

<b>Statement of Deficiencies</b>	<b>(X1) Provider/Supplier/CLIA Identification Number</b>  10D0280554	<b>(X3) Date Survey Completed</b>  06/16/2022
<b>Name of Provider or Supplier</b>  Finlay Clinical Laboratory Inc	<b>Street Address, City, State</b>  330 Sw 27th Ave Ste 101, Miami, FL	
For information on the provider's plan to correct this deficiency, please contact the provider or the state survey agency.		

<b>(X4) ID Prefix Tag</b>	<b>Summary Statement of Deficiencies</b>
<b>D0000</b>	A desk review survey of the laboratory's proficiency test results was performed on June 16, 2022 for Finlay Clinical Laboratory. Finlay Clinical Laboratory is not in compliance with the Code of Federal Regulations (CFR), Part 493, Laboratory Requirements.
<b>D2016</b>	<p>SUCCESSFUL PARTICIPATION CFR(s): 493.803(a)(b)(c)</p> <p>(a) Each laboratory performing nonwaived testing must successfully participate in a proficiency testing program approved by CMS, if applicable, as described in subpart I of this part for each specialty, subspecialty, and analyte or test in which the laboratory is certified under CLIA. (b) Except as specified in paragraph (c) of this section, if a laboratory fails to participate successfully in proficiency testing for a given specialty, subspecialty, analyte or test, as defined in this section, or fails to take remedial action when an individual fails gynecologic cytology, CMS imposes sanctions, as specified in subpart R of this part. (c) If a laboratory fails to perform successfully in a CMS-approved proficiency testing program, for the initial unsuccessful performance, CMS may direct the laboratory to undertake training of its personnel or to obtain technical assistance, or both, rather than imposing alternative or principle sanctions except when one or more of the following conditions exists: (1) There is immediate jeopardy to patient health and safety. (2) The laboratory fails to provide CMS or a CMS agent with satisfactory evidence that it has taken steps to correct the problem identified by the unsuccessful proficiency testing performance. (3) The laboratory has a poor compliance history.</p> <p>This CONDITION is not met as evidenced by: Based on review of the laboratory's proficiency testing records for 2021 and 2022, the laboratory did not have successful performance in proficiency testing for analytes in the subspecialty of general Immunology. Refer to D2084. Findings include: Review of the College of American Pathologists (CAP) proficiency testing records and the</p>

	<p>review of the Centers for Medicare &amp; Medicaid Services (CMS) 153 and 155 reports, on June 16, 2022 on or about 10:00 AM, showed that the laboratory had unsatisfactory testing scores for the following analytes: alpha 1 anti-trypsin, Complement component 3 (C3), IgA (immunoglobulin A), IgG (immunoglobulin G) for two consecutive testing events in 2021 and 2022.</p>
<p><b>D2084</b></p>	<p><b>GENERAL IMMUNOLOGY</b> CFR(s): 493.837(f)</p> <p>Failure to achieve satisfactory performance for the same analyte or test in two consecutive testing events or two out of three consecutive testing events is unsuccessful performance.</p> <p>This STANDARD is not met as evidenced by: Based on the review of the Centers for Medicare &amp; Medicaid Services (CMS) 153 and 155 reports and the laboratory's proficiency testing records, the laboratory did not have successful performance in proficiency testing for analytes in the subspecialty of general immunology. Findings include: On June 16, 2022 on or about 10:00 AM the College of American Pathologists (CAP) proficiency testing records and the CMS 153 and 155 reports were reviewed. The review showed that the laboratory failed to achieve satisfactory performance for the analytes that are listed below. Event #3, 2021 Alpha 1 anti-trypsin-60% Complement component 3 (C3)-40% IgA-40% IgG-60% Event #1, 2022 Alpha 1 anti-trypsin-40% Complement component 3 (C3)-40% IgA-40% IgG-60%</p>
<p><b>D6076</b></p>	<p><b>LABORATORY DIRECTOR</b> CFR(s): 493.1441</p> <p>The laboratory must have a director who meets the qualification requirements of 493.1443 of this subpart and provides overall management and direction in accordance with 493.1445 of this subpart.</p> <p>This CONDITION is not met as evidenced by: Based on the review of the laboratory's proficiency testing records, the laboratory director failed to ensure that the laboratory maintained a satisfactory score in proficiency testing for analytes found in the subspecialty of general immunology. Findings include: On June 16, 2022, on or about 10:00 AM, the College of American Pathologists (CAP) proficiency records and the Centers for Medicare &amp; Medicaid Service (CMS) 153 and 155 reports were reviewed. The review showed that the laboratory had unsatisfactory testing scores for two consecutive testing events for the analytes; alpha 1 anti-trypsin, complement component 3, IgA, and IgG, in the subspecialty of general immunology. The laboratory director is responsible for ensuring that the laboratory maintains successful participation in proficiency testing. Refer to D2084.</p>
<p><b>D6089</b></p>	<p><b>LABORATORY DIRECTOR RESPONSIBILITIES</b> CFR(s): 493.1445(e)(4)(i)</p> <p>The laboratory director must ensure the proficiency testing samples are tested as required under subpart H of this part.</p>

This STANDARD is not met as evidenced by:

Based on the review of the laboratory's proficiency testing scores, the laboratory director failed to ensure that the laboratory performed proficiency testing in such a manner as to achieve and maintain successful participation in proficiency testing for analytes found in the subspecialty of general immunology. Findings Include: The review of the College of American Pathologists (CAP) proficiency testing records and the Centers for Medicare & Medicaid Services (CMS) 153 and 155 reports on June 16, 2022, on or about 10:00 AM showed that the laboratory received unsatisfactory proficiency testing scores for two consecutive testing events for the analytes shown below. Event #3, 2021 Alpha 1 anti-trypsin-60% Complement component 3 (C3)-40% IgA-40% IgG-60% Event #1, 2022 Alpha 1 anti-trypsin-40% Complement component 3 (C3)-40% IgA-40% IgG-60%