

Report Writing Essentials

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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

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.

Definition of an Investigation

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

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

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**

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

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

Looking at the Report from the Other Person's Perspective

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

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?

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

Writing the Report

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

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

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

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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Words That Should Be Capitalized

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

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."

Homophones

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

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

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.

Descriptive – 2

- ▶ Other examples ...

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

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

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?

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

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.

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.

Examples

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

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

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?

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

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

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

Tips – 3

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

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.

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

Use Plain Language – 2

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

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

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

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....

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

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

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

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**

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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