

**Report Writing Essentials**

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Boston, MA

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**Objectives**

- ▶ Cover the basics
- ▶ Review purpose of our reports
- ▶ Review standard principles of documentation
- ▶ Describe the elements of a good investigative report
- ▶ Share experiences

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**Report/Investigation Realities**

- ▶ The report starts with the investigation.
- ▶ If the investigation is lacking, the report will be lacking.
- ▶ Best investigation is meaningless if there is a poorly written report.
- ▶ Start with the end in mind.

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### Definition of an Investigation

- ▶ The **systematic** collection
- ▶ of **facts**
- ▶ for the purpose of **describing**
- ▶ and **explaining**
- ▶ an event or a series of events

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### Why Write Statements of Deficiencies?

- ▶ To serve as **evidence** of noncompliance with rules and regulations
- ▶ Is the **record** of the survey where you **DOCUMENT and JUSTIFY** your determination of compliance or noncompliance
- ▶ To identify and encourage prompt **correction** of deficiencies
- ▶ To provide **legal notice** of the basis for adverse action

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### Inspection Report - SoD

- ▶ Should be treated as if it will be subject to **close scrutiny**
- ▶ Provides info that will help provider **analyze** its deficient practices
- ▶ Is an **official record**

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### Evidence

- ▶ Primary evidence is the Statement of Deficiencies (SoD) or Inspection Report
- ▶ Other documentation includes
  - worksheets
  - narratives
  - forms
  - emails
- ▶ All documentation is part of the **public** record

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### Legally Used

- ▶ Cites the regulatory requirements that were not met,
- ▶ Explains how those requirements were not met
- ▶ Notifies the provider of the nature, scope, and severity of the deficiencies found
- ▶ Notifies the provider of the factual basis for the agency's conclusion that regulations had been violated

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### Looking at the Report from the Other Person's Perspective

- ▶ Department's Perspective
  - Investigator
  - Supervisor
  - Medical Director
  - Administrative Reviewer

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### Ask Yourself

- ▶ Who reads the report?
- ▶ What do readers need/want to know?
- ▶ Where should the most critical information go to make it accessible?
- ▶ Why are you including each piece of information?
- ▶ How can you make the report clear, concise and grammatically correct?

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### Other Agencies Perspectives

- ▶ Local, State and Federal agencies may have an interest in the facts of the report (Georgia Advocacy Office, Healthcare Facilities Regulation)
- ▶ Open Records Act requests (newspapers, citizens)
- ▶ OSAH – Appeal Hearings

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### Writing the Report

The reader should be provided with information sufficient to predict the findings/conclusions before reading them

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### A Good Report Is:

- ▶ Accurate
- ▶ Concise
- ▶ Complete
- ▶ Clear
- ▶ Impartial
- ▶ Relevant to the issue and the rule(s)

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### Accurate

- ▶ Verify all information gathered from witnesses
- ▶ Check witness accounts against the known physical, documentary and demonstrative evidence during the investigation
- ▶ Use only the relevant facts in formulating your conclusions

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### Accurate – 2

- ▶ Avoid stating your personal opinion or those of witnesses in the report
- ▶ Mention any discrepancies or conflicts with a resolution or statement that no resolution was possible

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**Accurate – 3**

- ▶ Numbers, names, titles and addresses are correct
- ▶ Witness statements are presented as given during interviews – check and double check!
- ▶ Don't trust your memory to recall detailed facts – use your notes

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**Accurate – 4**

- ▶ Avoid misspelled words.
- ▶ Misspelled words can make the investigator appear careless, which may reflect on the accuracy of the investigation.
- ▶ Misspelled words may also confuse the reader and reflect on the credibility of the investigator.

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Washington DC, July 2014

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**Words That Should Be Capitalized**

- ▶ Government bodies
- ▶ Proper names
- ▶ Organizations
- ▶ Titles before a proper name
  - Director Joe Smith
- ▶ The usual ...

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## Abbreviations

- ▶ Abbreviations for words should be kept to a minimum. There are a number of shortened words or phrases that have different meanings depending on the content of the report or the knowledge of the reader.
  - To the general public, GQ could be the magazine "Gentleman's Quarterly" but to a person with a military background it could represent "General Quarters."

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## Homophones

- ▶ Definition:
  - To, too, two
  - There, their, or they're
  - Break, brake
  - Aloud, allowed

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## Direct Quotes

- ▶ Quote policies verbatim, citing number and owner (DBHDD or agency), using quotation marks
- ▶ Avoid direct quotes during interviews; if used, they must be accurate

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### Descriptive Facts

- ▶ Conclusive statement:
  - When I visited the ... , I saw suspicious behavior in the kitchen.
  
- ▶ Factual statement:
  - When I visited the personal care home, I saw staff taking medication from the cabinet and putting it into unmarked bottles.

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### Descriptive – 2

- ▶ Other examples ...

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### Concise

- ▶ Being concise is **essential** in report writing
- ▶ Expressing or covering much in few words;
- ▶ Short and clearly written or stated: using as few words as possible to give the necessary information
- ▶ State the facts with **direct** language
- ▶ Record only the **relevant** information as it relates to the review/investigation

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### Concise – 2

- ▶ Don't cloud the issues with meaningless details
- ▶ Overly complex wording and sentence structure makes a report less concise and less clear

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### Concise? – 3

- ▶ "He propelled the small, white, leather sphere across the yard by swinging his arm from back to front and releasing it in the direction of the window; the sphere made contact and fractured the glass before proceeding into the residence."
- ▶ "He threw the baseball through the window."

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### Sesquipedalianism

- ▶ This is a BAD thing in reports
- ▶ It is a ridiculously long word meaning given to using long words
- ▶ Those words are often general terms for specific event (e.g., displayed physically aggressive behavior vs. hit him in the face)
- ▶ Stick to the specifics, and keep it simple

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**Descriptors that leave you asking ... “as opposed to ...?”**

- ▶ Verbal conversation
- ▶ A psychic conversation?
- ▶ Written note
- ▶ A spoken note?
- ▶ Visible marks
- ▶ Invisible marks?
- ▶ Non-verbal gestures
- ▶ Verbal gestures?

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**Complete**

- ▶ A complete report indicates a thorough investigation
- ▶ Observations – are documented with dates and times; with multiple observations when relevant
- ▶ Interviews/witness statements – are thorough with appropriate follow up on relevant details
- ▶ No red flags left flying!

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**Complete – 2**

- ▶ Record reviews –all appropriate records were reviewed
  - Personnel files
  - Training records
  - P & Ps
  - Other records
- ▶ All relevant collateral records are obtained and reviewed – police reports, EMS, etc.

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### Complete – 3

- ▶ Identify everyone who participated or is named in the investigation
- ▶ If a person is named and not interviewed, say why
- ▶ Review of video and comparison to statements
- ▶ Include notification of other agencies and responses from other agencies if relevant

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### Clear

- ▶ Communicate information with direct language
  - Avoid complicated sentences with ambiguous meaning
  - Use common words that will be easily understood by a wide range of people
- ▶ Don't use specialized language that is particular to any agency aka jargon
- ▶ Spell out acronyms on first use

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### Clear – 2

- ▶ Present the evidence in a clear, logical way; factual
  - Chronological order
  - By individual
  - Other suggestions?
- ▶ Information is presented in a way that tells the story so the unfamiliar reader can follow

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### Clear – 3

- ▶ Use active voice – contributes to clarity
- ▶ Write in past tense
- ▶ Avoid complicated sentences with ambiguous meaning
- ▶ Use common words that will be easily understood by a wide range of people
- ▶ Where you can, avoid repetition

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### Clear – 4

- ▶ The conclusions are supported by the content of the report and should be obvious by the time the reader reaches them
- ▶ Reference your sources
- ▶ RE-READ your report when you think you are done to see if it is clear
- ▶ Start with the last paragraph, and work backwards

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### Grammar

- ▶ Write sentences in a simple Subject-Verb-Object format.
  - Correct form: Staff ran three blocks to catch Evans.
  - Incorrect form: Evans was caught after staff ran three blocks.

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### Active vs. Passive Voice

- ▶ Active: Correct
  - The charge nurse read the daily assignment sheet during shift change.
  
- ▶ Passive: **WRONG**
  - During shift change, the daily assignment sheet was read.

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### Examples

- ▶ Staff observed a small laceration
- ▶ The water was too hot
- ▶ Questioned about her whereabouts, Adams responded that she was in Atlanta

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### Impartial

- ▶ Information in the report is uncensored and unbiased
- ▶ Present facts in context but do not interpret or shade facts
- ▶ Avoid the use of “inflammatory” words

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### Relevant

- ▶ Include only information that relates to the investigation or rule
- ▶ Avoid hearsay
- ▶ Include only relevant facts

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### The Content of the Report

- ▶ Agency requirements
- ▶ Answer the fundamental questions regarding the incident/complaint and identify facility or program deficient practices
  - Who?
  - What?
  - Where?
  - When?
  - Why?
  - How?

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### Tips for Report Writing

- ▶ Make sure that you know and understand the intent of the regulations
- ▶ Clearly understand the differences among similar regulations
- ▶ Clearly identify negative outcomes as a result of the provider's practices or failures
- ▶ Clearly identify what the provider did or failed to do

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### Tips – 2

- ▶ Be accurate and objective
- ▶ Ensure the findings are relevant to the rule/tag
- ▶ State the facts – relevant facts
- ▶ Always identify who, what, when, where, why and how
- ▶ Always show how you know

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### STRATEGIES

- ▶ Verify all sources of information
- ▶ Check witness accounts against the known physical evidence in the investigation
- ▶ Report only the facts of the incident
- ▶ Avoid stating personal opinion as fact

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### Tips – 3

- ▶ Never assume
- ▶ Confirm, validate and corroborate your facts through different sources:
  - Record Reviews
  - Interviews
  - Observations

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### Well-Written Deficiency

- ▶ Uses plain language
  - The ALJ is not usually a health care professional and does not know our rules and regulations
  - In making decisions, ALJ relies on testimony of witnesses and documentation from survey
- ▶ So, plain language is essential
- ▶ And we must make every effort to relate the deficiencies to the effect on the resident and the resident's care.

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### Use Plain Language

- ▶ The deficiency citation must
  - Be written clearly, objectively
  - Be written in a manner that is easily understood
  - Contain only evidence to support the determination of noncompliance
  - Exclude the use of consultation, advice, comments or directions

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### Use Plain Language – 2

- ▶ Avoid
  - Extraneous comments
  - Consultative remarks
  - Recommendations
  - The use of slang
  - Unfamiliar terms and phrases
  - Undefined abbreviations, initials
  - Technical jargon

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### Use Plain Language – 3

- ▶ Avoid
  - Unnecessary words
  - Vague terminology, e.g. seems, appears, did not always
  - Words that imply or state conclusions without including the facts to support them, e.g. only, just, unsatisfactory, unnecessary, inadequate

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### Use Plain Language – 4

- ▶ Put all relevant facts in a logical order
  - Chronological
  - By resident
  - Whatever fits the circumstances
- ▶ Group related findings and facts
- ▶ Convey the sequential order of events
- ▶ Include relevant background
- ▶ Keep sentences short
- ▶ Use simple sentence structure
- ▶ Use active voice

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### Use Plain Language – 5

- ▶ Write in layman's terms
- ▶ Write to inform, not impress
- ▶ Ensure the accuracy of quoted material
  - Prefer no quotes
  - Prefer paraphrasing
  - Prefer stated that.... or reported that....

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### Plain Language – 6

**REMEMBER:**

- ▶ Citation must be written clearly, objectively, and in a manner that is easily understood
- ▶ It does NOT include consultation, advice, comments or direction aimed at the facility

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### Summary

- ▶ Review the regulation to be sure the situation/tag applies
- ▶ Avoid unnecessary use of medical terms
  - **Always** define them the first time you use them (per tag)
  - Assume the reader has no medical background
- ▶ Describe observations thoroughly, but succinctly

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### Summary – 2

- ▶ Refer to documents/witnesses you use to support each tag!
- ▶ Use spell-check
- ▶ Make sure important facts from your notes get transferred to the SoD
- ▶ Medical terms are okay in your notes
  - but make sure you define them on the SoD

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### Summary – 3

- ▶ Avoid writing in margins
  - will be copied many times
- ▶ Number/label continuing pages
- ▶ Penmanship counts!
- ▶ Can be excellent hearing preparation tool
- ▶ **Assume counsel for facility and ALJ will read every note you take**

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### Conclusion

- Investigate carefully.
- Record facts promptly.
- Match law to facts.
- Apply enforcement actions reasonably and consistently.
- Include law and facts in enforcement letters and as evidence at hearing.

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### References

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