

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER / SUPPLIER / CLIA IDENTIFICATION NUMBER <b>555771</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED <b>09/30/2020</b>
NAME OF PROVIDER OF SUPPLIER <b>BROOKDALE RIVERWALK SNF (CA)</b>		STREET ADDRESS, CITY, STATE, ZIP <b>350 CALLOWAY DRIVE, BUILDING C BAKERSFIELD, CA 93312</b>	
For information on the nursing home's plan to correct this deficiency, please contact the nursing home or the state survey agency.			
(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)		
F 0573  <b>Level of harm</b> - Minimal harm or potential for actual harm  <b>Residents Affected</b> - Few	<b>Let each resident or the resident's legal representative access or purchase copies of all the resident's records.</b>  Based on interview and record review, the facility failed to provide medical records timely at the request of a legal representative for two of three sampled residents (Resident 1 and Resident 2). This failure resulted in a violation of the residents' rights to access their medical records in a timely manner. Findings: 1. During an interview on 8/3/20, at 2:08 PM, with the Legal Representative (LR) of Resident 1, LR stated that an initial request of Resident 1's medical records was submitted in February 2020 and they have not received any of Resident 1's medical records from the facility to date. During a review of an email to the Department dated 8/5/20, at 1:25 PM, with Legal and Owner Relations Manager (LORM) of the facility, LORM documented, It has come to my attention from our outside counsel that is (sic) assisted us with this matter, that we did not deliver the resident (Resident 1's) file per the request to the requesting attorney until today, August 5th (2020). 2. During a concurrent interview and record review, on 9/17/20, at 2:32 PM with Medical Records (MR), Medical Records Request Log (MRRL), dated 6/20 was reviewed. The MRRL indicated on 7/21/20, Responsible Party for Resident 2 requested the medical records for Resident 2. The MRRL indicated the medical records request was Completed on 8/25/20 and it was delivered via a delivery service on 9/8/20. MR stated upon request, the facility has 30 days to process and give the records to the resident. During a review of the facility's policy and procedure (P&P) titled, HIPAA: Request for Access to PHI, dated 11/6/14, the P&P indicated, A resident has a right to access and inspect and obtain copies of his or her PHI . 3. A Resident's Personal Representative is treated as the Resident . Therefore, a Personal Representative's request to access a Resident's record will generally be granted . 5. Timeframe for Response. Company will grant or deny a written request for access within 30 days of the date Company received the request, or sooner if so required by applicable state law.		
LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE		TITLE (X6) DATE	

Any deficiency statement ending with an asterisk (\*) denotes a deficiency which the institution may be excused from correcting providing it is determined that other safeguards provide sufficient protection to the patients. (See instructions.) Except for nursing homes, the findings stated above are disclosable 90 days following the date of survey whether or not a plan of correction is provided. For nursing homes, the above findings and plans of correction are disclosable 14 days following the date these documents are made available to the facility. If deficiencies are cited, an approved plan of correction is requisite to continued program participation.