

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>MHL0411146</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____  B. WING _____	(X3) DATE SURVEY COMPLETED  <b>07/25/2018</b>
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NAME OF PROVIDER OR SUPPLIER  <b>AGAPE HOME LIVING CARE LLC</b>	STREET ADDRESS, CITY, STATE, ZIP CODE <b>2708 16TH STREET GREENSBORO, NC 27405</b>
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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) COMPLETE DATE
V 000	<p><b>INITIAL COMMENTS</b></p> <p>An annual and complaint survey was completed on 7/25/201. The complaint was unsubstantiated (intake #NC140592). A deficiency was cited.</p> <p>This facility is licensed for the following service category: 10A NCAC 27G .5600C Supervised Living for Adults with Developmental Disabilities.</p>	V 000		
V 110	<p>27G .0204 Training/Supervision Paraprofessionals</p> <p>10A NCAC 27G .0204 COMPETENCIES AND SUPERVISION OF PARAPROFESSIONALS</p> <p>(a) There shall be no privileging requirements for paraprofessionals.</p> <p>(b) Paraprofessionals shall be supervised by an associate professional or by a qualified professional as specified in Rule .0104 of this Subchapter.</p> <p>(c) Paraprofessionals shall demonstrate knowledge, skills and abilities required by the population served.</p> <p>(d) At such time as a competency-based employment system is established by rulemaking, then qualified professionals and associate professionals shall demonstrate competence.</p> <p>(e) Competence shall be demonstrated by exhibiting core skills including:</p> <ol style="list-style-type: none"> <li>(1) technical knowledge;</li> <li>(2) cultural awareness;</li> <li>(3) analytical skills;</li> <li>(4) decision-making;</li> <li>(5) interpersonal skills;</li> <li>(6) communication skills; and</li> <li>(7) clinical skills.</li> </ol> <p>(f) The governing body for each facility shall develop and implement policies and procedures for the initiation of the individualized supervision plan upon hiring each paraprofessional.</p>	V 110		

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LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE \_\_\_\_\_ TITLE \_\_\_\_\_ (X6) DATE \_\_\_\_\_

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V 110	<p>Continued From page 1</p> <p>This Rule is not met as evidenced by: Based on record reviews and interviews, the facility failed to ensure 1 of 3 surveyed staff (the Owner) demonstrated knowledge, skills and abilities required by the population served. The findings are:</p> <p>Review on 7/19/2018 of the Owner ' s employee file revealed:</p> <ul style="list-style-type: none"> <li>- Hire date: 4/12/2018</li> <li>- Documentation of qualification as a paraprofessional;</li> <li>- A job description for the position of Administrator/Service Director</li> <li>- Training in "Special Populations" on 1/26/2018</li> <li>- Training in Client Rights on 3/23/2017</li> <li>- Training on alternatives to restrictive interventions on 2/17/2018.</li> </ul> <p>Review on 7/25/2018 of former client (FC) #4 ' s record revealed:</p> <ul style="list-style-type: none"> <li>- Admission date: 12/18/2018</li> <li>- Discharge date: 6/28/2018</li> <li>- Diagnoses: Major Depressive Disorder with Psychotic Features; Unspecified Intellectual Disability; Gastroesophageal Reflux Disease; and Vitamin D Deficiency</li> <li>- Documentation of an assessment dated 12/18/2017 that noted a history of isolation, aggression, multiple group home placements, crying, self-injury, and thoughts that a man is trying to harm her;</li> <li>- Documentation of assessment at a local hospital emergency department (ED) on 4/9/2018</li> </ul>	V 110		

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V 110	<p>Continued From page 2</p> <p>for "aggressive behaviors" and on 4/26/2018 for "suicidal, hallucinations."</p> <p>Interview on 7/24/2018 with client #1 revealed:</p> <ul style="list-style-type: none"> <li>- She had decided to leave the facility because "I was not too happy. The staff didn ' t treat me right ..."</li> <li>- The Owner cursed at FC #4 and other clients;</li> <li>- When asked if anyone else at the facility had witnessed the Owner cursing at her, FC #4 replied: "They are going be on her side ..."</li> <li>- On 6/27/2018, FC #4 and the Owner had been mad at each other when FC #4 asked the Owner a question;</li> <li>- FC #4 was taken to a local hospital ED following the argument with the Owner;</li> <li>- She had thrown a rock across the road towards the side the Owner was standing on, but was not trying to hit the Owner;</li> <li>- On the morning of 6/28/2018, the Owner and staff #1 had picked her up from a local hospital ED and taken her to a local Crisis Center;</li> <li>- She had been taken to the Crisis Center because "I didn ' t want to get out of the van ..."</li> <li>- " ... I went to [the local hospital ED] first, then the crisis center .... The case worker (the Crisis Center Social Worker (SW)) talked to me that morning and I said I didn ' t want to go back to her ... They (Crisis Center staff) said you can ' t stay here ... Me and her (the Owner) just got into it that morning ... And I said ' Bye, damn bitch ' after she (the Owner) said the same thing to me, she called me one too ... [Staff #1] was there too. He heard her cussing at me. [Staff #1] will say I cussed her first ... I have witnesses that she started it first ... '</li> <li>- Crisis Center staff witnessed the Owner cursing at FC #4.</li> </ul> <p>Interviews on 7/24/2018 and 7/25/2018 with the</p>	V 110		

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V 110	<p>Continued From page 3</p> <p>Crisis Center SW revealed:</p> <ul style="list-style-type: none"> <li>- On 6/28/2018, the Owner and staff #1 took FC #4 to the Crisis Center because FC #4 had an "outburst" that morning;</li> <li>- FC #4 initially refused to get out of the facility vehicle;</li> <li>- After getting out of the vehicle, FC #4 was upset and called the Owner a "b***h";</li> <li>- The Owner responded by calling FC #4 a "B***h" and further stated "I got your b***h right here" in an antagonizing manner to FC #4;</li> <li>- "... You can 't treat a client that way..."</li> <li>- The Crisis Center Manager and Vice President had to get involved to calm the situation down;</li> <li>- The Owner told Crisis Center staff that if FC #4 didn ' t see a doctor for medication management, she would be discharged from the facility;</li> <li>- "... Her (the Owner ' s) plan was to dump her (FC #4) off here ..."</li> <li>- FC #4 had not met criteria for Crisis Center admission, but the Owner obtained an Involuntary Commitment (IVC) through the local Magistrate, and FC #4 was brought back to the Crisis Center on the afternoon of 6/28/2018;</li> <li>- The Crisis Center admitted FC #4 and later found alternative residential placement at a local boarding home for FC #4.</li> </ul> <p>Interview on 7/24/2018 with the Crisis Center Registered Nurse (RN) revealed</p> <ul style="list-style-type: none"> <li>- On the morning of 6/28/2018, the Owner and staff #1 brought FC #4 to the Crisis Center;</li> <li>- The Owner unsuccessfully attempted to get FC #4 out of the vehicle, and then asked the RN to get FC #4 out;</li> <li>- The RN talked to FC #4, and FC #4 said "Well, I ' ll get out for you ' ;</li> <li>- FC #4 "turned around and called the group home manager (the Owner) a b***h and the group home manager said ' B***h, I have your</li> </ul>	V 110		

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V 110	<p>Continued From page 4</p> <p>bitch right here ' and made a hand gesture pointing to the ground ... "</p> <ul style="list-style-type: none"> <li>- The Crisis Center Nurse Manager (NM) and the Crisis Center Vice President of Operations (VPO) witnessed part of the incident as they were attempting to "deescalate" the Owner;</li> <li>- The Owner said that FC #4 could not return to the facility;</li> <li>- "... She (the Owner) was just going to leave her (FC #4) and just go ..."</li> <li>- FC #4 had not met criteria for Crisis Center admission;</li> <li>- "... The first time she did leave with [the Owner] ... [The Owner] was pretty upset and said she was going to go down and file an IVC ..."</li> <li>- FC #4 was later brought back to the Crisis Center under and IVC order;</li> <li>- "...We felt for the consumer ' s safety that she shouldn ' t go back to the group home ..."</li> </ul> <p>Interview on 7/25/2018 with the Crisis Center NM revealed:</p> <ul style="list-style-type: none"> <li>- On 6/28/2018, she had witnessed the Owner being "out of control ..." and adamant that FC #4 needed to stay at the Crisis Center instead of being returned to the facility;</li> <li>- FC #4 "said something about her (the Owner) being a ' b***h ' and she (the Owner) said ' Who ' s the b***h now? ' ..."</li> <li>- "... She (the Owner) called her (FC #4) a ' b***h ' ... She (the Owner) was continually antagonizing her (FC #4) ... [FC #4] was very intimidated and scared of her (the Owner) ..."</li> </ul> <p>Interview on 7/25/2018 with the Crisis Center VPO revealed:</p> <ul style="list-style-type: none"> <li>- On 6/28/2018, the VP and the NM had intervened with the Owner as other Crisis Center staff coordinated FC #4 ' s assessment;</li> <li>- "... I felt like this lady (the Owner) was at her</li> </ul>	V 110		

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V 110	<p>Continued From page 5</p> <p>wits end with her (FC #4) and treated it like it (the Crisis Center) was a homeless shelter ..."</p> <p>Interviews on 7/19/2018 and 7/25/2018 with staff #1 revealed:</p> <ul style="list-style-type: none"> <li>- He had been with the Owner on 6/28/2018 when FC #4 was picked up from the local hospital ED and taken to the local Crisis Center;</li> <li>- While at the hospital ED, FC #4 refused to speak to the Owner and refused to leave the ED to get into the facility vehicle;</li> <li>- Staff #1 went into the ED to try to encourage FC #4 to get in the vehicle, and was told by FC #4 "I don ' t want to go."</li> <li>- FC #4 eventually got into the facility vehicle with staff #1, the Owner, and a client from a sister facility;</li> <li>- Staff #1 and the Owner immediately transported FC #4 to the Crisis Center after leaving the hospital ED;</li> <li>- FC #4 was "kind of aggressive, kind of snappy" and said "I don ' t want to talk to you" and had called the Owner a "b***h" when the Owner attempted to engage her in conversation;</li> <li>- When they arrived at the Crisis Center, FC #4 refused to get out of the vehicle and it seemed that the Crisis Center staff did not want to help;</li> <li>- The Owner kept going back and forth between the vehicle and the Crisis Office trying to get help;</li> <li>- A Crisis Center staff came out to the vehicle and the Owner asked her to get FC #4 out of the vehicle;</li> <li>- FC #4 "was being combative and saying ' ya ' ll can ' t make me get out ... ' "</li> <li>- Staff #1 encouraged FC #4 to get out of the vehicle without success;</li> <li>- When FC #4 still would not get out of the vehicle, the Owner called the local Police;</li> <li>- The local Police Officers who responded told the Owner that she should "deal with the crisis</li> </ul>	V 110		

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V 110	<p>Continued From page 6</p> <p>people", and then left;</p> <ul style="list-style-type: none"> <li>- Two Crisis Center staff came out to the vehicle after the Police left;</li> <li>- FC #4 told the two Crisis Center staff "I ' ll get off for ya ' ll, but I won ' t get off for [the Owner ...]"</li> <li>- FC #4 got out of the vehicle, then called the Owner a "b***h, a b-**-*-h";</li> <li>- " ... [The Owner] said ' how could you call me that when I ' ve done all this for you ' ... Then she (the Owner) said ' did ya ' ll hear what she called me? I didn ' t deserve that. ' ..."</li> <li>- To my knowledge, I didn ' t hear her (the Owner) call [FC #4] a b***h ... If they (the Crisis Center staff) are saying that, they are lying ... I think she (the Owner) was nervous and seeking help ... I thought she was going to break down ... When [the Owner] was asking they (Crisis Center staff) for help and they weren ' t helping her [FC #4] said that ' B ' word ..."</li> <li>- The Owner did not make any threats towards FC #4 or touch her;</li> <li>- The facility ' s policy regarding interacting with clients was: "no cursing, no loud talking, talk to them (facility clients) as grown people ... Like they are a family member or friend that you care about ..."</li> </ul> <p>Interview on 7/25/2018 with the Qualified Professional (QP) revealed:</p> <ul style="list-style-type: none"> <li>- Facility staff received training on appropriate interactions with clients;</li> <li>- The QP had never had any concerns about the way the Owner interacted with clients;</li> <li>- She had never heard the Owner curse at clients or use any derogatory language towards them.</li> </ul> <p>Interviews on 7/23/2018 and 7/25/2018 with the Owner revealed:</p> <ul style="list-style-type: none"> <li>- On 6/27/2018, while at a local store, FC #4 got angry about the Owner spending money to</li> </ul>	V 110		

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V 110	<p>Continued From page 7</p> <p>purchase items for another client;</p> <p>- " ... [FC #4] got mad and aggressively came over and said: ' are you (the Owner) buying her (the other client) pants? ' ... She (FC #4) was very combative with them (the other clients) and telling staff she was hearing voices telling her to kill herself ..."</p> <p>- FC #4 was "aggressively attacking" her peers verbally;</p> <p>- FC #4 refused to get into the facility vehicle and threw a rock at the Owner;</p> <p>- The Owner called the local Police;</p> <p>- FC #4 was transported to the local hospital ED by the police as the Owner followed in the facility vehicle;</p> <p>- On 6/28/2018, the Owner and staff #1 went to the local ED to pick up FC #4 after the ED staff called the Owner to tell her that FC #4 was discharged;</p> <p>- When the Owner arrived to pick up FC #4, FC #4 was "mad at me still and refused to get in the van ..."</p> <p>- FC #4 eventually got in the van and refused to speak to the Owner or staff #1;</p> <p>- "We (the Owner and staff #1) decided they (the ED staff) didn ' t do a psych evaluation ... Our next step was to take her (FC #4) to Crisis ... At the Crisis office, I said ' [FC #4], come on, let ' s get you some help since you won ' t talk to me or [staff #1] ' ..."</p> <p>- FC #4 refused to get out of the vehicle, so the Owner called the local Police (who did not arrive before FC #4 was already out of the vehicle);</p> <p>- The Owner rang the bell at the Crisis Center and got a Nurse, who got her supervisor to come out to talk to FC #4;</p> <p>- The Crisis Center supervisor asked FC #4 to get out of the vehicle, to which FC #4 responded: "I ' ll get out for you", and then got out of the vehicle;</p> <p>- FC #4 turned around and told the Owner: "Bye,</p>	V 110		



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V 110	Continued From page 8  b***h"; - "... I said ' [FC #4], you ' re going to call me that after all I ' ve done for you ' ..." - She had never called FC #4 a b***h, and the Crisis Center staff were lying if they said they heard her say that; - She had never threatened or made disparaging remarks to facility clients; - "I would never talk to my clients that way."	V 110		