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FORM APPROVED
OMB NO. 0938-0391

DEPARTMENT OF HEALTH AND HUMAN SERVICES
CENTERS FOR MEDICARE & MEDICAID SERVICES

AUG 26 2011

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 345348	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 08/03/2011
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NAME OF PROVIDER OR SUPPLIER WHISPERING PINES NURSING & REHAB CENTER	STREET ADDRESS, CITY, STATE, ZIP CODE 523 COUNTRY CLUB DR FAYETTEVILLE, NC 28301
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(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)	(X5) COMPLETION DATE
F 203 SS=D	<p>483.12(a)(4)-(6) NOTICE REQUIREMENTS BEFORE TRANSFER/DISCHARGE</p> <p>Before a facility transfers or discharges a resident, the facility must notify the resident and, if known, a family member or legal representative of the resident of the transfer or discharge and the reasons for the move in writing and in a language and manner they understand; record the reasons in the resident's clinical record; and include in the notice the items described in paragraph (a)(6) of this section.</p> <p>Except when specified in paragraph (a)(5)(ii) of this section, the notice of transfer or discharge required under paragraph (a)(4) of this section must be made by the facility at least 30 days before the resident is transferred or discharged.</p> <p>Notice may be made as soon as practicable before transfer or discharge when the health of individuals in the facility would be endangered under (a)(2)(iv) of this section; the resident's health improves sufficiently to allow a more immediate transfer or discharge, under paragraph (a)(2)(i) of this section; an immediate transfer or discharge is required by the resident's urgent medical needs, under paragraph (a)(2)(ii) of this section; or a resident has not resided in the facility for 30 days.</p> <p>The written notice specified in paragraph (a)(4) of this section must include the reason for transfer or discharge; the effective date of transfer or discharge; the location to which the resident is transferred or discharged; a statement that the resident has the right to appeal the action to the State; the name, address and telephone number of the State long term care ombudsman; for</p>	F 203	<p>1. No action is required for resident #1. He was readmitted to facility on 8/3/11</p> <p>2. Should the facility need to discharged or transferred a resident under provision 483.12 a notice of 30 days or as soon as possible will be given to the resident, family member or responsible party. The reason for the discharge /transfer will be recorded in the medical record. The notice will include:</p> <ul style="list-style-type: none"> (a) Reason for transfer (b) Effective date of the transfer (c) The location to which the resident is to be transferred or discharged. (d) Name , address and phone number of the state long term care ombudsman. 	8/3/11 8/3/11

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE *Cathleen Rose LNHA* TITLE Administrator (X6) DATE 8/26/11

Any deficiency statement ending with an asterisk (*) denotes a deficiency which the institution may be excused from correcting providing it is determined that other safeguards provide sufficient protection to the patients. (See instructions.) Except for nursing homes, the findings stated above are disclosable 90 days following the date of survey whether or not a plan of correction is provided. For nursing homes, the above findings and plans of correction are disclosable 14 days following the date these documents are made available to the facility. If deficiencies are cited, an approved plan of correction is requisite to continued program participation.

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F 203	Continued From page 1 nursing facility residents with developmental disabilities, the mailing address and telephone number of the agency responsible for the protection and advocacy of developmentally disabled individuals established under Part C of the Developmental Disabilities Assistance and Bill of Rights Act; and for nursing facility residents who are mentally ill, the mailing address and telephone number of the agency responsible for the protection and advocacy of mentally ill individuals established under the Protection and Advocacy for Mentally Ill Individuals Act. This REQUIREMENT is not met as evidenced by: Based on record review and staff interviews the facility failed to issue a 30 day discharge notice after discharging a resident to the hospital for 1 of 1 sampled resident (Resident #1). The findings include: Resident #1 was admitted to the facility on 3/4/08, readmitted on 6/8/11, and discharged on 7/25/11 to the hospital. Resident #1's cumulative diagnoses included cerebrovascular accident (CVA), aphasia, metastatic renal cell carcinoma, and renal failure. The most recent Quarterly Minimum Data Set (MDS) assessment dated 6/18/11 revealed Resident #1 had short and long term memory problems and severely impaired daily decision making skills. Record review of Nurse's Notes dated 7/25/11 for Resident #1 revealed the family did not want to wait for the laboratory reports. The Nurse's	F 203	3. Should resident discharge or transfer be necessary under provision 483.12, appropriate and timely notification will be given. All transfers and discharge planning will be monitored by the Administrator or her designee for appropriate notification weekly times 3 months. 4. All discharges and transfers under provision 483.12 will be reviewed by the Quality Assessment and Assurance Committee monthly times 3 months then quarterly times 3 quarters for compliance. Any change to the stated plan will be made as needed to achieve/maintain compliance. The appropriate staff will be in-serviced to such changes. Any change in the plan will result in continued monitoring monthly times 3 months, then quarterly times 3 quarters.	8/3/11 8/3/11	

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F 203	<p>Continued From page 2</p> <p>Notes revealed the treating physician was notified and an order was obtained to send Resident #1 to the emergency room.</p> <p>Record review of Telephone Orders dated 7/25/11 for Resident #1 revealed to transfer Resident #1 to the hospital per family request.</p> <p>Record review of Social Progress Notes dated 7/26/11 revealed Resident #1 was discharged to the hospital on 7/25/11.</p> <p>Record review of Progress Notes dated 7/26/11 revealed the treating physician contacted a family member by phone and informed them Resident #1, who was currently in the hospital, would not be readmitted to the facility.</p> <p>Record review of Nurse's Notes dated 7/26/11 revealed a case manager in the hospital Emergency Department was contacted and informed due to some circumstances within the facility the treating physician had stated she would no longer follow the care of Resident #1. The Nurse's Notes revealed the case manager was told the treating physician's decision prevented the facility from readmitting Resident #1 under their services.</p> <p>Record review of Social Progress Notes dated 7/27/11 for Resident #1 revealed a phone call was held with a family member. The Social Progress Notes revealed the family member was informed the treating physician was unable to continue to provide medical services for Resident #1. The Social Progress Notes also revealed the family member was told the facility did not have an accepting physician to follow Resident #1 and</p>	F 203			

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F 203	<p>Continued From page 3 readmission was not possible.</p> <p>Record review of a physician's letter dated 7/27/11, addressed to the attention of a family member, revealed the treating physician would no longer be able to provide medical care after 8/27/11 for Resident #1. The physician's letter revealed the treating physician would provide necessary treatment for emergency care for Resident #1 until 8/27/11. The physician's letter revealed a recommendation for the family to obtain another physician without delay.</p> <p>An interview was held on 8/2/11 at 11:30 AM with the Admission Coordinator. The Admission Coordinator indicated the treating physician said she was no longer going to follow Resident #1's medical care. The Admission Coordinator indicated she called (7/26/11) the case manager in the Emergency Room and told her the facility would not be able to take Resident #1 back as they did not have a physician to follow Resident #1. She reported the case manager asked if the family had been notified. She reported the Social Worker called the family and informed them the facility could not take Resident #1 back because the treating physician would no longer provide medical care.</p> <p>An interview was held on 8/3/11 at 8:50 AM with the treating physician for Resident #1. The treating physician indicated the family was dissatisfied with the medical care she had provided for Resident #1. The treating physician indicated it did not make sense to continue to provide care for Resident #1 in this relationship.</p> <p>Interviews were held on 8/2/11 at 10:15 AM and</p>	F 203		

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F 203	Continued From page 4 10:45 AM with the Administrator. She indicated the treating physician had told the family and the facility on 7/26/11 she would no longer be able to provide medical care for Resident #1. The Administrator indicated Resident #1 could not be readmitted to the facility without a treating physician. The Administrator reported a case manager from the hospital had called on 8/1/11 about readmitting Resident #1. The Administrator reported yesterday (8/1/11) she had found out the family wanted Resident #1 to return to the facility. The Administrator indicated they had not sent a written notice to the family member indicating Resident #1 would not be readmitted. The Administrator indicated she was not sure if a written notice was sent to the family in a situation where the treating physician would no longer provide care for a resident. The Administrator indicated she had never had to send a written discharge notice to a family before.	F 203			
F 206 SS=D	483.12(b)(3) POLICY TO PERMIT READMISSION BEYOND BED-HOLD A nursing facility must establish and follow a written policy under which a resident whose hospitalization or therapeutic leave exceeds the bed-hold period under the State plan, is readmitted to the facility immediately upon the first availability of a bed in a semi-private room if the resident requires the services provided by the facility; and is eligible for Medicaid nursing facility services. This REQUIREMENT is not met as evidenced by: Based on record review and staff interviews the facility failed to readmit 1 of 1 sampled resident	F 206	1. No action is required for resident #1, as he was readmitted to the facility as soon as physician coverage was obtained for him on 8/3/11. 2. All residents eligible for Medicaid facility services will be readmitted to the first available semi-private bed following discharge to the hospital. 3. Staff will be in-serviced by the Administrator or her designee to accept all of our residents for readmission who are eligible for Medicaid facility services when they are stable.	8/3/11 8/3/11 8/12/11	

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F 206	<p>Continued From page 5</p> <p>(Resident #1) to the first bed available after the hospital cleared the resident for discharge. Findings include:</p> <p>Review of an undated facility Bed Hold Policy revealed in part, upon admission our Admission Coordinator goes over the bed hold policy. If a patient becomes hospitalized for any reason and a bed hold is desired, the responsible party must pay the current daily rate of the bed. A copy of this policy will be sent with the patient to the hospital. The responsible party must notify the Admissions Coordinator if they wish to hold the bed by 12:00 noon the day after transfer. If the bed is not held, the resident will have priority on the first available bed. In the situation where there is more than one resident, a Medicaid resident will have priority in accordance with state law. The Bed Hold Policy also revealed if we are notified and your stay is beyond-----days of the agreed upon bed hold or ----- day of agreed upon therapeutic leave days, you will be readmitted to this facility upon the first availability of a semi-private room if you are eligible for and require Medicaid services.</p> <p>Review of an undated facility Acknowledgement of Receipt of Resident / Family Handbook form revealed under contents "Bed Hold Policy (pg. 46)". The Acknowledgement of Receipt of Resident / Family Handbook form for Resident #1 was signed by responsible party on 3/4/08.</p> <p>Resident #1 was admitted to the facility on 3/4/08, readmitted on 6/8/11, and discharged on 7/25/11 to the hospital. Resident #1's cumulative diagnoses included cerebrovascular accident (CVA), aphasia, metastatic renal cell carcinoma,</p>	F 206	<p>Compliance with 484.12 will be monitored by the Administrator and Medical Director. Policies and procedures will be modified as needed. All findings and outcomes of the plan for appropriate and timely discharges and readmissions will be reviewed for compliance by the facility Quality Assessment and Assurance committee and documented in the committee meeting minutes on a monthly basis times 3 months, then quarterly times 3 quarters and as needed. Any changes to the stated plan will be made as needed to achieve/maintain compliance and the appropriate staff will be in serviced to such changes. Any change in the plan will result in continued monitoring monthly times 3 months then quarterly times 3 months.</p>		

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F 206	<p>Continued From page 6 and renal failure.</p> <p>The most recent Quarterly Minimum Data Set (MDS) assessment dated 6/18/11 revealed Resident #1 had short and long term memory problems and severely impaired daily decision making skills.</p> <p>The Nurse's Notes dated 7/25/11 revealed the treating physician was notified and an order was obtained to send Resident #1 to the emergency room.</p> <p>Record review of Telephone Orders dated 7/25/11 for Resident #1 revealed to transfer Resident #1 to the hospital per family request.</p> <p>Record review of Social Progress Notes dated 7/26/11 revealed Resident #1 was discharged to the hospital on 7/25/11.</p> <p>Record review of Progress Notes dated 7/26/11 revealed the treating physician contacted a family member by phone and informed them Resident #1, who was currently in the hospital, would not be readmitted to the facility.</p> <p>Record review of Nurse's Notes and dated 7/26/11 (written by the Admission Coordinator) revealed a case manager in the hospital Emergency Department was contacted and informed due to some circumstances within the facility the treating physician had stated she would no longer follow the care for Resident #1. The Nurse's Notes revealed the case manager was told the treating physician's decision prevented the facility from readmitting Resident #1 under their services.</p>	F 206			

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F 206	<p>Continued From page 7</p> <p>Record review of hospital notes dated 7/26/11 for Resident #1 revealed the patient will need assistance for alternative placement per facility. The hospital note also revealed the facility agreed to notify the family as soon as possible the patient will not be allowed to return so they can make another selection.</p> <p>Record review of Social Progress Notes dated 7/27/11 for Resident #1 revealed a phone call was held with a family member. The Social Progress Notes revealed the family member was informed the treating physician was unable to continue to provide medical services for Resident #1. The Social Progress Notes also revealed the family member was told the facility did not have an accepting physician to follow Resident #1 and readmission was not possible.</p> <p>An interview was held on 8/2/11 at 10:15 AM and 10:45 AM with the Administrator. She indicated the treating physician had told the family and the facility on 7/26/11 she would no longer be able to provide medical care for Resident #1. The Administrator indicated Resident #1 could not be readmitted to the facility without a treating physician. She indicated there was physician who had been in practice with Resident #1's physician that had not been called yet. The Administrator indicated she did not think the physician would agree to treat Resident #1. She indicated the family member / responsible party was given the bed hold policy when a resident was admitted to the facility. She indicated a copy of the bed hold policy form was sent with the resident upon discharge to a hospital. She indicated the family had never done a bed hold before when Resident</p>	F 206			

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F 206	<p>Continued From page 8</p> <p>#1 had been discharged to the hospital. The Administrator reported a case manager from the hospital had called on 8/1/11 about readmitting Resident #1. The Administrator reported yesterday (8/1/11) she had found out the family wanted Resident #1 to return to the facility. The Administrator indicated Resident #1 had Medicaid.</p> <p>An interview was held on 8/2/11 at 11:30 AM with the Admission Coordinator. The Admission Coordinator indicated the treating physician had said she would no longer follow Resident #1's medical care. The Admission Coordinator indicated (on 7/26/11) she called the case manager in the Emergency Room and told her the facility would not be able to take Resident #1 back as they did not have a physician to follow Resident #1. She reported the case manager asked if the family had been notified. She reported the Social Worker called the family and informed them the facility could not take Resident #1 back because the treating physician would no longer provide medical care.</p> <p>A telephone interview was held on 8/2/11 at 3:25 PM with hospital Case Manager #1. She indicated yesterday (8/1/11) was the first day she had Resident #1. She indicated Resident #1 had not been admitted to the hospital. She reported Resident #1 had been kept in observation. Case Manager #1 indicated patients were not supposed to be kept in observation and she did not know why Resident #1 had been kept there. She reported she had called the facility yesterday. Case Manager #1 indicated she was told by someone they could not take Resident #1 back because they did not have a physician to provide</p>	F 206			

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F 206	<p>Continued From page 9</p> <p>medical care for him. She indicated she left a message for the Administrator to return her call. Case Manager #1 indicated she informed her supervisor yesterday the facility would not take Resident #1 back.</p> <p>A telephone interview was held on 8/2/11 at 3:35 PM with a Case Manager Supervisor. He reported he called the Administrator today (8/2/11) and was informed the facility could not take Resident #1 back as neither physician would provide medical care. The Case Manager Supervisor reported Resident #1 was transferred to the floor when he found out the patient was still in observation.</p> <p>An interview was held on 8/3/11 at 8:50 AM with the treating physician for Resident #1. The treating physician indicated the family was dissatisfied with the medical care she had provided for Resident #1. The treating physician indicated it did not make sense to continue to provide care for Resident #1 in this relationship.</p> <p>An interview was held on 8/2/11 at 2:35 PM with the Administrator. She indicated a copy of the bed hold policy was given to a family member if they were present at the time of a resident's discharge to the hospital. The Administrator indicated the family was called about a bed hold 24 hours after a resident was admitted to the hospital. She reported Resident #1 had been to the hospital many times before. The Administrator indicated a copy of the bed hold policy had not been given to the family each time Resident #1 had been sent to the hospital. She indicated the family had been called each time Resident #1 had been sent to the hospital about a</p>	F 206		
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F 206	Continued From page 10 bed hold. The Administrator indicated the bed hold policy was sent with Resident #1 when he was discharged to the hospital. She indicated they did not call the family this time about a bed hold because the treating physician had indicated she would no longer provide medical care for Resident #1. The Administrator indicated Resident #1 could not be readmitted to the facility without a treating physician. The Administrator reported she had talked with the case manager at the hospital today and had been told the facility had to take Resident #1 back as he was stable.	F 206			