

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL026-960	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED R 06/27/2018
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NAME OF PROVIDER OR SUPPLIER COMMUNITY ALTERNATIVE HOUSING, INC	STREET ADDRESS, CITY, STATE, ZIP CODE 1410 SEABISCUIT DRIVE PARKTON, NC 28371
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V 000	<p>INITIAL COMMENTS</p> <p>An annual and follow up survey was completed on June 27, 2018. Deficiencies were cited.</p> <p>This facility is licensed for the following service category: 10A NCAC 27G. 5600F Supervised Living/Alternative Family Living.</p>	V 000		
V 118	<p>27G .0209 (C) Medication Requirements</p> <p>10A NCAC 27G .0209 MEDICATION REQUIREMENTS</p> <p>(c) Medication administration:</p> <p>(1) Prescription or non-prescription drugs shall only be administered to a client on the written order of a person authorized by law to prescribe drugs.</p> <p>(2) Medications shall be self-administered by clients only when authorized in writing by the client's physician.</p> <p>(3) Medications, including injections, shall be administered only by licensed persons, or by unlicensed persons trained by a registered nurse, pharmacist or other legally qualified person and privileged to prepare and administer medications.</p> <p>(4) A Medication Administration Record (MAR) of all drugs administered to each client must be kept current. Medications administered shall be recorded immediately after administration. The MAR is to include the following:</p> <p>(A) client's name;</p> <p>(B) name, strength, and quantity of the drug;</p> <p>(C) instructions for administering the drug;</p> <p>(D) date and time the drug is administered; and</p> <p>(E) name or initials of person administering the drug.</p> <p>(5) Client requests for medication changes or checks shall be recorded and kept with the MAR file followed up by appointment or consultation with a physician.</p>	V 118		

Division of Health Service Regulation
LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE _____ TITLE _____ (X6) DATE _____

Division of Health Service Regulation

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V 118	<p>Continued From page 1</p> <p>This Rule is not met as evidenced by: Based on record review and interview, the facility failed to administer medications on the written order of a person authorized by law to prescribe medications, and maintain an accurate MAR for 1 of 1 clients audited (client #1).</p> <p>Review on 6/21/18 and 6/26/18 of client #1's record revealed: -13 year old female admitted 12/11/17. -Diagnoses included Moderate Mental Retardation, Downs Syndrome, Asthma, Bronchitis -Order dated 11/28/17 for Focalin XR (extended release) 15 mg (milligrams) every morning. (Attention Deficit Hyperactive Disorder) -No orders documented in client record for the following: -Singulair 10 mg in the evening (Asthma maintenance) -Focalin XR (extended release) 10 mg (milligrams) every morning (Attention Deficit Hyperactive Disorder) -Albuterol 2.5 mg/3ml (milliliters) 0.083%, 3 mls times daily as needed (rescue inhaler) -No order documented to discontinue the Albuterol.</p> <p>Review on 6/27/18 of client #1's electronic prescriptions (e-scripts) revealed order dated 6/12/18 for Focalin ER 10 mg every morning.</p> <p>Reviews on 6/21/18 and 6/26/18 of client #1's MARs for April, May, and June 2018 revealed: -Singulair 10 mg documented nightly at 7 pm.</p>	V 118		

Division of Health Service Regulation

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V 118	<p>Continued From page 2</p> <p>-Focalin XR 15 mg (milligrams) documented every morning at 7 am</p> <p>-Albuterol 2.5 mg/3ml 0.083%, 3 mls times daily as needed transcribed to the MARs. None documented as administered. On the May and June MARs a note was written, the medication had been discontinued 5/3/18.</p> <p>Interview on 6/21/18 the AFL (Alternative Family Living) Parent stated client #1's parent/guardian informed her the Albuterol had been discontinued in May because the client had not used, and no longer needed the medication.</p> <p>Interview on 6/27/18 the Qualified Professional stated: -The client #1's mother would take the client physician appointments; prescriptions were not given to the facility. -Client #1's physicians did not send any documentation to the facility of office visits or orders. -The QP and client #1's mother went to the pharmacy and got copies of the e-scripts 6/27/18 for Trazodone and Focalin. -She was not aware of an order change for Focalin.</p> <p>Due to the failure to accurately document medication administration it could not be determined if clients received their medications as ordered by the physician.</p>	V 118		
V 131	<p>G.S. 131E-256 (D2) HCPR - Prior Employment Verification</p> <p>G.S. §131E-256 HEALTH CARE PERSONNEL REGISTRY (d2) Before hiring health care personnel into a</p>	V 131		

Division of Health Service Regulation

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V 131	<p>Continued From page 3</p> <p>health care facility or service, every employer at a health care facility shall access the Health Care Personnel Registry and shall note each incident of access in the appropriate business files.</p> <p>This Rule is not met as evidenced by: Based on record reviews and interview, the facility failed to access the Health Care Personal Registry (HCPR) prior to hiring 1 of 3 staff audited (Staff #2). The findings are:</p> <p>Review on 6/27/18 of Staff # 2's personnel record revealed: -Date of Hire was 5/22/18. -Position/Title was Paraprofessional. -HCPR check dated 3/21/17.</p> <p>Interview on 6/27/18 the Qualified Professional stated: -Staff #2 had been a prior staff and was re-hired 5/22/18 -Human Resources told her HCPR was re-checked annually. -The HCPR had not been re-checked prior to the hire 5/22/18.</p>	V 131		
V 133	<p>G.S. 122C-80 Criminal History Record Check</p> <p>G.S. §122C-80 CRIMINAL HISTORY RECORD CHECK REQUIRED FOR CERTAIN APPLICANTS FOR EMPLOYMENT. (a) Definition. - As used in this section, the term "provider" applies to an area authority/county program and any provider of mental health,</p>	V 133		

Division of Health Service Regulation

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V 133	Continued From page 4 developmental disability, and substance abuse services that is licensable under Article 2 of this Chapter. (b) Requirement. - An offer of employment by a provider licensed under this Chapter to an applicant to fill a position that does not require the applicant to have an occupational license is conditioned on consent to a State and national criminal history record check of the applicant. If the applicant has been a resident of this State for less than five years, then the offer of employment is conditioned on consent to a State and national criminal history record check of the applicant. The national criminal history record check shall include a check of the applicant's fingerprints. If the applicant has been a resident of this State for five years or more, then the offer is conditioned on consent to a State criminal history record check of the applicant. A provider shall not employ an applicant who refuses to consent to a criminal history record check required by this section. Except as otherwise provided in this subsection, within five business days of making the conditional offer of employment, a provider shall submit a request to the Department of Justice under G.S. 114-19.10 to conduct a criminal history record check required by this section or shall submit a request to a private entity to conduct a State criminal history record check required by this section. Notwithstanding G.S. 114-19.10, the Department of Justice shall return the results of national criminal history record checks for employment positions not covered by Public Law 105-277 to the Department of Health and Human Services, Criminal Records Check Unit. Within five business days of receipt of the national criminal history of the person, the Department of Health and Human Services, Criminal Records Check	V 133		

Division of Health Service Regulation

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V 133	<p>Continued From page 5</p> <p>Unit, shall notify the provider as to whether the information received may affect the employability of the applicant. In no case shall the results of the national criminal history record check be shared with the provider. Providers shall make available upon request verification that a criminal history check has been completed on any staff covered by this section. A county that has adopted an appropriate local ordinance and has access to the Division of Criminal Information data bank may conduct on behalf of a provider a State criminal history record check required by this section without the provider having to submit a request to the Department of Justice. In such a case, the county shall commence with the State criminal history record check required by this section within five business days of the conditional offer of employment by the provider. All criminal history information received by the provider is confidential and may not be disclosed, except to the applicant as provided in subsection (c) of this section. For purposes of this subsection, the term "private entity" means a business regularly engaged in conducting criminal history record checks utilizing public records obtained from a State agency.</p> <p>(c) Action. - If an applicant's criminal history record check reveals one or more convictions of a relevant offense, the provider shall consider all of the following factors in determining whether to hire the applicant:</p> <ol style="list-style-type: none"> (1) The level and seriousness of the crime. (2) The date of the crime. (3) The age of the person at the time of the conviction. (4) The circumstances surrounding the commission of the crime, if known. (5) The nexus between the criminal conduct of the person and the job duties of the position to be 	V 133		
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Division of Health Service Regulation

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V 133	<p>Continued From page 6</p> <p>filled.</p> <p>(6) The prison, jail, probation, parole, rehabilitation, and employment records of the person since the date the crime was committed.</p> <p>(7) The subsequent commission by the person of a relevant offense.</p> <p>The fact of conviction of a relevant offense alone shall not be a bar to employment; however, the listed factors shall be considered by the provider. If the provider disqualifies an applicant after consideration of the relevant factors, then the provider may disclose information contained in the criminal history record check that is relevant to the disqualification, but may not provide a copy of the criminal history record check to the applicant.</p> <p>(d) Limited Immunity. - A provider and an officer or employee of a provider that, in good faith, complies with this section shall be immune from civil liability for:</p> <p>(1) The failure of the provider to employ an individual on the basis of information provided in the criminal history record check of the individual.</p> <p>(2) Failure to check an employee's history of criminal offenses if the employee's criminal history record check is requested and received in compliance with this section.</p> <p>(e) Relevant Offense. - As used in this section, "relevant offense" means a county, state, or federal criminal history of conviction or pending indictment of a crime, whether a misdemeanor or felony, that bears upon an individual's fitness to have responsibility for the safety and well-being of persons needing mental health, developmental disabilities, or substance abuse services. These crimes include the criminal offenses set forth in any of the following Articles of Chapter 14 of the General Statutes: Article 5, Counterfeiting and Issuing Monetary Substitutes; Article 5A,</p>	V 133		

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V 133	<p>Continued From page 7</p> <p>Endangering Executive and Legislative Officers; Article 6, Homicide; Article 7A, Rape and Other Sex Offenses; Article 8, Assaults; Article 10, Kidnapping and Abduction; Article 13, Malicious Injury or Damage by Use of Explosive or Incendiary Device or Material; Article 14, Burglary and Other Housebreakings; Article 15, Arson and Other Burnings; Article 16, Larceny; Article 17, Robbery; Article 18, Embezzlement; Article 19, False Pretenses and Cheats; Article 19A, Obtaining Property or Services by False or Fraudulent Use of Credit Device or Other Means; Article 19B, Financial Transaction Card Crime Act; Article 20, Frauds; Article 21, Forgery; Article 26, Offenses Against Public Morality and Decency; Article 26A, Adult Establishments; Article 27, Prostitution; Article 28, Perjury; Article 29, Bribery; Article 31, Misconduct in Public Office; Article 35, Offenses Against the Public Peace; Article 36A, Riots and Civil Disorders; Article 39, Protection of Minors; Article 40, Protection of the Family; Article 59, Public Intoxication; and Article 60, Computer-Related Crime. These crimes also include possession or sale of drugs in violation of the North Carolina Controlled Substances Act, Article 5 of Chapter 90 of the General Statutes, and alcohol-related offenses such as sale to underage persons in violation of G.S. 18B-302 or driving while impaired in violation of G.S. 20-138.1 through G.S. 20-138.5.</p> <p>(f) Penalty for Furnishing False Information. - Any applicant for employment who willfully furnishes, supplies, or otherwise gives false information on an employment application that is the basis for a criminal history record check under this section shall be guilty of a Class A1 misdemeanor.</p> <p>(g) Conditional Employment. - A provider may employ an applicant conditionally prior to</p>	V 133		

Division of Health Service Regulation

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V 133	<p>Continued From page 8</p> <p>obtaining the results of a criminal history record check regarding the applicant if both of the following requirements are met: (1) The provider shall not employ an applicant prior to obtaining the applicant's consent for criminal history record check as required in subsection (b) of this section or the completed fingerprint cards as required in G.S. 114-19.10. (2) The provider shall submit the request for a criminal history record check not later than five business days after the individual begins conditional employment. (2000-154, s. 4; 2001-155, s. 1; 2004-124, ss. 10.19D(c), (h); 2005-4, ss. 1, 2, 3, 4, 5(a); 2007-444, s. 3.)</p> <p>This Rule is not met as evidenced by: Based on record reviews and interviews the facility failed to complete criminal history record checks within five days of conditional offer of employment for 2 of 3 staff audited (Alternative Family Living (AFL) Parent, Staff #2). The findings are:</p> <p>Review on 6/27/18 of AFL Parent's personnel record revealed: -Hire date was 12/11/17. -The criminal history record check on file was dated 9/23/15.</p> <p>Review on 6/27/18 of Staff #2's personnel record revealed: -Hire date was 5/22/18. -Position, Paraprofessional. -The criminal history record check on file was dated 3/22/17.</p>	V 133		

Division of Health Service Regulation

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V 133	<p>Continued From page 9</p> <p>Interview on 6/21/18 the AFL Parent stated Staff #2 lived in the home and provided backup staffing for client #1.</p> <p>Interview on 6/27/18 the Qualified Professional stated: -Staff #1 and Staff #2 were both former staff who had been re-hired. -The criminal background checks had not been repeated at the time staff for re-hired. -She spoke with Human Resources and criminal background checks were done every 3 years so these were not repeated for Staff #1 and #2.</p>	V 133		