



HIGHLIGHTS OF THE PERMANENT INJUNCTION AGAINST BEVERLY ENTERPRISES, INC.

The court-ordered permanent injunction covers all sixty California facilities owned and operated by Beverly Enterprises, Inc. ("Beverly"). Failure to comply could result in civil penalties of up to \$6,000 per violation, other sanctions deemed appropriate by the court, and/or exclusion from receiving funding from both the Medi-Cal and Medicare healthcare programs. The permanent injunction requires Beverly to reform and improve its business and quality of care practices in numerous areas, including, but not limited to, the following:

Improved Quality of Care (Highlights Only)

This permanent injunction will help prevent these and other violations from occurring in the future:

- ▶ failure to prevent and treat pressure sores
- ▶ failure to adequately staff the facilities
- ▶ failure to competently conduct standard nursing procedures, such as gastrostomy (i.e. feeding tube) insertions
- ▶ failure to prevent, assess or treat dehydration
- ▶ failure to properly assess condition of residents or identify their care needs
- ▶ failure to provide competent crisis care such as CPR
- ▶ failure to safely administer medications

Mandatory Staff Training (Highlights Only)

Beverly will be required to train its facility employees in the following subject matters:

- ▶ resident's rights, dignity and privacy
- ▶ resident abuse and neglect prevention
- ▶ providing quality patient care
- ▶ proper assessment of patient care needs
- ▶ developing effective comprehensive resident care plans
- ▶ pressure sore prevention and treatment
- ▶ accident prevention
- ▶ proper administration of medications
- ▶ proper method of performing nursing procedures

Facility medical directors must obtain CMD certification from the American Medical Directors Association and be recertified every six years.

Oversight and Compliance Mechanisms (Highlights Only)

To ensure that each and every component of the injunctive relief is obeyed, Beverly is required to establish the following compliance mechanisms:

- ▶ Beverly must have in place an extensive compliance organization to monitor adherence to its new obligations.
- ▶ Beverly must perform annual Quality Reviews at each facility and report to the Attorney General's Office its findings and any corrective actions taken.
- ▶ Beverly must submit an Annual Report on the status and efficacy of its compliance efforts, which will include a "Monthly Scorecard" rating the performance of each facility.
- ▶ Beverly must immediately notify the Attorney General's Office of all failure of care incidents.
- ▶ The Attorney General's Office will have significantly increased facility inspection rights.