

Statement of Deficiencies	(X1) Provider/Supplier/CLIA Identification Number 33D0686097	(X3) Date Survey Completed 08/14/2021
Name of Provider or Supplier Joseph Slomowits Md	Street Address, City, State 5117 15th Ave, Brooklyn, 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 S services (CMS) PT data reports and PT records from American Proficiency Institute (API) PT program, the laboratory failed to participate successfully in proficiency testing for the test analyte's Thyroxine (T4) and Total Calcium (T. Ca). The following scores were assigned: Thyroxine (T4) 2020 third event = 40% 2021 first event = 100% 2021 second event = 0% [failure to participate] Total Calcium (T. Ca) 2020 third event = 60% 2021 first event = 100% 2021 second event = 0% [failure to participate] This is considered unsuccessful PT performance. Refer to D2096 and D2107

D2093	ROUTINE CHEMISTRY CFR(s): 493.841(d) Failure to return proficiency testing results to the proficiency testing program within the time frame specified by the program is unsatisfactory performance and results in a score of 0 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 speciality Chemistry and the test analyte's ALT/SGPT/Albumin/Alkaline Phosphates/Amylase/AST/Total Bilirubin/Chloride/Total Cholesterol/ HDL Cholesterol/Creatine/Glucose/Total LDH/Magnesium/Potassium/Sodium/Total Protein /Triglycerides/BUN/Uric Acid The following scores were assigned: 2021 second event = 0% [non-participation] This is considered unsatisfactory PT performance.
D2096	ROUTINE CHEMISTRY CFR(s): 493.841(f) 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. This STANDARD is not met as evidenced by: Based on PT desk review of the CMS PT data reports and PT records from API PT program, the laboratory failed to participate successfully in proficiency testing for the test analyte' Total Calcium (T. Ca). The following scores were assigned: 2020 third event = 60% 2021 first event = 100% 2021 second event = 0% [failure to participate] This is considered unsuccessful PT performance.
D2104	ENDOCRINOLOGY CFR(s): 493.843(d) Failure to return proficiency testing results to the proficiency testing program within the time frame specified by the program is unsatisfactory performance and results in a score of 0 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 specialty Endocrinology and the test analyte's Thyroid Stimulating Hormone (TSH), Triiodothyronne (T3), T-Uptake. The following scores were assigned: 2021 second event = 0% [non-participation] This is considered unsatisfactory PT performance.
D2107	ENDOCRINOLOGY CFR(s): 493.843(f) 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. This STANDARD is not met as evidenced by: Based on PT desk review of the CMS PT data reports and PT records from API PT program, the laboratory failed to participate successfully in proficiency testing for the test analyte Thyroxine (T4) The following scores were assigned: Thyroxine (T4) 2020 third event = 40% 2021 first event = 100% 2021 second event = 0% [failure to participate] 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 data reports 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 specialties Chemistry/20 analyte's and Endocrinology/3 analyte's and the test analyte's T4 and T.Ca. 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 data reports 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 specialties Chemistry/20 analyte's and Endocrinology/3 analyte's and the test analyte's T4 and T.Ca. Thyroxine (T4) 2020 third event = 40% 2021 first event = 100% 2021 second event = 0% [failure to participate] Total Calcium (T. Ca) 2020 third event = 60% 2021 first event = 100% 2021 second event = 0% [failure to participate] This is considered unsuccessful PT performance Specialty Chemistry and the 20 test analyte's 2021 second event = 0% [non-participation] Specialty Endocrinology and the 3 test analyte's 2021 second event = 0% [non-participation] This is considered unsatisfactory PT performance.