

Subject: Progressive Corrective Action Procedure

- 1.0 Purpose: To ensure consistent, fair and reasonable application of corrective actions, such as technical assistance (TA), warnings and sanctions.
- 2.0 Procedure: When violations of the MCAR are identified, the ACHP must determine the appropriate level of corrective action.

Licenser:

- 3.0 Determines a rule violation has occurred (rule # identified)
- 3.1 Determines if violation requires a mandatory fine (see MCAR 023-160-220 through 023-160-248)
- 3.2 If a mandatory fine then refer violation to Sanctions Specialist using Sanction Referral form.
- 3.3 If not a mandatory fine, then review Operator's compliance history [search all of Operator's licenses (current and closed)] for previous violations of same or similar rule(s). Look at or in all of the following:
 - Chronology – do a word search for: TA, warnings, sanctions, fines, conditions, class/capacity reductions
 - Inspection Reports (TA & Warnings)
 - Warning Notices
 - Sanction Notices
- 3.4 When determining whether to refer the matter to the Sanctions Specialist for issuance of a sanction, consider the following: the seriousness, frequency and duration of previous violations; the Operator's responsiveness and cooperation in correcting past violations; and, whether providing additional technical assistance rather than a sanction is likely to lead to future compliance.
 - If additional TA is appropriate, then facilitate same, narrate in license chronology, and enter a summary of TA in Compliance History (Hx) document in Sanctions Files in "P" drive.
 - Before issuing a Warning check the Progressive Corrective Action Schedule to confirm the rule violation is eligible for a Warning.
 - If eligible for a Warning, then use the Warning Notice template to complete and issue a Warning Notice, and distribute Warning Notice according to the Warning Notice Distribution Procedure.
 - If issuing a sanction is the appropriate response, then refer the violation to the Sanctions Specialist using the Sanction Referral form.
 - Seriousness of harm is defined as follows:
 - Low = no medical intervention and/or no injury
 - Medium = medical intervention, and/or minor injury and/or, temporary emotional impact
 - High = hospitalization and/or injury and/or abuse or neglect
 - Serious = imminent danger, and/or, criminal activity, or, death

Seriousness	Isolated	Repeated	Pattern
Low	TA only	Warning	Sanction
Medium	Warning	Sanction 1 st Level	Sanction 2 nd Level
High	Sanction	Sanction	Close
Serious	Sanction and enact risk protocol. Potential for closure		

All Violations require correction, documentation, TA and notification of appropriate parties.

