

**DEPARTMENT OF HEALTH
NURSING CARE QUALITY ASSURANCE COMMISSION
POLICY**

Title:	Use of Sanction Standards in Disciplinary Action	Number: A27.05
Reference:	RCW 18.130.180; RCW 18.130.160	
Effective Date:	November 16, 2007	
Supersedes:	Use of Sanction Guidelines in Disciplinary Action September 12, 2003; January 9, 2004; July 1, 2005 Use of Sanction Standards in Disciplinary Action September 8, 2006	
Approved:		
	Chair Nursing Care Quality Assurance Commission	

Purpose: To provide consistency and uniformity in disciplinary sanctions for similar violations.

Policy:

The Nursing Commission, upon a finding that a license holder or applicant has committed unprofessional conduct or is unable to practice with reasonable skill and safety due to a physical or mental condition, may issue an order taking action against a license holder or applicant.

The Commission has determined that it is the best interest of license holders, applicants and the public to adopt "Sanction Standards" for common violations.



Procedure

A Reviewing Commission Member (RCM), Case Review Panels and Hearing Panels will utilize Commission-approved Sanction Standards to determine sanctions.

The RCM or Panel will document the rationale for deviation from the Sanction Standards in the Disciplinary Worksheet.

Washington State Nursing Care Quality Assurance Commission

Sanction Standards for Charging Licensees With Violations Involving Documentation Errors

Description of Violation	Aggravating & Mitigating Circumstances	Harm	Charge	Duration of Sanction	Cost Recovery or Fine	Conditions	Time for Completion
I. Documentation Errors - 1 - 2 Times Only Within Short Time Period, i.e., Over 1-2 Shifts	Risk of Recurrence	Low Risk of Patient Harm	Close case NOC SOA	N/A N/A 0-5 yrs	N/A N/A Cost Recovery	N/A	N/A
II. Pre-Charting Procedures or Medications	Risk of Recurrence	Low Risk of Patient Harm	SOA/STID	0-5 yrs Until successful completion of coursework	Cost Recovery \$250-500	1. 6 Contact hour course in Documentation 2. Obtain passing score 3. Submit course evaluation for approval	1. 90 days 2. 90 days 3. 120 days
III. Falsification of Records Deliberate changing or falsification of documentation to cover up error One or more of the following: <ul style="list-style-type: none"> Documenting care not provided Charting incorrect patient condition Changing charting to cover up practitioner error or omission 	Risk of Recurrence <u>Likely Cause(s) of Error:</u> <ul style="list-style-type: none"> Lack of fiduciary concern Error in performance of procedure or intervention Poor judgment 	Low Risk of Patient Harm Patient Harm or Risk of Patient Harm Serious Physical Injury or Death or Risk of Serious Injury or Death	SOA/SOC SOA/SOC SOC	0-5 yrs 2-7 yrs 5 yr Minimum Suspension	 Fine/Cost Recovery \$750 to \$1000 per violation 	1. 24 Contact hour Documentation course 2. Obtain passing score 3. Submit course evaluation for approval 4. 12 Contact hour Nursing Ethics course 5. Obtain passing score 6. Submit evaluation for approval 7. Notification to current & future employers 8. Employer reports-quarterly 9. Direct RN supervision 10. No employment with an agency, home health, hospice, community care settings 11. Request modification	1. 120 days 2. 120 days 3. 150 days 4. 90 days 5. 90 days 6. 120 days 7. Duration 8. Duration 9. Unless modified 10. Unless modified 11. 12-24

Description of Violation	Aggravating & Mitigating Circumstances	Harm	Charge	Duration of Sanction	Cost Recovery or Fine	Conditions	Time for Completion
							months
IV - VI Relate to Documentation of Patient Assessment & Observations							
<p>IV. Developing Pattern Of Documentation Errors and/or Omissions</p> <p><i>Related To Patient Assessment & Observations</i></p> <p>2 to 4 of the following type(s):</p> <ul style="list-style-type: none"> • Missing assessment • Inappropriate or inaccurate assessment • Lack of attentiveness to changing condition • Failure to recognize signs & symptoms 	<p>Risk of Recurrence</p> <p><u>Likely Cause(s) of Error:</u></p> <ul style="list-style-type: none"> • Inappropriate clinical judgment • Lack of time management skill & organizational ability <p><i>Consider individual practice responsibility and system influence and nurse's demonstration of experiential learning</i></p>	<p>Low Risk of Patient Harm</p> <p>Patient Harm or Risk of Patient Harm</p> <p>Serious Physical Injury or Death or Risk of Serious Injury or Death</p>	<p>SOA/SOC</p> <p>SOA/SOC</p> <p>SOC</p>	<p>0-5 yrs</p> <p>2-7 yrs</p> <p>5 yr Minimum Suspension</p>	<p>Cost Recovery \$250-500</p>	<p>1. 24 Contact hour course in Patient Assessment including appropriate language on documentation</p> <p>2. Obtain passing score</p> <p>3. Submit course evaluation for approval</p>	<p>1. 120 days</p> <p>2. 120 days</p> <p>3. 150 days</p>

Description of Violation	Aggravating & Mitigating Circumstances	Harm	Charge	Duration of Sanction	Cost Recovery or Fine	Conditions	Time for Completion
<p>V. Established Pattern Of Documentation Errors and/or Omissions of Essential Patient Information</p> <p>Related To Patient Assessment & Observations</p> <p>Errors/Omissions of the following type(s):</p> <ul style="list-style-type: none"> • Missing assessment • Inappropriate or inaccurate assessment • Lack of attentiveness to changing condition • Failure to recognize signs & symptoms • Failure to document patient deterioration, pain, agitation or other signs of complications or reaction to illness or therapies 	<p><u>Likely Cause(s) of Error:</u></p> <ul style="list-style-type: none"> • Practitioner lacked adequate knowledge or competence • Lack of time management skill & organizational ability • Inappropriate clinical judgment • Disregard for patient safety & well being <p><i>Consider individual practice responsibility and system influence and nurse's demonstration of experiential learning</i></p>	<p>\Low Risk of Patient Harm</p> <p>Patient Harm or Risk of Patient Harm</p> <p>Serious Physical Injury or Death or Risk of Serious Injury or Death</p>	<p>SOA/SOC</p> <p>SOA/SOC</p> <p>SOC</p>	<p>0-5 yrs</p> <p>2-7 yrs</p> <p>5 yr Minimum Suspension</p>	<p>Fine/Cost Recovery \$250 to \$500 per violation</p>	<ol style="list-style-type: none"> 1. 24 Contact hour course in Patient Assessment including documentation 2. Obtain passing score 3. Submit course evaluation for approval 4. Worksite monitor to provide 40 hours of oversight of assessment & documentation 5. Notice to current & future employers 6. Employer reports quarterly 7. Request modification 	<ol style="list-style-type: none"> 1. 120 days 2. 120 days 3. 150 days 4. 160 days 5. Duration 6. Duration 7. 12 -18 months

Description of Violation	Aggravating & Mitigating Circumstances	Harm	Charge	Duration of Sanction	Cost Recovery or Fine	Conditions	Time for Completion
<p>VI. Significant Error(s) In Documentation of Essential Patient Information</p> <p>Related To Patient Assessment & Observations with</p> <p>One or more of the following type(s):</p> <ul style="list-style-type: none"> • Missing or inaccurate assessment • Lack of attentiveness • Failure to recognize signs & symptoms • Failure to document patient deterioration, pain, agitation or other signs of complications or reaction to illness or therapies 	<p>Risk of Recurrence</p> <p><u>Likely Cause(s) of Error:</u></p> <ul style="list-style-type: none"> • Practitioner lacked adequate knowledge or competence • Inappropriate clinical judgment • Disregard for patient safety & well being • Lack of attentiveness or surveillance <p><i>Consider individual practice responsibility and system influence and nurse's demonstration of experiential learning</i></p>	<p>Low Risk of Patient Harm</p> <p>Patient Harm or Risk of Patient Harm</p> <p>Serious Physical Injury or Death or Risk of Serious Injury or Death</p>	<p>SOA/SOC</p> <p>SOA/SOC</p> <p>SOC</p>	<p>0-5 yrs</p> <p>2-7 yrs</p> <p>5 yr Minimum Suspension</p>	<p>Fine \$500 to \$1000 per violation</p>	<ol style="list-style-type: none"> 1. 24 Contact hour course Patient Assessment including documentation 2. Obtain passing score 3. Submit course evaluation for approval 4. Notice to current & future employers 5. Employer reports quarterly 6. Indirect supervision 7. Worksite monitor to provide 40 hours of oversight of assessment & documentation 8. No employment with agency, home health, hospice community based care settings 9. Request modification 	<ol style="list-style-type: none"> 1. 120 days 2. 120 days 3. 150 days 4. Duration 5. Duration 6. Duration 7. 160 days 8. Unless modified 9. 18 to 24 months

Description of Violation	Aggravating & Mitigating Circumstances	Harm	Charge	Duration of Sanction	Cost Recovery or Fine	Conditions	Time for Completion
<p>VII. Developing Errors and/or Omissions in Documentation</p> <p>Related To Medication Administration, Procedures & Treatments</p> <p>2-4 of the following types:</p> <ul style="list-style-type: none"> • Missed medications &/or treatments • Misrepresentation of patient's condition • Failure to document care that has been provided 	<p>VII & VIII Relate to Documentation of Medication Administration, Procedures and Treatments</p> <p><u>Likely cause(s) of Error:</u></p> <ul style="list-style-type: none"> • Failure to follow agency policy • Lack of adequate knowledge or competence • Disregard for patient safety & well being <p><i>Consider individual practice responsibility and system influence and nurse's demonstration of experiential learning</i></p>	<p>Patient Harm</p> <p>Patient Harm or Risk of Patient Harm</p> <p>Serious Physical Injury or Death or Risk of Serious Injury or Death</p>	<p>SOA/SOC</p> <p>SOC</p>	<p>2-7 yrs</p> <p>5 yr Minimum Suspension</p>	<p>Cost Recovery \$250 to 500</p>	<p>Class</p> <p>2. Obtain passing score</p> <p>3. Submit course evaluation for approval</p>	<p>1. 120 days</p> <p>2. 120 days</p> <p>3. 150 days</p>

Description of Violation	Aggravating & Mitigating Circumstances	Harm	Charge	Duration of Sanction	Cost Recovery or Fine	Conditions	Time for Completion
<p>VIII. Established Pattern of Errors and/or Omissions In Documentation</p> <p>Related To Medication Administration, Procedures & Treatment</p> <p>5 or more of the following type(s):</p> <ul style="list-style-type: none"> • Missed medications &/or treatments • Misrepresentation of patient's condition • Failure to document care that has been provided 	<p>Risk of Recurrence</p> <p><u>Likely cause(s) of Error:</u></p> <ul style="list-style-type: none"> • Failure to follow agency policy • Lack of adequate knowledge or competence • Disregard for patient safety & well being • Poor judgment <p><i>Consider individual practice responsibility and system influence and nurse's demonstration of experiential learning</i></p>	<p>Low Risk of Patient Harm</p> <p>Patient Harm or Risk of Patient Harm</p> <p>Serious Physical Injury or Death or Risk of Serious Injury or Death</p>	<p>SOA/SOC</p> <p>SOA/SOC</p> <p>SOC</p>	<p>0-5 yrs</p> <p>2-7 yrs</p> <p>5 yr Minimum Suspension</p>	<p>Fine/Cost Recovery \$250 to \$750 per violation</p>	<ol style="list-style-type: none"> 1. 24 hr. Documentation class 2. Obtain passing score 3. Submit course evaluation for approval 4. Notice to current & future employers 5. Employer reports quarterly 6. Indirect supervision 7. Worksite monitor to provide 40 hours of oversight of documentation 8. Request modification 	<ol style="list-style-type: none"> 1. 120 days 2. 120 days 3. 150 days 4. Duration 5. Duration 6. Duration 7. 180 days 8. 12-24 months

Reference:

Benner, Patricia, PhD, RN, FAAN, Vickie Sheets, JD, RN, et al, Individual, Practice, and System Causes of Errors in Nursing - A Taxonomy, JONA Vol. 32, No., 10, October 2002.

Individual practice responsibility may include factors such as knowledge, competence, judgment, thoroughness.

System contributions & issues may include level of orientation and education provided; policies, procedures and systems in place including prescribing, order communication; product labeling, packaging and nomenclature; compounding; dispensing; distribution; administration, education; monitoring; and use

Washington State Nursing Care Quality Assurance Commission

Sanction Standards for Charging Licensees For Violations Involving Failure to Assess and/or Intervene on the Patient's Behalf

Description of Violation	Aggravating & Mitigating Circumstances	Harm	Charge	Duration of Sanction	Cost Recovery or Fine	Conditions	Timeline for Completion
I. Failure To Assess and/or Intervene On The Patient's Behalf Error(s) of the following type: <ul style="list-style-type: none"> • Failure to promptly assess • Failure to adequately assess • Failure to recognize &/or detect signs & symptoms • Faulty intervention • Failure to call for assistance • Failure to notify physician or other provider • Failure to properly initiate CPR 	Risk of Recurrence <u>Likely Cause(s) of Error/Omission:</u> <ul style="list-style-type: none"> • Lack of attentiveness • Inadequate clinical judgment • Faulty logic due to use of rote action • Lack of appropriate priorities • Poor or faulty monitoring • Lack of agency/ fiduciary concern <p><i>Consider individual practice responsibility and system influence and nurse's demonstration of experiential learning</i></p>	Low Risk of Patient Harm Patient Harm or Risk of Patient Harm Serious Physical Injury or Death or Risk of Serious Injury or Death	SOA/SOC SOA/SOC SOC	0-5 yrs 2-7 yrs 5 yr Minimum Suspension	Fine \$750 to \$1000 per violation	<ol style="list-style-type: none"> 1. 24 Contact hour course on Patient Assessment, obtain passing score, submit evaluative data 2. 6 Contact hour course on Nursing Ethics, obtain passing score, submit evaluative data 3. Notice to current & future Employers 4. Commission permission for Employment 5. No employment in temporary agency, home health, hospice or community-based agency 6. Employer reports addressing clinical judgment & decision-making ability - quarterly 7. Personal reports - quarterly 8. Indirect RN supervision, No charge or supervisory responsibilities 9. Request Modification 	<ol style="list-style-type: none"> 1. 120 days 2. 90 days 3. Duration 4. Unless modified 5. Duration 6. Duration 7. If working as nurse 8. Unless modified 9. 12 - 24 months

II. Failure to Recognize Risk Factors And Implement Prevention Techniques To Avoid Predictable, Preventable Condition(s) Existence Of A Preventable Condition Including Decubiti, Stasis Pneumonia, Incidence Of Falls Errors or Omissions of the following type: <ul style="list-style-type: none"> • Failure to anticipate and/or recognize risk factors • Failure to implement prevention techniques to reduce patient risk • Faulty intervention • Breach of infection precautions • Failure to recognize equipment failure 	Risk of Recurrence	Low Risk of Patient Harm	SOA/SOC	0-5 yrs	Fine \$500 to \$1000 per violation	1. 24 Contact hour course on Patient Assessment, obtain passing score, submit evaluative data 2. 6 Contact hour course on Patient Safety, obtain passing score, submit evaluative data 3. Notice to current & future Employers 4. No employment in temporary agency, home health, hospice or community-based agency 5. Employer reports addressing clinical judgment & decision-making ability - quarterly 6. Personal reports - quarterly 7. Indirect RN supervision, No charge or supervisory responsibilities 8. Request Modification	1. 120 days
	<u>Likely Cause(s) of Error/Omission:</u> <ul style="list-style-type: none"> • Lack of attentiveness • Inadequate clinical judgment • Lack of appropriate priorities • Poor or faulty monitoring • Lack of evaluation of patient response to therapy • Failure to evaluate effectiveness of intervention 	Patient Harm or Risk of Patient Harm	SOA/SOC	2-7 yrs			2. 90 days
	<i>Consider individual practice responsibility and system influence and nurse's demonstration of experiential learning</i>	Serious Physical Injury or Risk of Serious Injury or Death	SOC	5 yr Minimum Suspension			3. Duration 4. Duration 5. Duration 6. If working as nurse 7. Unless modified 8. 12 months

Reference:

Benner, Patricia, PhD, RN, FAAN, Vickie Sheets, JD, RN, et al, Individual, Practice, and System Causes of Errors in Nursing - A Taxonomy, JONA Vol. 32, No., 10, October 2002.

Individual practice responsibility may include factors such as knowledge, competence, judgment, thoroughness.

System contributions & issues may include level of orientation and education provided; policies, procedures and systems in place including prescribing, order communication; product labeling, packaging and nomenclature; compounding; dispensing; distribution; administration, education; monitoring; and use.

Washington State Nursing Care Quality Assurance Commission

Sanction Standards for Charging Licensees For Violations Involving Medication Errors

Description of Violation	Aggravating & Mitigating Circumstances	Harm	Charge	Duration of Sanction	Cost Recovery or Fine	Conditions	Timeline for Completion
I. Practice of Pre-Pouring and/or Pre-Charting Medications	Risk of Recurrence	Low Risk of Patient Harm	SOA/SOC	0-5 yrs	Cost Recovery \$250 - 500	1. 6 Contact hour course in Time Management 2. Obtain passing score 3. Submit course evaluation for approval	1. 90 days 2. 90 days 3. 120 days
	<u>Likely Cause of Practitioner Error</u>	Patient Harm or Risk of Patient Harm	SOA/SOC	2-7 yrs			
	<ul style="list-style-type: none"> • <u>Lack of knowledge of nursing standards</u> • Failure to follow agency policy 	Serious Physical Injury or Death or Risk of Serious Injury or Death	SOC	5 yr Minimum Suspension			
II. Developing Pattern of Medication Errors <u>2 to 5 Errors of the Following Type(s):</u>	Risk of Recurrence	Low Risk of Patient Harm	SOA/SOC	0-5 yrs	Cost Recovery \$100 - 250 per violation	1. 60 Contact hour course in Safe Medication Administration, including a minimum of 20 hours of theory and 40 hours of RN supervised medication administration. 2. Obtain passing score 3. Submit course evaluation for approval 4. 6 Contact hour course in time management at RCM discretion	1. 90 days 2. 90 days 3. 120 days 4. RCM discretion
	<u>Likely Cause of Practitioner Error:</u>	Patient Harm or Risk of Patient Harm	SOA/SOC	2-7 yrs			
	<ul style="list-style-type: none"> • Missed dose(s) • Wrong time • Wrong dose • Wrong frequency • Wrong IV rate - wrong dose <p><i>Consider individual practice responsibility and system influence and nurse's demonstration of</i></p>	Serious Physical Injury or Death or Risk of Serious Injury or Death	SOC	5 yr Minimum Suspension			

Description of Violation	Aggravating & Mitigating Circumstances	Harm	Charge	Duration of Sanction	Cost Recovery or Fine	Conditions	Timeline for Completion
	<i>experiential learning</i>						
III. Established Pattern Of Medication Errors <u>6 or More Errors of the Following Type(s):</u> <ul style="list-style-type: none"> Missed dose(s) Wrong time Wrong dose Wrong frequency Wrong IV rate delivering wrong dose 	Risk of Recurrence <u>Likely Cause of Practitioner Error:</u> <ul style="list-style-type: none"> Failure to follow 6 "rights" for safe medication administration Lack of time management skill & organizational ability <i>Consider individual practice responsibility and system influence and nurse's demonstration of experiential learning</i>	Low Risk of Patient Harm Patient Harm or Risk of Patient Harm Serious Physical Injury or Death or Risk of Serious Injury or Death	SOA/SOC SOA/SOC SOC	0-5 yrs 2-7 yrs 5 yr Minimum Suspension	Fine \$250 to \$500 per violation	1. 60 Contact hour course in Safe Medication Administration, including a minimum of 20 hours of theory and 40 hours of RN supervised medication administration. 2. Obtain passing score 3. Submit course evaluation for approval 4. Current & future employer notification & reports 5. Worksite monitor to provide additional 40-120 hours supervision of medication administration (If licensee is an LPN, an LPN may provide supervision) 6. 6 Contact hour course in time management at RCM discretion 7. Request Modification	1. 90 days 2. 90 days 3. 120 days 4. Quarterly unless modified 5. 6-9 months 6. RCM discretion 7. 12 months
IV. Pattern of Medication Errors	Risk of Recurrence	Low Risk of	SOA/SOC	0-5 yrs		1. 60 Contact hour course	1. 90days

Description of Violation	Aggravating & Mitigating Circumstances	Harm	Charge	Duration of Sanction	Cost Recovery or Fine	Conditions	Timeline for Completion
<p><u>2 or More Errors of the Following Type(s):</u></p> <ul style="list-style-type: none"> Wrong IV rate delivering wrong dose of medication Wrong concentration or dosage of medication delivered IV Wrong route Wrong medication Wrong dose Wrong medication due to misidentifying the patient 	<p><u>Likely Cause of Practitioner Error:</u></p> <ul style="list-style-type: none"> Failure to follow 6 "rights" for safe medication administration Lack of adequate knowledge or competence for administering medication Disregard for patient safety & well being <p><i>Consider individual practice responsibility and system influence</i></p> <p><i>Consider nurse's demonstration of experiential learning</i></p>	<p>Patient Harm</p> <p>Patient Harm or Risk of Patient Harm</p> <p>Serious Physical Injury or Death or Risk of Serious Injury or Death</p>	<p>SOA/SOC</p> <p>SOC</p>	<p>2-7 yrs</p> <p>5 yr Minimum Suspension</p>	<p>Fine \$ 500 to \$1000 per violation</p>	<p>in Safe Medication Administration, including a minimum of 20 hours of theory and 40 hours of RN supervised medication administration.</p> <ol style="list-style-type: none"> Obtain a passing score Submit course evaluation Current and future employer notification & employer reports quarterly Commission approval for employment No charge, floating, agency, home health, hospice, etc. Worksite monitor to provide additional 40 -120 hours supervision of medication administration (If licensee is an LPN, an LPN may provide supervision) Indirect RN supervision Request Modification 	<ol style="list-style-type: none"> 90 days 120 days Quarterly unless modified Unless modified Unless modified 6 to 9 months Unless modified 12 to 24 months

Individual practice responsibility may include factors such as knowledge, competence, judgment, thoroughness, attentiveness.

System influence and contributing factors may include orientation and education provided; policies, procedures and systems in place including prescribing, order communication; product labeling, packaging and nomenclature; compounding; dispensing; distribution; administration, education; monitoring; and use.

Washington State Nursing Care Quality Assurance Commission

Sanction Standards for Charging Respondents For Failure to Comply with the Conditions of an Order

Description of Violation	Aggravating & Mitigating Circumstances	Harm	Charge	Duration of Sanction	New Fine	Conditions	Timeline for Completion
<p>I. Failure To Comply With Any Terms(s) Or Condition(s) Of One STID or Order</p> <p><u>Related To Diversion Or Substance Abuse</u></p> <p><u>Not Eligible For WHPS</u></p>	N/A	N/A	SOC	Indefinite suspension (2 yr min) w/ opportunity for modification	\$750 - \$1000 per violation	<p>1. Complete prior to seeking modification:</p> <p>a. Substance Abuse evaluation by a Commission approved evaluator</p> <p>b. Submit evidence of 12 or more most recent consecutive months of being clean and sober, evidenced by:</p> <p>i. Biological fluid testing</p> <p>ii. AA or NA attendance</p> <p>3. Appear before the Commission</p> <p>4. New conditions determined by Hearing Panel</p> <p>5. Fine Paid</p>	<p>1. a. Within 60 days of petition for modification</p> <p>b. i. 24 tests/12 months</p> <p>ii. 2/week/12 months</p> <p>4. Prior to seeking modification</p>
<p>II. Failure To Comply With Any Substantive Term(s) Or Condition(s) Any One STID or Order</p>	N/A	N/A	SOC	Indefinite Suspension Until Compliance	\$250 - 500 per violation	<p>1. Complete all conditions in original STID:</p> <p>2. BEFORE stay is granted: license stamped probation, education classes, papers, implement employment restrictions</p> <p>3. New Classes: Legal Issues in Nursing, Nursing Ethics, 6 hours each; submit evaluative reports</p> <p>4. Fine paid</p>	<p>1. Per STID timelines</p> <p>2. Probation following completion</p> <p>3.90 days</p> <p>4. 90 days</p>
<p>III. Failure to Comply with a technical, non remedial requirement in a prior order or STID. (Cost Recovery or Fine)</p>	N/A	N/A	Refer to Collections	N/A			

Description of Violation	Aggravating & Mitigating Circumstances	Harm	Charge	Duration of Sanction	New Fine	Conditions	Timeline for Completion
IV. Failure to Comply with a substantive requirement in a prior order or STID with serious physical injury or death or with additional unprofessional conduct	N/A	N/A	SOC w/ possible Summary Suspension	Indefinite Suspension until Compliance or Revocation w/ a Minimum of 5 yrs			