

OCT 04 2022

PRINTED: 08/31/2022
FORM APPROVED

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: AB0028	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING: _____	(X3) DATE SURVEY COMPLETED 08/30/2022
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NAME OF PROVIDER OR SUPPLIER
A WOMAN'S CHOICE OF RALEIGH, INC

STREET ADDRESS, CITY, STATE, ZIP CODE
**3305 DRAKE CIRCLE
RALEIGH, NC 27607**

(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)	(X5) COMPLETE DATE
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E 131 .0302 Governing Authority

10A NCAC 14E .0302

(a) The governing authority, as defined in Rule .0101(6) of this Subchapter, shall appoint a chief executive officer or a designee of the clinic to represent the governing authority and shall define his or her authority and duties in writing. This person shall be responsible for the management of the clinic, implementation of the policies of the governing authority and authorized and empowered to carry out the provisions of these Rules.

(b) The chief executive officer or designee shall designate, in writing, a person to act on his or her behalf during his or her absence. In the absence of the chief executive officer or designee, the person on the grounds of the clinic who is designated by the chief executive officer or designee to be in charge of the clinic shall have access to all areas in the clinic related to patient care and to the operation of the physical plant.

(c) When there is a planned change in ownership or in the chief executive officer, the governing authority of the clinic shall notify the Division in writing of the change.

(d) The clinic's governing authority shall adopt operating policies and procedures that shall:

- (1) specify the individual to whom responsibility for operation and maintenance of the clinic is delegated and methods established by the governing authority for holding such individuals responsible;
- (2) provide for at least annual meetings of the governing authority, for which minutes shall be maintained; and
- (3) maintain a policies and procedures manual designed to ensure professional and safe care for the patients which shall be reviewed, and revised when necessary, at least annually, and shall include provisions for administration and

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AWCR clinic manager is the governing body over AWCR.

AWCR clinic manager will retrain Front Desk and the Registered Nurse on the 72 hr informed consent time prior to an abortion to ensure patients are receiving their 72 hour counseling in the correct time prior to having an abortion.

The Front Desk staff will confirm the date and time the consent was given when the patient check in to ensure the date and time is correct 72 hours prior to the abortion.

The Registered Nurse will double check the date and time of the 72 hr. informed consent to make sure it's correct prior to abortion.

9-27-2022

Division of Health Service Regulation

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

TITLE

(X5) DATE

STATE FORM

6899

0SEH11

If continuation sheet 1 of 4

[Signature] Clinic Manager 9/28/2022

[Signature] 10/4/2022

Division of Health Service Regulation

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E 131 Continued From page 1

use of the clinic, compliance, personnel quality assurance, procurement of outside services and consultations, patient care policies, and services offered.

(e) When the clinic contracts with outside vendors to provide services such as laundry, or therapy services, the governing authority shall be responsible to assure the supplier meets the same local and state standards the clinic would have to meet if it were providing those services itself using its own staff.

(f) The governing authority shall provide for the selection and appointment of the professional staff and the granting of clinical privileges and shall be responsible for the professional conduct of these persons.

(g) The governing authority shall be responsible for ensuring the availability of supporting personnel to meet patient needs and to provide safe patient care.

This Rule is not met as evidenced by:
Based on North Carolina State Statute, medical record review, and staff interview, the governing body failed to ensure that complete and accurate medical records were maintained related to the documentation of Informed Consent for Abortion in 2 of 20 medical records reviewed (Patient #15, 16).

Review on 08/30/2022 of North Carolina State Statute § 90-21.82. Informed consent to abortion revealed, "...No abortion shall be performed upon a woman in this State without her voluntary and informed consent... (1) At least 72 hours prior to the abortion, a physician or qualified professional has orally informed the woman, by telephone or in person, of all of the following... (3) The woman certifies in writing, before the abortion, that the

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AWCR clinic manager will do a chart audit once weekly for 3 months to ensure the 72 hr informed consent date and time is done correctly.

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E 131	<p>Continued From page 2</p> <p>information described in subdivisions (1) and (2) of this section has been furnished her... The original of this certification shall be maintained in the woman's medical records, and a copy shall be given to her...."</p> <p>1. Closed medical record review of Patient #15 revealed a 26-year-old female who arrived at the facility on 08/08/2022 at 0916 for a medical abortion. Review revealed the procedure was performed on 08/08/2022 at 1130. Medical record review revealed Patient #15 was discharged home on 08/08/2022 at 1150 in stable condition. Record review revealed the 72-hour-notice was performed on 08/06/2022 at 1035 (48 hours, 55 minutes after Patient #15 received informed consent).</p> <p>Interview on 08/30/2022 at 1305 with RN #1 revealed the 72-hour-notice was performed with a script 72 hours before the patient had their procedure. Interview revealed if a patient arrived without completion of the 72-hour-notice, RN #1 performed the consent process in person and rescheduled the patient for 3 days out.</p> <p>Interview on 08/30/2022 at 1300 with Clinic Manager #2 revealed when patients made appointments, the 72-hour consent was obtained by the nurse via phone. Interview revealed the 72-hour-notice was completed with the date and time, then forwarded to the facility from the call center. Interview revealed Patient #15's original appointment was scheduled for 08/09/2022, which met the 72 hour notice parameters. Interview revealed Patient #15 received a medical abortion before the 72 hours were completed.</p> <p>2. Closed medical record review of Patient #16 revealed a 13-year-old female who arrived at the</p>	E 131		
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E 131	<p>Continued From page 3</p> <p>facility on 07/15/2022 at 0900 for a medical abortion. Review revealed the procedure was performed on 07/15/2022 at 1130. Medical record review revealed Patient #16 was discharged home on 07/15/2022 at 1130 in stable condition. Record review revealed the patient/guardian signed 72-hour-notice was dated 07/15/2022 and untimed.</p> <p>Interview on 08/30/2022 at 1305 with RN #1 revealed the 72-hour-notice was performed with a script 72 hours before the patient had their procedure. Interview revealed if a patient arrived without completion of the 72-hour-notice, RN #1 performed the consent process in person and rescheduled the patient for 3 days out.</p> <p>Interview on 08/30/2022 at 1300 with Clinic Manager #2 revealed when patients made appointments, the 72-hour consent was obtained by the nurse via phone. Interview revealed the 72-hour-notice was completed with the date and time, then forwarded to the facility from the call center. Interview revealed the signed 72-hour-notice form in Patient #16's record was dated incorrectly (07/15/2022), missing the provider information, and the signature of the qualified professional. Interview revealed Patient #16 received her 72-hour-notice on 07/11/2022 at 1147. Interview revealed the form that contained that information was not signed by Patient #16/guardian, nor located in the medical record. Interview revealed each patient was expected to sign the 72-hour-notice form with the correct date and time they were counseled.</p>	E 131		
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