomfort or difficulty with chewing

Resident

Section M Skin Conditions

Report based on highest stage of existing ulcer(s) at its worst; do not "reverse" stage

M0100. I	Determination of Pressure Ulcer Risk								
↓ Che	eck all that apply								
	A. Resident has a stage 1 or greater, a scar over bony prominence, or a non-removable dressing/device								
	B. Formal assessment instrument/tool (e.g., Braden, Norton, or other)								
	C. Clinical assessment								
	Z. None of the above								
M0150. I	Risk of Pressure Ulcers								
Enter Code	Is this resident at risk of developing pressure ulcers?								
	0. No 1. Yes								
M0210.	Unhealed Pressure Ulcer(s)								
Enter Code	Does this resident have one or more unhealed pressure ulcer(s) at Stage 1 or higher?								
	0. No → Skip to M0900, Healed Pressure Ulcers								
	1. Yes → Continue to M0300, Current Number of Unhealed Pressure Ulcers at Each Stage								
M0300.	Current Number of Unhealed Pressure Ulcers at Each Stage								
Enter Number	A. Number of Stage 1 pressure ulcers Stage 1: Intact skin with non-blanchable redness of a localized area usually over a bony prominence. Darkly pigmented skin may not have a visible blanching; in dark skin tones only it may appear with persistent blue or purple hues								
Enter Number	B. Stage 2: Partial thickness loss of dermis presenting as a shallow open ulcer with a red or pink wound bed, without slough. May also present as an intact or open/ruptured blister								
Enter Number	 Number of Stage 2 pressure ulcers - If 0 → Skip to M0300C, Stage 3 Number of these Stage 2 pressure ulcers that were present upon admission/entry or reentry - enter how many were noted at the time of a decision (active and active active and active /li>								
	the time of admission/entry or reentry								
	3. Date of oldest Stage 2 pressure ulcer - Enter dashes if date is unknown:								
	Month Day Year								
Enter Number	C. Stage 3: Full thickness tissue loss. Subcutaneous fat may be visible but bone, tendon or muscle is not exposed. Slough may be present but does not obscure the depth of tissue loss. May include undermining and tunneling								
	1. Number of Stage 3 pressure ulcers - If 0 → Skip to M0300D, Stage 4								
Enter Number	2. Number of these Stage 3 pressure ulcers that were present upon admission/entry or reentry - enter how many were noted at the time of admission/entry or reentry								
Enter Number	D. Stage 4: Full thickness tissue loss with exposed bone, tendon or muscle. Slough or eschar may be present on some parts of the wound bed. Often includes undermining and tunneling								
Enter Number	1. Number of Stage 4 pressure ulcers - If 0 → Skip to M0300E, Unstageable: Non-removable dressing								
Litter Number	2. Number of the-time-of-admission/entry enter how many were noted at the time of admission/entry or reentry								
M030	00 continued on next page								

Section	M	Skin Conditions
M0300. Cui	rrent Number of	Unhealed Pressure Ulcers at Each Stage - Continued
E.	Unstageable - No	on-removable dressing: Known but not stageable due to non-removable dressing/device
Enter Number	1. Number of un Slough and/or	astageable pressure ulcers due to non-removable dressing/device - If 0 → Skip to M0300F, Unstageable: eschar
Enter Number		<u>ese</u> unstageable pressure ulcers that were present upon admission/entry or reentry - enter how many were me of admission/entry or reentry
F.	Unstageable - Sl	ough and/or eschar: Known but not stageable due to coverage of wound bed by slough and/or eschar
Enter Number	1. Number of un Unstageable: [stageable pressure ulcers due to coverage of wound bed by slough and/or eschar - If 0 → Skip to M0300G, Deep tissue
Enter Number		<u>ese</u> unstageable pressure ulcers that were present upon admission/entry or reentry - enter how many were me of admission/entry or reentry
G.	. Unstageable - D	eep tissue: Suspected deep tissue injury in evolution
Enter Number		istageable pressure ulcers with suspected deep tissue injury in evolution - If 0 → Skip to M0610, Dimension tage 3 or 4 Pressure Ulcers or Eschar
Enter Number		<u>ese</u> unstageable pressure ulcers that were present upon admission/entry or reentry - enter how many were me of admission/entry or reentry
		lealed Stage 3 or 4 Pressure Ulcers or Eschar 10300D1 or M0300F1 is greater than 0
If the resident	t has one or more u	nhealed Stage 3 or 4 pressure ulcers or an unstageable pressure ulcer due to slough or eschar, identify the pressure
ulcer with the	largest surface are	ea (length x width) and record in centimeters:
	cm A. Press	sure ulcer length: Longest length from head to toe
	cm B. Press	ure ulcer width: Widest width of the same pressure ulcer, side-to-side perpendicular (90-degree angle) to length
		ure ulcer depth: Depth of the same pressure ulcer from the visible surface to the deepest area (if depth is unknown, a dash in each box)
M0700. Mo	st Severe Tissue	Type for Any Pressure Ulcer
		iption of the most severe type of tissue present in any pressure ulcer bed
Enter Code	=	sue - new skin growing in superficial ulcer. It can be light pink and shiny, even in persons with darkly pigmented skin tissue - pink or red tissue with shiny, moist, granular appearance
		ow or white tissue that adheres to the ulcer bed in strings or thick clumps, or is mucinous
		k, brown, or tan tissue that adheres firmly to the wound bed or ulcer edges, may be softer or harder than surrounding
	skin 9. None of the a	shovo
M0800. Wo		sure Ulcer Status Since Prior Assessment (OBRA or Scheduled PPS) or Last Admission/Entry or Reentry
Complete or	nly if A0310E = 0	
admission/en		oressure ulcers that were not present or were at a lesser stage on prior assessment (OBRA or scheduled PPS) or last to current pressure ulcer at a given stage, enter 0
Enter Number A.	. Stage 2	
Enter Number B.	. Stage 3	
Enter Number C.	Stage 4	

Sectio	n M	Skin Conditions							
	Healed Pressure Ul	cers							
	e only if A0310E = 0	Jesus museumt on the purious excession and (ORDA out of eduted DDC)?							
Enter Code	 A. Were pressure ulcers present on the prior assessment (OBRA or scheduled PPS)? 0. No → Skip to M1030, Number of Venous and Arterial Ulcers 1. Yes → Continue to M0900B, Stage 2 								
	Indicate the number	Indicate the number of pressure ulcers that were noted on the prior assessment (OBRA or scheduled PPS) that have completely closed (resurfaced with epithelium). If no healed pressure ulcer at a given stage since the prior assessment (OBRA or scheduled PPS), enter 0.							
Enter Number	B. Stage 2								
Enter Number	C. Stage 3								
Enter Number	D. Stage 4								
M1030.	Number of Venous	and Arterial Ulcers							
Enter Number	Enter the total num	ber of venous and arterial ulcers present							
M1040.	Other Ulcers, Woun	nds and Skin Problems							
↓ CI	neck all that apply								
	Foot Problems								
	A. Infection of the f	foot (e.g., cellulitis, purulent drainage)							
	B. Diabetic foot ulcer(s)								
	C. Other open lesion(s) on the foot								
	Other Problems								
	D. Open lesion(s) of	ther than ulcers, rashes, cuts (e.g., cancer lesion)							
	E. Surgical wound(s)							
	F. Burn(s) (second o	or third degree)							
	G. Skin tear(s)								
	H. Moisture Associa	ated Skin Damage (MASD) (i.e. incontinence (IAD), perspiration, drainage)							
	None of the Above								
	Z. None of the abov	ve were present							
M1200.	Skin and Ulcer Trea	itments							
↓ ci	neck all that apply								
	A. Pressure reducir	ng device for chair							
	B. Pressure reducin	ng device for bed							
	C. Turning/repositi	oning program							
	D. Nutrition or hydi	ration intervention to manage skin problems							
	E. Pressure ulcer ca	ire							
	F. Surgical wound	care							
	G. Application of n	onsurgical dressings (with or without topical medications) other than to feet							
	H. Applications of o	ointments/medications other than to feet							
	I. Application of dr	ressings to feet (with or without topical medications)							
	Z. None of the above	ve were provided							

						
Section N Medications						
N0300. Injections						
Record the number of days that injections of any type were received during the last 7 days or since admission/entry or reentry if less than 7 days. If 0						
N0350. Insulin						
A. Insulin injections - Record the number of days that insulin injections were received during the last 7 days or since admission/entry or reentry if less than 7 days						
B. Orders for insulin - Record the number of days the physician (or authorized assistant or practitioner) changed the resident's insulin orders during the last 7 days or since admission/entry or reentry if less than 7 days						
N0410. Medications Received						
Indicate the number of DAYS the resident received the following medications during the last 7 days or since admission/entry or reentry if less than 7 days. Enter "0" if medication was not received by the resident during the last 7 days						
Enter Days A. Antipsychotic						
Enter Days B. Antianxiety						
Enter Days C. Antidepressant						
Enter Days D. Hypnotic						
Enter Days E. Anticoagulant (warfarin, heparin, or low-molecular weight heparin)						
Enter Days F. Antibiotic						
Enter Days G. Diuretic						

Section O	Section O Special Treatments, Procedures, and Programs				
O0100. Special Treatments	, Procedures, and Programs				
Check all of the following treatm	ents, procedures, and programs that were performed during the last 14 day	/S			
1. While NOT a Resident Performed while NOT a resi resident entered (admission ago, leave column 1 blank 2. While a Resident	1. While NOT a Resident	2. While a Resident			
	of this facility and within the <i>last 14 days</i>	↓ Check all that apply ↓			
Cancer Treatments					
A. Chemotherapy					
B. Radiation					
Respiratory Treatments					
C. Oxygen therapy					
D. Suctioning					
E. Tracheostomy care					
F. Ventilator or respirator					
Other					
H. IV medications					
I. Transfusions					
J. Dialysis					
K. Hospice care					
M. Isolation or quarantine for active infectious disease (does not include standard body/fluid precautions)					
O0250. Influenza Vaccine -	Refer to current version of RAI manual for current influenza vaccinat	ion season and repo	rting period		
Enter Code A. Did the resident	receive the influenza vaccine in this facility for this year's influenza vaccin	ation season?			
	to O0250C, If influenza vaccine not received, state reason tinue to O0250B, Date influenza vaccine received				
B. Date influenza v	raccine received → Complete date and skip to O0300A, Is the resident's Pr Day Page 1 Page 1 Page 2 Page 2 Page 2 Page 3 Page 3 Page 3 Page 3 Page 3 Page 4 Page	neumococcal vaccinati	on up to date?		
C. If influenza vaccine not received, state reason: 1. Resident not in this facility during this year's influenza vaccination season 2. Received outside of this facility 3. Not eligible - medical contraindication 4. Offered and declined 5. Not offered 6. Inability to obtain influenza vaccine due to a declared shortage 9. None of the above					
O0300. Pneumococcal Vac	cine				
Enter Code A. Is the resident's	Pneumococcal vaccination up to date?				
	nue to O0300B, If Pneumococcal vaccine not received, state reason to O0400, Therapies				
	vaccine not received, state reason:				
1. Not eligible	medical contraindication				
2. Offered and 3. Not offered	declined				

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 174 of 183 Date

Resident

Special Treatments, Procedures, and Programs Section O 00400. Therapies A. Speech-Language Pathology and Audiology Services **Enter Number of Minutes** 1. Individual minutes - record the total number of minutes this therapy was administered to the resident individually in the last 7 days **Enter Number of Minutes** 2. Concurrent minutes - record the total number of minutes this therapy was administered to the resident concurrently with one other resident in the last 7 days Enter Number of Minutes 3. Group minutes - record the total number of minutes this therapy was administered to the resident as part of a group of residents in the last 7 days If the sum of individual, concurrent, and group minutes is zero, → skip to 00400A5, Therapy start date **Enter Number of Minutes 3A.** Co-treatment minutes - record the total number of minutes this therapy was administered to the resident in co-treatment sessions in the last 7 days **Enter Number of Days** 4. Days - record the number of days this therapy was administered for at least 15 minutes a day in the last 7 days **6. Therapy end date** - record the date the most recent **5. Therapy start date** - record the date the most recent therapy regimen (since the most recent entry) ended therapy regimen (since the most recent entry) started - enter dashes if therapy is ongoing Month Dav Year Month Day Year **B.** Occupational Therapy **Enter Number of Minutes** 1. Individual minutes - record the total number of minutes this therapy was administered to the resident individually in the last 7 days Enter Number of Minutes 2. Concurrent minutes - record the total number of minutes this therapy was administered to the resident concurrently with one other resident in the last 7 days **Enter Number of Minutes** 3. Group minutes - record the total number of minutes this therapy was administered to the resident as part of a group of residents in the last 7 days If the sum of individual, concurrent, and group minutes is zero, → skip to O0400B5, Therapy start date Enter Number of Minutes **3A.** Co-treatment minutes - record the total number of minutes this therapy was administered to the resident in co-treatment sessions in the last 7 days **Enter Number of Days** 4. Days - record the number of days this therapy was administered for at least 15 minutes a day in the last 7 days **6. Therapy end date** - record the date the most recent **5. Therapy start date** - record the date the most recent therapy regimen (since the most recent entry) ended therapy regimen (since the most recent entry) started - enter dashes if therapy is ongoing

Year

Month

Day

Year

00400 continued on next page

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 175 of 183

Resident

Special Treatments, Procedures, and Programs Section O **00400.** Therapies - Continued C. Physical Therapy **Enter Number of Minutes** 1. Individual minutes - record the total number of minutes this therapy was administered to the resident individually in the last 7 days **Enter Number of Minutes** 2. Concurrent minutes - record the total number of minutes this therapy was administered to the resident concurrently with one other resident in the last 7 days Enter Number of Minutes 3. Group minutes - record the total number of minutes this therapy was administered to the resident as part of a group of residents in the last 7 days If the sum of individual, concurrent, and group minutes is zero, → skip to O0400C5, Therapy start date **Enter Number of Minutes** 3A. Co-treatment minutes - record the total number of minutes this therapy was administered to the resident in co-treatment sessions in the last 7 days **Enter Number of Days** 4. Days - record the number of days this therapy was administered for at least 15 minutes a day in the last 7 days **6. Therapy end date** - record the date the most recent **5. Therapy start date** - record the date the most recent therapy regimen (since the most recent entry) ended therapy regimen (since the most recent entry) started - enter dashes if therapy is ongoing Month Dav Year Month Day Year D. Respiratory Therapy **Enter Number of Days** 2. Days - record the number of days this therapy was administered for at least 15 minutes a day in the last 7 days **E. Psychological Therapy** (by any licensed mental health professional) **Enter Number of Days** 2. Days - record the number of days this therapy was administered for at least 15 minutes a day in the last 7 days **00420.** Distinct Calendar Days of Therapy **Enter Number of Days** Record the number of calendar days that the resident received Speech-Language Pathology and Audiology Services, Occupational Therapy, or Physical Therapy for at least 15 minutes in the past 7 days. **O0450.** Resumption of Therapy - Complete only if A0310C = 2 or 3 and A0310F = 99 A. Has a previous rehabilitation therapy regimen (speech, occupational, and/or physical therapy) ended, as reported on this End of **Enter Code** Therapy OMRA, and has this regimen now resumed at exactly the same level for each discipline? 0. **No** → Skip to O0500, Restorative Nursing Programs B. Date on which therapy regimen resumed:

Month

Section	Section O Special Treatments, Procedures, and Programs					
O0500. R	O0500. Restorative Nursing Programs					
	Record the number of days each of the following restorative programs was performed (for at least 15 minutes a day) in the last 7 calendar days (enter 0 if none or less than 15 minutes daily)					
Number of Days	Tachniqua					
	A. Range of motion (passive)					
	B. Range of motion	n (active)				
	C. Splint or brace a	ssistance				
Number of Days	I training and Skill Practice In:					
	D. Bed mobility					
	E. Transfer					
	F. Walking					
	G. Dressing and/or grooming					
	H. Eating and/or swallowing					
	I. Amputation/pro	stheses care				
	J. Communication					
O0600. P	hysician Examinat	ions				
Enter Days	Over the last 14 days, on how many days did the physician (or authorized assistant or practitioner) examine the resident?					
00700. P	hysician Orders					
Enter Days	Over the last 14 days, on how many days did the physician (or authorized assistant or practitioner) change the resident's orders?					

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 177 of 183

Resident Restraints Section P **P0100. Physical Restraints** Physical restraints are any manual method or physical or mechanical device, material or equipment attached or adjacent to the resident's body that the individual cannot remove easily which restricts freedom of movement or normal access to one's body **Enter Codes in Boxes Used in Bed** A. Bed rail **B.** Trunk restraint C. Limb restraint Coding: D. Other 0. Not used 1. Used less than daily **Used in Chair or Out of Bed** 2. Used daily E. Trunk restraint F. Limb restraint G. Chair prevents rising H. Other **Participation in Assessment and Goal Setting Section Q Q0100.** Participation in Assessment **Enter Code** A. Resident participated in assessment 0. **No** 1. **Yes** B. Family or significant other participated in assessment Enter Code 0. **No** 9. Resident has no family or significant other C. Guardian or legally authorized representative participated in assessment **Enter Code** 1. Yes 9. Resident has no guardian or legally authorized representative **Q0300. Resident's Overall Expectation** Complete only if A0310E = 1A. Select one for resident's overall goal established during assessment process **Enter Code** 1. Expects to be discharged to the community 2. Expects to remain in this facility 3. Expects to be discharged to another facility/institution 9. Unknown or uncertain B. Indicate information source for Q0300A **Enter Code** 2. If not resident, then family or significant other 3. If not resident, family, or significant other, then guardian or legally authorized representative 9. Unknown or uncertain Q0400. Discharge Plan A. Is active discharge planning already occurring for the resident to return to the community? **Enter Code**

1. Yes → Skip to Q0600, Referral

Resident

Section Q		Participation in Assessment and Goal Setting					
Q0490. Resident's Preference to Avoid Being Asked Question Q0500B							
Complete only if A0310A = 02, 06, or 99							
Does the resident's clinical record document a request that this question be asked only on comprehensive assessments? 0. No 1. Yes → Skip to Q0600, Referral 8. Information not available							
Q0500. I	Return to Communi	ty					
Enter Code	respond): "Do y o	(or family or significant other or guardian or legally authorized representative if resident is unable to understand or bu want to talk to someone about the possibility of leaving this facility and returning to live and is in the community?" uncertain					
Q0550. I	Resident's Preferen	ce to Avoid Being Asked Question Q0500B Again					
Enter Code	respond) want to assessments.)	t (or family or significant other or guardian or legally authorized representative if resident is unable to understand or be asked about returning to the community on all assessments? (Rather than only on comprehensive ument in resident's clinical record and ask again only on the next comprehensive assessment not available					
Enter Code	 Resident If not resident, If not resident, 	tion source for Q0550A then family or significant other family or significant other, then guardian or legally authorized representative on source available					
Q0600. Referral							
Enter Code	0. No - referral n	made to the Local Contact Agency? (Document reasons in resident's clinical record) ot needed or may be needed (For more information see Appendix C, Care Area Assessment Resources #20)					

2. **Yes** - referral made

Section X Correction Request	Correction Request					
Complete Section X only if A0050 = 2 or 3 Identification of Record to be Modified/Inactivated - The following items identify the existing assessment record that is in error. In this section, reproduce the information EXACTLY as it appeared on the existing erroneous record, even if the information is incorrect. This information is necessary to locate the existing record in the National MDS Database.						
X0150. Type of Provider (A0200 on existing record to be modified/inactivated)						
Enter Code 1. Nursing home (SNF/NF) 2. Swing Bed						
X0200. Name of Resident (A0500 on existing record to be modified/inactivated)						
A. First name: C. Last name:						
X0300. Gender (A0800 on existing record to be modified/inactivated)						
Enter Code 1. Male 2. Female						
X0400. Birth Date (A0900 on existing record to be modified/inactivated)						
Month Day Year						
X0500. Social Security Number (A0600A on existing record to be modified/inactivated)						
X0600. Type of Assessment (A0310 on existing record to be modified/inactivated)						
A. Federal OBRA Reason for Assessment 01. Admission assessment (required by day 14) 02. Quarterly review assessment 03. Annual assessment 04. Significant change in status assessment 05. Significant correction to prior comprehensive assessment 06. Significant correction to prior quarterly assessment 99. None of the above						
B. PPS Assessment PPS Scheduled Assessments for a Medicare Part A Stay 01. 5-day scheduled assessment 02. 14-day scheduled assessment 03. 30-day scheduled assessment 04. 60-day scheduled assessment 05. 90-day scheduled assessment PPS Unscheduled Assessments for a Medicare Part A Stay 07. Unscheduled Assessment used for PPS (OMRA, significant or clinical change, or significant correction assessment) Not PPS Assessment 99. None of the above						
C. PPS Other Medicare Required Assessment - OMRA 0. No 1. Start of therapy assessment 2. End of therapy assessment 3. Both Start and End of therapy assessment 4. Change of therapy assessment						

Section X	Correction Request					
X0600. Type of Assessment - Continued						
Enter Code D. Is this a Swing B 0. No 1. Yes	0. No					
11. Discharge a	ng record ssessment- return not anticipated ssessment- return anticipated sility tracking record					
X0700. Date on existing reco	ord to be modified/inactivated - Complete one only					
A. Assessment Refe	erence Date (A2300 on existing record to be modified/inactivated) - Complete only if X0600F = 99 Day Year					
B. Discharge Date	(A2000 on existing record to be modified/inactivated) - Complete only if X0600F = 10, 11, or 12 Day Year					
	00 on existing record to be modified/inactivated) - Complete only if X0600F = 01 Day Year					
Correction Attestation Sect	ion - Complete this section to explain and attest to the modification/inactivation request					
X0800. Correction Number						
Enter Number Enter the number of correction requests to modify/inactivate the existing record, including the present one						
X0900. Reasons for Modific	cation - Complete only if Type of Record is to modify a record in error $(A0050 = 2)$					
↓ Check all that apply						
A. Transcription er						
B. Data entry error						
C. Software produc						
	Resumption (EOT-R) date					
Z. Other error require "Other" checke	iring modification					
X1050. Reasons for Inactivation - Complete only if Type of Record is to inactivate a record in error (A0050 = 3)						
↓ Check all that apply						
A. Event did not oc	cur					
Z. Other error requ						

Section X	Correction Request							
X1100. RN Assessment Coordinator Attestation of Completion								
A. Attesting individual's first name:								
B. Attesting individual's last name:								
C. Attesting individual's title:								
D. Signature	D. Signature							
E. Attestation date	E. Attestation date							
Month -	Day Year							

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 182 of 183 Date

Section Z	Assessment Administration							
Z0100. Medicare Part A Billing								
A. Medicare P	art A HIPPS code (RUG group followed by assessment type indicator):							
B. RUG versio	n code:							
Enter Code C. Is this a Me	dicare Short Stay assessment?							
0. No								
Z0150. Medicare Part A Non-Therapy Billing								
A. Medicare P	art A non-therapy HIPPS code (RUG group followed by assessment type indicator):							
B. RUG versio	n code:							
Z0200. State Medicaid	Billing (if required by the state)							
A. RUG Case M								
B. RUG versio	o code.							
70070 11: 1 5: 1								
	Medicaid Billing (if required by the state)							
A. RUG Case N	iix group:							
B. RUG versio	n code:							
Z0300. Insurance Billir	g							
A. RUG billing	A. RUG billing code:							
B. RUG billing	B. RUG billing version:							

Case 7:17-cv-09424-CS Document 13-3 Filed 06/02/21 Page 183 of 183

Resident

Section Z Assessment Administration

Z0400. Signature of Persons Completing the Assessment or Entry/Death Reporting

I certify that the accompanying information accurately reflects resident assessment information for this resident and that I collected or coordinated collection of this information on the dates specified. To the best of my knowledge, this information was collected in accordance with applicable Medicare and Medicaid requirements. I understand that this information is used as a basis for ensuring that residents receive appropriate and quality care, and as a basis for payment from federal funds. I further understand that payment of such federal funds and continued participation in the government-funded health care programs is conditioned on the accuracy and truthfulness of this information, and that I may be personally subject to or may subject my organization to substantial criminal, civil, and/or administrative penalties for submitting false information. I also certify that I am authorized to submit this information by this facility on its behalf.

authorized to submit this information by this facility on			Date Section			
Signature	Title	Sections	Completed			
A.						
В.						
C.						
D.						
D.						
E.						
F.						
G.						
Н.						
I.						
J.						
K.						
L.						
500. Signature of RN Assessment Coordinator Verify						
A. Signature: B. Date RN Assessment Coordinator signed assessment as complete:						
	Г					
	L	Month Day	Year			
		Month Day	ı cal			

Legal Notice Regarding MDS 3.0 - Copyright 2011 United States of America and interRAI. This work may be freely used and distributed solely within the United States. Portions of the MDS 3.0 are under separate copyright protections; Pfizer Inc. holds the copyright for the PHQ-9; Confusion Assessment Method. © 1988, 2003, Hospital Elder Life Program. All rights reserved. Adapted from: Inouye SK et al. Ann Intern Med. 1990; 113:941-8. Both Pfizer Inc. and the Hospital Elder Life Program, LLC have granted permission to use these instruments in association with the MDS 3.0.