

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: mhl026-086	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED R 08/23/2018
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NAME OF PROVIDER OR SUPPLIER PAT REESE FELLOWSHIP HOME	STREET ADDRESS, CITY, STATE, ZIP CODE 560-A WILKES ROAD FAYETTEVILLE, NC 28306
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V 000	<p>INITIAL COMMENTS</p> <p>An annual and follow up survey was completed on August 23, 2018. Deficiencies were cited.</p> <p>This facility is licensed for the following service category: 10A NCAC 27G .5600E Supervised Living for Adults with Substance Abuse.</p>	V 000		
V 114	<p>27G .0207 Emergency Plans and Supplies</p> <p>10A NCAC 27G .0207 EMERGENCY PLANS AND SUPPLIES</p> <p>(a) A written fire plan for each facility and area-wide disaster plan shall be developed and shall be approved by the appropriate local authority.</p> <p>(b) The plan shall be made available to all staff and evacuation procedures and routes shall be posted in the facility.</p> <p>(c) Fire and disaster drills in a 24-hour facility shall be held at least quarterly and shall be repeated for each shift. Drills shall be conducted under conditions that simulate fire emergencies.</p> <p>(d) Each facility shall have basic first aid supplies accessible for use.</p> <p>This Rule is not met as evidenced by: Based on record review and interviews the facility failed to have fire and disaster drills held at least quarterly and repeated on each shift. The findings are:</p> <p>Review on 8/15/18 of the facility fire drills documented from 8/1/17 - 7/30/18 revealed: - 1st quarter (7/01/17- 9/31/17): There were no fire drills documented on the 2nd shift (4pm - 8am) or weekend shift.</p>	V 114		

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

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V 114	<p>Continued From page 1</p> <ul style="list-style-type: none"> - 3rd quarter (1/01/18- 3/31/18): There were no fire drills documented on the weekend shift. - 4th quarter (4/01/18- 6/30/18): There were no fire drills documented on weekend shift. <p>Review on 8/15/18 of the facility disaster drills documented from 8/1/17 - 7/30/18 revealed:</p> <ul style="list-style-type: none"> - 1st quarter (7/01/17- 9/31/17): There were no disaster drills documented on the 1st shift (8am - 4pm) or weekend shift. - 2nd quarter (10/01/17- 12/31/17): There were no disaster drills documented on the 1st shift (8am - 4pm) or weekend shift. - 3rd quarter (01/01/18- 03/31/18): There were no disaster drills documented on the 1st shift (8am - 4pm), 2nd shift (4pm - 8am) or weekend shift. - 4th quarter (4/01/18- 6/30/18): There were no disaster drills documented on 1st shift (8am - 4pm), 2nd shift (4pm - 8am) or weekend shift. <p>Interview on 8/15/18 the 1st shift House Manager stated:</p> <ul style="list-style-type: none"> - The facility shifts were as follows: - 1st shift = 8 am - 4 pm Monday - Friday - 2nd shift = 4 pm - 8 am Monday - Friday - 3rd shift = 4pm (Friday) - 8am (Mon) - She stated she would ensure future completion of drills moving forward. - She had no additional questions or concerns during exit interview. 	V 114		
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.</p> <p>(a) Definition. - As used in this section, the term "provider" applies to an area authority/county</p>	V 133		

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V 133	<p>Continued From page 2</p> <p>program and any provider of mental health, developmental disability, and substance abuse services that is licensable under Article 2 of this Chapter.</p> <p>(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</p>	V 133		

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V 133	<p>Continued From page 3</p> <p>and Human Services, Criminal Records Check 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 	V 133		

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V 133	<p>Continued From page 4</p> <p>the person and the job duties of the position to be 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</p>	V 133		
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V 133	<p>Continued From page 5</p> <p>Issuing Monetary Substitutes; Article 5A, 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</p>	V 133		

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V 133	<p>Continued From page 6</p> <p>employ an applicant conditionally prior to 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, within five business days of making the conditional offer of employment, the facility failed to request a criminal background check for 2 of 3 audited staff (1st shift Group Home Manager and 2nd shift Group Home Manager (GHM)). The findings are:</p> <p>Review on 08/21/18 of 1st shift GHM's personnel file revealed: -Date of hire of 01/01/18. -No documentation of the criminal background check was available for review.</p> <p>Review on 08/21/18 of 2nd shift GHM's personnel file revealed: -Date of hire of 11/03/17. -No documentation of the criminal background check was available for review.</p>	V 133		

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V 133	Continued From page 7 Interview on 08/24/18 the Facility Director stated: - Criminal Background checks have been conducted on all employees through the State Bureau of Investigation (SBI), within a specified time frame. - Confirmation of criminal background checks from SBI had taken several weeks on average to be returned to the facility. - Additional background checks are completed on potential employees through an offender database, to ensure relevant information is captured prior to hiring process.	V 133		
V 289	27G .5601 Supervised Living - Scope 10A NCAC 27G .5601 SCOPE (a) Supervised living is a 24-hour facility which provides residential services to individuals in a home environment where the primary purpose of these services is the care, habilitation or rehabilitation of individuals who have a mental illness, a developmental disability or disabilities, or a substance abuse disorder, and who require supervision when in the residence. (b) A supervised living facility shall be licensed if the facility serves either: (1) one or more minor clients; or (2) two or more adult clients. Minor and adult clients shall not reside in the same facility. (c) Each supervised living facility shall be licensed to serve a specific population as designated below: (1) "A" designation means a facility which serves adults whose primary diagnosis is mental illness but may also have other diagnoses; (2) "B" designation means a facility which serves minors whose primary diagnosis is a developmental disability but may also have other	V 289		

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V 289	<p>Continued From page 8</p> <p>diagnoses;</p> <p>(3) "C" designation means a facility which serves adults whose primary diagnosis is a developmental disability but may also have other diagnoses;</p> <p>(4) "D" designation means a facility which serves minors whose primary diagnosis is substance abuse dependency but may also have other diagnoses;</p> <p>(5) "E" designation means a facility which serves adults whose primary diagnosis is substance abuse dependency but may also have other diagnoses; or</p> <p>(6) "F" designation means a facility in a private residence, which serves no more than three adult clients whose primary diagnoses is mental illness but may also have other disabilities, or three adult clients or three minor clients whose primary diagnoses is developmental disabilities but may also have other disabilities who live with a family and the family provides the service. This facility shall be exempt from the following rules: 10A NCAC 27G .0201 (a)(1),(2),(3),(4),(5)(A)&(B); (6); (7) (A),(B),(E),(F),(G),(H); (8); (11); (13); (15); (16); (18) and (b); 10A NCAC 27G .0202(a),(d),(g)(1) (i); 10A NCAC 27G .0203; 10A NCAC 27G .0205 (a),(b); 10A NCAC 27G .0207 (b),(c); 10A NCAC 27G .0208 (b),(e); 10A NCAC 27G .0209[(c)(1) - non-prescription medications only] (d)(2),(4); (e) (1)(A),(D),(E);(f);(g); and 10A NCAC 27G .0304 (b)(2),(d)(4). This facility shall also be known as alternative family living or assisted family living (AFL).</p> <p>This Rule is not met as evidenced by: Based on record review, observation, and</p>	V 289		

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V 289	<p>Continued From page 9</p> <p>interview the facility failed to ensure it operated within the scope for which it was licensed affecting 1 of 3 former clients (FC #12). The findings are:</p> <p>Review on 08/15/18 of the facility's client roster revealed: - FC #12 was not listed as a client.</p> <p>Review on 08/15/18 of the facility's staff roster revealed: - FC #12 was not listed as a staff.</p> <p>Review on 08/15/18 of FC #12 record revealed: - Discharge date of 02/23/18.</p> <p>Observation on 8/16/18 at approximately 4:00pm of FC #12 bedroom #8 revealed: - The client bedroom was identified as a single occupancy room at time of observation.</p> <p>Interview on 8/15/18 FC #12 stated: - He lived in room #8 of facility. - He had been discharged as a client and was no longer an employee. - He paid \$50 per week in rent. - He did not have a transition plan identified.</p> <p>Interview on 08/15/18 the First Shift Group Home Manager stated: - FC #12 had started the program as a client obtaining services, prior to transitioning into staff role. - FC #12's role was not identified as staff or employee and he didn't follow any client role or rules or staff role or rules. - FC #12 occupied a client bedroom with a two client occupancy by himself, as the second client bed had been removed.</p>	V 289		

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V 289	Continued From page 10 Interview on 08/15/18 the Program Director stated: - FC #12 had started program as a client obtaining services, prior to transitioning into a staff position. - FC #12's condition of employment was terminated in June 2018 and he now occupied a client bedroom in a transitional role. - FC #12's role was undetermined, as he no longer identified as staff or employee.	V 289		
V 291	27G .5603 Supervised Living - Operations 10A NCAC 27G .5603 OPERATIONS (a) Capacity. A facility shall serve no more than six clients when the clients have mental illness or developmental disabilities. Any facility licensed on June 15, 2001, and providing services to more than six clients at that time, may continue to provide services at no more than the facility's licensed capacity. (b) Service Coordination. Coordination shall be maintained between the facility operator and the qualified professionals who are responsible for treatment/habilitation or case management. (c) Participation of the Family or Legally Responsible Person. Each client shall be provided the opportunity to maintain an ongoing relationship with her or his family through such means as visits to the facility and visits outside the facility. Reports shall be submitted at least annually to the parent of a minor resident, or the legally responsible person of an adult resident. Reports may be in writing or take the form of a conference and shall focus on the client's progress toward meeting individual goals. (d) Program Activities. Each client shall have activity opportunities based on her/his choices, needs and the treatment/habilitation plan.	V 291		

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V 291	<p>Continued From page 11</p> <p>Activities shall be designed to foster community inclusion. Choices may be limited when the court or legal system is involved or when health or safety issues become a primary concern.</p> <p>This Rule is not met as evidenced by: Based on record reviews and interviews, the facility failed to maintain coordination between the facility operator and the professionals who are responsible for the client's treatment, affecting 2 of 3 audited clients (#1 and #9). The findings are:</p> <p>Finding #1 Review on 08/15/18 of client # 1's record revealed: - 29 year old male. - Diagnosis of Cocaine Use Disorder, Chronic Joint Pain, Alcohol Abuse, Depression, and Anxiety. - Admission date of 8/08/18.</p> <p>Interview on 08/15/18 client #1 stated: - He had a history of nerve damage from a car accident, was homeless and had no employment. - He was prescribed Gabapentin to treat the nerve damage and noted positive results from medication. - Upon admission to the Pat Reese Fellowship Home, he was notified that he would no longer be able to continue taking Gabapentin due to the affiliated pharmacy not covering cost of the Gabapentin medication. - He was notified that he would have to pay for Gabapentin out of pocket, if he desired to continue use of the medication. - Facility notified client to contact the physician to order discontinuing Gabapentin due to clients inability to pay for the medication.</p>	V 291		

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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 291	<p>Continued From page 12</p> <ul style="list-style-type: none"> - He was not offered alternative options or community resources by the facility to acquire the Gabapentin and client had medication order discontinued. <p>Finding #2 Review on 08/15/18 of client # 9's record revealed:</p> <ul style="list-style-type: none"> - 51 year old male. - Diagnosis of Alcohol Dependence, Adjustment Disorder with Depressed Mood, Pancreatitis, Closed Head Injury with Subsequent Cervical Spine Fusion and Opioid Addiction by history. - Admission date of 08/08/18. <p>Interview on 08/15/18 client #9 stated:</p> <ul style="list-style-type: none"> - He had a history of nerve damage, was homeless and had no employment. - He was prescribed Gabapentin to treat nerve damage and noted positive results from the medication. - Upon admission to the Pat Reese Fellowship Home, he was notified that he would no longer be able to continue taking Gabapentin due to the affiliated pharmacy not covering cost of the Gabapentin medication. - He was notified that he would have to pay for Gabapentin out of pocket, if he desired to continue use of the medication. - He was not offered alternative options or community resources by the facility to acquire the Gabapentin. <p>Interview on 08/15/18 the 1st shift Group Home Manager stated:</p> <ul style="list-style-type: none"> -The facility only utilized the local health department pharmacy to fill client medications and Gabapentin was not a covered medication by the local health department. -Clients were told they had to cover the cost of 	V 291		

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: mhl026-086	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED R 08/23/2018
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V 291	<p>Continued From page 13</p> <p>the medications not covered by the local health department's pharmacy</p> <ul style="list-style-type: none"> - Facility resources or alternative community resources were not explored. <p>Interview on 08/15/18 and 08/16/18 the Program Director stated:</p> <ul style="list-style-type: none"> -The facility only utilized the local health department pharmacy to fill client medications. -Clients were told they had to cover the cost of the medications not covered by the local health department's pharmacy and facility funds were not used to cover ongoing pharmacy/medication refills. - Optional facility resources or alternative community resources were not explored. 	V 291		