STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION	(X3) DATE SURVEY COMPLETED
	MHL038-023	A. BUILDING: _____ B. WING _____	05/22/2018

NAME OF PROVIDER OR SUPPLIER	STREET ADDRESS, CITY, STATE, ZIP CODE
THE TWIN OAKS	536 MOOSE BRANCH ROAD ROBBINSVILLE, NC 28771

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V 000	INITIAL COMMENTS An annual survey was completed on May 22, 2018. Deficiencies were cited. This facility is licensed for the following service category: 10A NCAC 27G .5600A Supervised Living for Adults with Mental Illness.	V 000		
V 366	27G .0603 Incident Response Requirments 10A NCAC 27G .0603 INCIDENT RESPONSE REQUIREMENTS FOR CATEGORY A AND B PROVIDERS (a) Category A and B providers shall develop and implement written policies governing their response to level I, II or III incidents. The policies shall require the provider to respond by: (1) attending to the health and safety needs of individuals involved in the incident; (2) determining the cause of the incident; (3) developing and implementing corrective measures according to provider specified timeframes not to exceed 45 days; (4) developing and implementing measures to prevent similar incidents according to provider specified timeframes not to exceed 45 days; (5) assigning person(s) to be responsible for implementation of the corrections and preventive measures; (6) adhering to confidentiality requirements set forth in G.S. 75, Article 2A, 10A NCAC 26B, 42 CFR Parts 2 and 3 and 45 CFR Parts 160 and 164; and (7) maintaining documentation regarding Subparagraphs (a)(1) through (a)(6) of this Rule. (b) In addition to the requirements set forth in Paragraph (a) of this Rule, ICF/MR providers shall address incidents as required by the federal regulations in 42 CFR Part 483 Subpart I. (c) In addition to the requirements set forth in	V 366		

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V 366	Continued From page 1 Paragraph (a) of this Rule, Category A and B providers, excluding ICF/MR providers, shall develop and implement written policies governing their response to a level III incident that occurs while the provider is delivering a billable service or while the client is on the provider's premises. The policies shall require the provider to respond by: (1) immediately securing the client record by: (A) obtaining the client record; (B) making a photocopy; (C) certifying the copy's completeness; and (D) transferring the copy to an internal review team; (2) convening a meeting of an internal review team within 24 hours of the incident. The internal review team shall consist of individuals who were not involved in the incident and who were not responsible for the client's direct care or with direct professional oversight of the client's services at the time of the incident. The internal review team shall complete all of the activities as follows: (A) review the copy of the client record to determine the facts and causes of the incident and make recommendations for minimizing the occurrence of future incidents; (B) gather other information needed; (C) issue written preliminary findings of fact within five working days of the incident. The preliminary findings of fact shall be sent to the LME in whose catchment area the provider is located and to the LME where the client resides, if different; and (D) issue a final written report signed by the owner within three months of the incident. The final report shall be sent to the LME in whose catchment area the provider is located and to the	V 366		

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V 366	Continued From page 2 LME where the client resides, if different. The final written report shall address the issues identified by the internal review team, shall include all public documents pertinent to the incident, and shall make recommendations for minimizing the occurrence of future incidents. If all documents needed for the report are not available within three months of the incident, the LME may give the provider an extension of up to three months to submit the final report; and (3) immediately notifying the following: (A) the LME responsible for the catchment area where the services are provided pursuant to Rule .0604; (B) the LME where the client resides, if different; (C) the provider agency with responsibility for maintaining and updating the client's treatment plan, if different from the reporting provider; (D) the Department; (E) the client's legal guardian, as applicable; and (F) any other authorities required by law. This Rule is not met as evidenced by: Based on record reviews and interviews the facility failed to implement their written policy governing their response to level II incidents. The findings are: Review on 5/22/18 of the facility Incident Reporting policy revealed: -" ...It is the responsibility of all employees to also	V 366		

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V 366	Continued From page 3	V 366		

report incidents to the appropriate director or supervisor. All directors and supervisors will report incidents to Quality Assurance Director. It is the responsibility of the Director or Manager of Quality Assurance to report and submit incidents via IRIS (Incident Response Improvement System) any leveled incident within the state approved timelines ...When a consumer or employee is involved in an incident ...employee(s) involved are required to complete an '[licensee] Incident Reporting Form' ...Supervisor coordinating the process will concurrently notify QA (quality assurance) director or designee of incident and turn in a completed incident report form within 24 hours of incident occurrence ..."

Record review on 5/22/18 for Client #4 revealed:
-Admitted on 5/11/17 with diagnoses of Traumatic Brain Injury, Dementia, Seizure Disorder, Major Depressive Disorder, Hyperlipidemia, Diabetes, and benign Prostatic Hypertrophy.

Review on 5/22/18 of Incident Reports revealed no report for the incident that occurred on 4/8/17.

Interview on 5/22/18 fir the IDD (Intellectual or Developmental Disabilities) Manager revealed:
-On 4/8/17 Client #4 drank the soda that belonged to another client. Because Client #4 was a diabetic, Staff #2 redirected him and instructed him that he should not be drinking the soda and that the soda belonged to another client. Client #4 got mad and stated "I just as soon die, I may as well be in jail". He was mad and went to his room. Staff #2 went to check on him and he was laying on his bed with his belt around his neck. Staff #2 immediately called the House Manager who also call him and the Director. Staff #2 also called Mobile Crisis who came on site and assessed Client #4. Client #4

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V 366	Continued From page 4 was taken to the hospital. Interview on 5/22/18 with the Director revealed: -There was no incident report completed. Their policy required documentation. -She indicated that the incident occurred on a weekend and subsequent documentation was missed.	V 366		
V 367	27G .0604 Incident Reporting Requirements 10A NCAC 27G .0604 INCIDENT REPORTING REQUIREMENTS FOR CATEGORY A AND B PROVIDERS (a) Category A and B providers shall report all level II incidents, except deaths, that occur during the provision of billable services or while the consumer is on the providers premises or level III incidents and level II deaths involving the clients to whom the provider rendered any service within 90 days prior to the incident to the LME responsible for the catchment area where services are provided within 72 hours of becoming aware of the incident. The report shall be submitted on a form provided by the Secretary. The report may be submitted via mail, in person, facsimile or encrypted electronic means. The report shall include the following information: (1) reporting provider contact and identification information; (2) client identification information; (3) type of incident; (4) description of incident; (5) status of the effort to determine the cause of the incident; and (6) other individuals or authorities notified or responding. (b) Category A and B providers shall explain any	V 367		

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V 367	Continued From page 5	V 367		

missing or incomplete information. The provider shall submit an updated report to all required report recipients by the end of the next business day whenever:
(1) the provider has reason to believe that information provided in the report may be erroneous, misleading or otherwise unreliable; or
(2) the provider obtains information required on the incident form that was previously unavailable.
(c) Category A and B providers shall submit, upon request by the LME, other information obtained regarding the incident, including:
(1) hospital records including confidential information;
(2) reports by other authorities; and
(3) the provider's response to the incident.
(d) Category A and B providers shall send a copy of all level III incident reports to the Division of Mental Health, Developmental Disabilities and Substance Abuse Services within 72 hours of becoming aware of the incident. Category A providers shall send a copy of all level III incidents involving a client death to the Division of Health Service Regulation within 72 hours of becoming aware of the incident. In cases of client death within seven days of use of seclusion or restraint, the provider shall report the death immediately, as required by 10A NCAC 26C .0300 and 10A NCAC 27E .0104(e)(18).
(e) Category A and B providers shall send a report quarterly to the LME responsible for the catchment area where services are provided. The report shall be submitted on a form provided by the Secretary via electronic means and shall include summary information as follows:
(1) medication errors that do not meet the definition of a level II or level III incident;
(2) restrictive interventions that do not meet

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V 367	Continued From page 6 the definition of a level II or level III incident; (3) searches of a client or his living area; (4) seizures of client property or property in the possession of a client; (5) the total number of level II and level III incidents that occurred; and (6) a statement indicating that there have been no reportable incidents whenever no incidents have occurred during the quarter that meet any of the criteria as set forth in Paragraphs (a) and (d) of this Rule and Subparagraphs (1) through (4) of this Paragraph. This Rule is not met as evidenced by: Based on record review and staff interview, the facility failed to report a Level II incident to the Local Mental Health Managed Care Organization (LME/MCO) within 72 hours of becoming aware of the incident. The findings are: Review on 5/22/18 of the facility Incident Reporting policy revealed: -" ...It is the responsibility of all employees to also report incidents to the appropriate director or supervisor. All directors and supervisors will report incidents to Quality Assurance Director. It is the responsibility of the Director or Manager of Quality Assurance to report and submit incidents via IRIS (Incident Response Improvement System) any leveled incident within the state approved timelines ..." Interview on 5/22/18 fir the IDD (Intellectual or Developmental Disabilities) Manager revealed: -On 4/8/17 Client #4 drank the soda that belonged to another client. Because Client #4 was a diabetic, Staff #2 redirected him and	V 367		

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V 367	Continued From page 7 instructed him that he should not be drinking the soda and that the soda belonged to another client. Client #4 got mad and stated "I just as soon die, I may as well be in jail". He was mad and went to his room. Staff #2 went to check on him and he was laying on his bed with his belt around his neck. Staff #2 immediately called the House Manager who also call him and the Director. Staff #2 also called Mobile Crisis who came on site and assessed Client #4. Client #4 was taken to the hospital. Interview on 5/22/18 with the Director revealed: -There was no incident report completed. Their policy required documentation. -She indicated that the incident occurred on a weekend and subsequent documentation was missed. -The IRIS report would have been completed by either herself or the IDD Operations Manager. -She determined at the start of the survey that an IRIS report had not been submitted for the Level II incident.	V 367		