Statement of Deficiencies	**(X1) Provider/Supplier/CLIA Identification Number**	**(X3) Date Survey Completed**
	33D0129928	05/17/2023
Name of Provider or Supplier	**Street Address, City, State**	
Barry J Klyde Md Pc	520 East 72nd Street, L-0, New York, NY	

For information on the provider's plan to correct this deficiency, please contact the provider or the state survey agency.

(X4) ID Prefix Tag	Summary Statement of Deficiencies
D2016	SUCCESSFUL PARTICIPATION CFR(s): 493.803(a)(b)(c) (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. This CONDITION is not met as evidenced by: Based on Proficiency Test (PT) desk review of the Center for Medicaid & Medicare Services (CMS) PT data reports and PT summary reports from American Proficiency Institute (API) PT program, the laboratory failed to participate successfully in CMS approved proficiency testing program, for the speciality Hematology and the test analyte's Cell Identification (Cell I.D.)/White Blood Cell Differential (WBC Diff.), Red Blood Cell Count (RBC) and Hematocrit (Hct). The following scores were assigned: speciality Hematology 2022 second event = 73% 2022 third event =95% 2023 first event = 23% RBC 2022 second event = 60% 2022 third event =100% 2023 first event = 0% Hct 2022 second event = 60% 2022 third event =100% 2023 first

	event = 0% This is considered unsuccessful PT performance. Cell I.D/WBC Diff. 2022 second event = 40% 2022 third event =73% 2023 first event = 60% This is considered repeatedly unsuccessful PT performance. Refer to D2130 and D2131
D2121	HEMATOLOGY CFR(s): 493.851(a) Failure to attain a score of at least 80 percent of acceptable responses for each analyte in each testing event is unsatisfactory analyte performance for the testing event. This STANDARD is not met as evidenced by: Based on PT desk review of the CMS PT data reports and PT records from the API PT program, the laboratory failed to participate successfully in proficiency testing for the test analyte's Hemoglobin (Hgb) White Blood Count (WBC) and Platelet The following scores were assigned: Hgb 2023 first event = 40% WBC 2023 first event = 20% Platelet 2023 fist event = 20% This is considered unsatisfactory PT performance.
D2130	HEMATOLOGY CFR(s): 493.851(f) Failure to achieve satisfactory performance for the same analyte in two consecutive events or two out of three consecutive testing events is unsuccessful performance. This STANDARD is not met as evidenced by: Based on PT desk review of the CMS PT data reports and PT summary reports from API PT program, the laboratory failed to participate successfully in CMS approved proficiency testing program, for the test analyte's Cell I.D./WBC Diff., RBC and Hct. The following scores were assigned: RBC 2022 second event = 60% 2022 third event =100% 2023 first event = 0% Hct 2022 second event = 60% 2022 third event =100% 2023 first event = 0% This is considered unsuccessful PT performance. Cell I.D/WBC Diff. 2022 second event = 40% 2022 third event =73% 2023 first event = 60% This is considered repeatedly unsuccessful PT performance.
D2131	HEMATOLOGY CFR(s): 493.851(g) Failure to achieve an overall testing event score of satisfactory performance for two consecutive testing events or two out of three consecutive testing events is unsuccessful performance. This STANDARD is not met as evidenced by: Based on PT desk review of the CMS PT data reports and PT summary reports from API PT program, the laboratory failed to participate successfully in CMS approved proficiency testing program, for the speciality Hematology. The following scores were assigned: speciality Hematology 2022 second event = 73% 2022 third event =95% 2023 first event = 23% This is considered unsuccessful PT performance
D6000	MODERATE COMPLEXITY LABORATORY DIRECTOR CFR(s): 493.1403

	The laboratory must have a director who meets the qualification requirements of 493. 1405 of this subpart and provides overall management and direction in accordance with 493.1407 of this subpart. This CONDITION is not met as evidenced by: Based on PT desk review of the CMS PT and API PT program records, the laboratory director failed to fulfill the laboratory director's responsibilities and ensure that the laboratory achieved a satisfactory performance and successfully participate in a PT program, approved by CMS, for the speciality Hematology and the test analyte's Cell I. D./WBC Diff., RBC,Hct, Hgb, WBC, Platelet. Refer to D6016
D6016	LABORATORY DIRECTOR RESPONSIBILITIES CFR(s): 493.1407(e)(4)(i) The laboratory director is responsible for the overall operation and administration of the laboratory, including the employment of personnel who are competent to perform test procedures, and record and report test results promptly, accurate, and proficiently and for assuring compliance with the applicable regulations. (e) The laboratory director must-- (e)(4)(i) Ensure that the proficiency testing samples are tested as required under Subpart H of this part; This STANDARD is not met as evidenced by: Based on PT desk review of the CMS PT and API PT program records, the laboratory director failed to fulfill the laboratory director's responsibilities and ensure that the laboratory achieved a satisfactory performance and successfully participate in a PT program, approved by CMS, for the speciality Hematology and the test analyte's Cell I. D./WBC Diff., RBC,Hct, Hgb, WBC, Platelet. The following scores were assigned: speciality Hematology 2022 second event = 73% 2022 third event =95% 2023 first event = 23% RBC 2022 second event = 60% 2022 third event =100% 2023 first event = 0% Hct 2022 second event = 60% 2022 third event =100% 2023 first event = 0% This is considered unsuccessful PT performance. Cell I.D/WBC Diff. 2022 second event = 40% 2022 third event =73% 2023 first event = 60% This is considered repeatedly unsuccessful PT performance. Hgb 2023 first event = 40% WBC 2023 first event = 20% Platelet 2023 fist event = 20% This is considered unsatisfactory PT performance.