

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: HAL044022	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED 10/23/2018
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NAME OF PROVIDER OR SUPPLIER CHESTNUT PARK RETIREMENT	STREET ADDRESS, CITY, STATE, ZIP CODE 84 CHESTNUT PARK DRIVE WAYNESVILLE, NC 28786
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D 000	Initial Comments The Adult Care Licensure Section conducted an annual and follow-up survey on October 23, 2018.	D 000		
D 139	<p>10A NCAC 13F .0407(a)(7) Other Staff Qualifications</p> <p>10A NCAC 13F .0407 Other Staff Qualifications (a) Each staff person at an adult care home shall: (7) have a criminal background check in accordance with G.S. 114-19.10 and 131D-40;</p> <p>This Rule is not met as evidenced by: TYPE B VIOLATION</p> <p>Based on record reviews and interviews, the facility failed to ensure 1 of 3 sampled staff (Staff A) had a criminal background check completed prior to hire.</p> <p>The findings are:</p> <p>Review of Staff A, Supervisor's, personnel record revealed: -Staff A had been an employed at the facility multiple times since 09/02/00. -Staff A's last date of hire was on 08/23/18 as a Supervisor. -There was criminal background check completed on 02/24/04. -There was no other documentation of a criminal background check completed.</p> <p>Interview with Staff A on 10/23/18 at 2:50pm revealed: -She had been employed at the facility "off and on since 2000." -In her current position as Supervisor, she was primarily responsible for administering medications and assisting the residents with</p>	D 139		

Division of Health Service Regulation LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE	TITLE	(X6) DATE
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D 139	<p>Continued From page 1</p> <p>personal care. -She was rehired at the facility on 08/22/18. -She had asked the Administrator if she had completed a criminal background check upon rehire on 08/22/18 and the Administrator had told her she had not.</p> <p>Interview with the Administrator on 10/23/18 at 3:20pm revealed: -She had not completed a criminal background check on Staff A when she was rehired on 08/22/18. -"We had to get her in quickly, so we had somebody reliable to take care of these residents."</p> <p>_____</p> <p>The facility failed to assure Staff A had a criminal background check completed upon hire. The facility's failure resulted in the facility being unaware of any criminal background history, which was detrimental to the safety and welfare of the residents and constitutes a Type B Violation.</p> <p>_____</p> <p>The facility provided a Plan of Protection in accordance with G.S. 131D-34 on 10/23/18 for this violation.</p> <p>CORRECTION DATE FOR THE TYPE B VIOLATION SHALL NOT EXCEED DECEMBER 7, 2018.</p>	D 139		
D 283	<p>10A NCAC 13F .0904(a)(2) Nutrition and Food Service</p> <p>10A NCAC 13F .0904 Nutrition and Food Service (a) Food Procurement and Safety in Adult Care</p>	D 283		

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D 283	<p>Continued From page 2</p> <p>Homes: (2) All food and beverage being procured, stored, prepared or served by the facility shall be protected from contamination.</p> <p>This Rule is not met as evidenced by: Based on observation, interviews, and record reviews, the facility failed to ensure food and beverages being stored by the facility were protected from contamination.</p> <p>The findings are:</p> <p>Review of the facility kitchen sanitation report dated 12/14/17 revealed: -A score of 96. -A demerit was received for date marking and disposition of food. -A package of hotdogs, an opened package of lunch meat, and mashed potatoes in a cooler were found to not have been date marked during the inspection.</p> <p>Observations of the refrigerator at the back of the kitchen on 10/23/18 at 10:35am revealed: -There was a clear plastic bowl covered with a snap on lid with what appeared to be slaw unlabeled and not dated. -There was a plastic canister covered with a snap on lid which contained what appeared to be apple butter unlabeled and not dated. -There was a plastic bowl covered in aluminum foil which contained what appeared to be pasta salad unlabeled and not dated. -There was a ceramic bowl covered with a clear snap on lid which contained what appeared to be macaroni and cheese unlabeled and not dated. -There was a large plastic jug with a ranch dressing label on the outside one third full which contained what appeared to be pickle relish</p>	D 283		

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D 283	<p>Continued From page 3</p> <p>unlabeled and not dated.</p> <ul style="list-style-type: none"> -There was a large plastic canister with a mayonnaise label on the outside one eighth full which contained what appeared to be leftover bacon grease unlabeled and not dated. -There was a second large plastic canister with a mayonnaise label on the outside with a small amount of purple substance in the bottom with a handwritten label on the lid "jelly" and no date. -There was loose debris and multiple spills visible in the bottom of the refrigerator. <p>Observations of the freezer, located at the back of the kitchen on 10/23/18 at 10:49am revealed:</p> <ul style="list-style-type: none"> -There was a 2 pound package of brussel sprouts with a sell by date of 06/08/14. -There was a gallon sized clear plastic bag which contained peeled cut up apples dated 11/13/15. -There was one gallon sized clear plastic bag labeled "apples" dated November 2016. -There were two four inch wide by two inch thick slabs of bacon with freezer burn stored in a clear plastic storage bag with no label and no date. -There was a whole fish frozen in an ice block stored in a clear plastic storage bag with no label and no date. -There was a quart size clear plastic bag with a handwritten label "turnips" with no date, and the contents had freezer burn on it. -There were three gallon sized clear plastic bags which contained cut up yellow squash unlabeled and not dated. -There were seven quart sized clear plastic bags which contained tomatoes unlabeled and not dated. -There were two gallon sized clear plastic bags which contained red bell peppers unlabeled and not dated. -There were seven gallon sized clear plastic bags labeled "pie pumpkin" and not dated. 	D 283		

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D 283	<p>Continued From page 4</p> <p>Observations of the freezer, located in the dry storage area on 10/23/18 at 10:58am revealed:</p> <ul style="list-style-type: none"> -There was a gallon sized clear plastic bag with what appeared to be white chocolate chip pieces unlabeled and not dated. -There was half full gallon sized clear plastic bag of bacon unlabeled and not dated. -There was a gallon sized clear plastic bag with corn dogs unlabeled and not dated. -There were eleven large sized bags of commercially packaged soup undated. -There were two gallon sized plastic bags with zucchini squash pieces unlabeled and not dated. <p>Observation of the refrigerator located in the kitchen on 10/23/18 at 11:03am revealed:</p> <ul style="list-style-type: none"> -There was a clear plastic bowl with a snap-on lid of what appeared to be chili unlabeled and not dated. -There was a gallon container of orange juice unlabeled and not dated. -There were two other gallon containers of unidentifiable beverages unlabeled and not dated. -There was a gallon sized bag of cheese slices unlabeled and not dated. <p>Interview with the Cook on 10/23/18 at 11:20am revealed:</p> <ul style="list-style-type: none"> -"I'm usually careful." -"I date and label my stuff." -The pasta salad, macaroni and cheese, and chili had been made over the weekend (10/20/18 to 10/21/18). -She was not sure which day over the weekend because she did not work weekends. -She did not know how long any of the other unlabeled and undated items had been stored. <p>Interview with the Supervisor on 10/23/18 at</p>	D 283		

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D 283	Continued From page 5 11:37am revealed: -The left over food was supposed to be labeled and dated when stored. -Any left over food was supposed to be thrown out within three days if not used. Telephone interview with the Administrator on 10/23/18 at 1:45pm revealed: -The old food was getting shoved to the back. -The new food was getting used before the old. -"We will have to pull the old food and throw it away." -The refrigerators and freezers were checked quarterly for labeling, dating, and cleanliness. -All staff who worked in the kitchen preparing food were responsible for keeping food storage areas clean and for proper labeling and dating of food items.	D 283		
D 298	10A NCAC 13F .0904(d)(2) Nutrition And Food Service 10A NCAC 13F .0904 Nutrition And Food Service (d) Food Requirements in Adult Care Homes: (2) Foods and beverages that are appropriate to residents' diets shall be offered or made available to all residents as snacks between each meal for a total of three snacks per day and shown on the menu as snacks. This Rule is not met as evidenced by: Based on observations, interviews, and record reviews, the facility failed to offer or make available three snacks a day to all residents and shown on the menu. The findings are:	D 298		

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D 298	<p>Continued From page 6</p> <p>Interview with the Supervisor on 10/23/18 at 9:15am revealed there were eleven residents who lived at the facility.</p> <p>Interviews with five residents on 10/23/18 revealed:</p> <ul style="list-style-type: none"> -Five of five residents were not offered a snack three times a day. -Five of five residents stated snacks were not made available to them at the facility. -None of the five residents reported getting hungry between meals. -One resident was offered snacks "sometimes." -A second resident was offered snacks "once in the afternoon." -A third resident was offered snack "about two times a week." -A fourth resident "usually" was offered a snack "after supper." -A fifth resident stated he had to ask staff for a snack before bedtime. <p>-Examples of snack foods resident's had received in the past included popcorn, packs of crackers, potato chips, and candy bars.</p> <p>Review of the facility therapeutic menu for 10/23/18 revealed the menu listed three daily snacks.</p> <p>Interview with the Supervisor on 10/23/18 at 11:37am revealed:</p> <ul style="list-style-type: none"> -"Usually the resident's come and ask us when they want snacks." -"We don't have a set snack time." <p>Observations on 10/23/18 from 9:15am to 11:50pm revealed no snacks were offered or made available to residents.</p> <p>Observations on 10/23/18 at 1:30pm of the snack</p>	D 298		

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D 298	<p>Continued From page 7</p> <p>food available in the facility kitchen storage revealed:</p> <ul style="list-style-type: none"> -There were 16 boxes of raspberry jello which contained four 1/2 cup servings per box. -There was one open box of cinnamon graham crackers with two unopened packs of crackers inside (16 sheets of graham crackers with 2 sheets equal to one serving. -There were two 46 ounce (oz) jars of unsweetened applesauce. -There were six packages of butterscotch pudding which contained four 1/2 cup servings per box. <p>Observations on 10/23/18 at 2:00pm of the snack food available in the facility medication room revealed:</p> <ul style="list-style-type: none"> -There were four 8 oz bags of regular potato chips which contained eight 1 oz. servings. -There were three canisters of potato chips which contained six servings per canister. -There was a half full 140 gram bag of barbeque chips which contained three 50 gram servings per bag. -There was a one third full 15 oz bag of cheese puffs which contained 15 servings per bag. -There were six individually wrapped fruit and grain bars. -There were four packages of cheese crackers with six servings per package. -There was one 20 oz box of crackers with 36 servings per container. -There were two boxes of saltine crackers with 30 servings per container. <p>Observations on 10/23/18 from 1:05pm to 3:45pm revealed no snacks were offered or made available to residents.</p> <p>Interview with the Cook on 10/23/18 at 1:20pm</p>	D 298		

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D 298	Continued From page 8 revealed: -The Supervisor was responsible for preparing snacks for residents in the daytime. -"I have not been doing a morning snack." -She did not have snack foods enough in the kitchen storage to serve to residents for snacks. -"I didn't know snack was required three times a day." -"I thought it was twice a day in the morning and afternoon." Telephone interview with the Administrator on 10/23/18 at 1:45pm revealed: -The Supervisor or the Cook were responsible for serving snacks. -"We give the snacks at night when we give out the medication." -"They get snacks in between meals in the daytime."	D 298		
D912	G.S. 131D-21(2) Declaration of Residents' Rights G.S. 131D-21 Declaration of Residents' Rights Every resident shall have the following rights: 2. To receive care and services which are adequate, appropriate, and in compliance with relevant federal and state laws and rules and regulations. This Rule is not met as evidenced by: Based on interviews and record reviews, the facility failed to assure residents received care and services which were adequate, appropriate and in compliance with federal and state laws and rules and regulations related to staff qualifications.	D912		

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D912	Continued From page 9 The findings are: Based on record reviews and interviews, the facility failed to ensure 1 of 3 sampled staff (Staff A) had a criminal background check completed prior to hire. [Refer to Tag 0139 10A NCAC 13F .0407(a)(7) Other Staff Qualifications (Type B Violation)].	D912		
D992	G.S. § 131D-45 (a) Examination and screening G.S. § 131D-45. Examination and screening for the presence of controlled substances required for applicants for employment in adult care homes. (a) An offer of employment by an adult care home licensed under this Article to an applicant is conditioned on the applicant's consent to an examination and screening for controlled substances. The examination and screening shall be conducted in accordance with Article 20 of Chapter 95 of the General Statutes. A screening procedure that utilizes a single-use test device may be used for the examination and screening of applicants and may be administered on-site. If the results of the applicant's examination and screening indicate the presence of a controlled substance, the adult care home shall not employ the applicant unless the applicant first provides to the adult care home written verification from the applicant's prescribing physician that every controlled substance identified by the examination and screening is prescribed by that physician to treat the applicant's medical or psychological condition. The verification from the physician shall include the name of the controlled substance, the prescribed dosage and frequency,	D992		

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D992	<p>Continued From page 10</p> <p>and the condition for which the substance is prescribed. If the result of an applicant's or employee's examination and screening indicates the presence of a controlled substance, the adult care home may require a second examination and screening to verify the results of the prior examination and screening.</p> <p>This Rule is not met as evidenced by: Based on interviews and record reviews, the facility failed to ensure examination and screening for the presence of controlled substances was performed for 1 of 3 sampled staff (Staff A) hired after 10/01/13.</p> <p>The findings are:</p> <p>Review of Staff A, Supervisor's, personnel record revealed: -Staff A had been an employed at the facility multiple times since 09/02/00. -Staff A's last date of hire was on 08/23/18 as a Supervisor. -There was a signed consent for a drug screening in the personnel record dated 05/31/12. -There were no other consents for drug screening in the record. -There was no documentation a drug screen was completed.</p> <p>Interview with Staff A on 10/23/18 at 2:50pm revealed: -She had been employed at the facility "off and on since 2000." -In her current position as Supervisor, she was primarily responsible for administering medications and assisting the residents with</p>	D992		

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D992	<p>Continued From page 11</p> <p>personal care. -She was rehired at the facility on 08/22/18. -She had not completed a drug screen upon rehire on 08/22/18.</p> <p>Interview with the Administrator on 10/23/18 at 3:20pm revealed: -The Administrator was responsible for ensuring drug screens were completed on applicant's before hire. -She had not completed a drug screen on Staff A when she was rehired on 08/22/18. -"We had to get her in quickly, so we had somebody reliable to take care of these residents."</p>	D992		